Budget Estimates 2024-25 Hearing – 25 February

Supplementary Questions

Deputy Premier, Minister for Education and Early Learning

and Minister for 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)?

Schools are expected to complete a student exit survey to collect information on each student's intended destination and reasons for leaving a school.

Principals meet with families who choose to leave a school to better understand that decision. The department welcomes families to share their experience either directly to schools, online via Feedback Assist, or in writing.

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?

The department publicly releases information in relation to Teacher Conduct and Performance on an annual basis. This is available at
https://data.nsw.gov.au/data/dataset/nsw-education-teacher-conduct-and-performance.

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?

Explicit teaching is a teacher-directed practice that is responsive to theories of learning about how students process store and retrieve information and is being rollout out across all NSW public schools. The NSW Department of Education has a statement on explicit teaching in NSW public schools and strongly supports this practice.

The Quality Teaching Model has been a model schools have used to drive improvement in classroom practice. It is not Quality Teaching Rounds.

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"?

The department's response to the Auditor General's Report is published at: https://www.audit.nsw.gov.au/sites/default/files/documents/Appendix%201%20-%20response%20from%20agency%20-%20SSWD.pdf.

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"?

See answer to supplementary question 4.

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"?

See answer to supplementary question 4.

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"?

See answer to supplementary question 4.

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"?

See answer to supplementary question 4.

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"?

See answer to supplementary question 4.

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 minster offer for up average rejection of education systems by parents?
(a) What is the minister intending to do to solve such issues?

In NSW, public schools remain the sector of choice for a majority of parents, with approximately 800,000 students enrolled in public schools from preschool to Year 12.

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)?

The review of the Professional and Ethical Standards Directorate (formerly the Employee Performance and Conduct Directorate) conducted in 2019 by Mr Mark Tedeschi AM QC, confirmed the importance of the department's investigative function.

The NSW reportable conduct scheme, established in 2000, provides a robust framework for the investigation of allegations that employees have harmed a child or young person.

In 2017, the Final Report of the Royal Commission into the responses of institutions to child sexual abuse recognised the strength of the reportable conduct system in NSW and recommended that States and Territories implement systems that would mirror the NSW system.

The Children's Guardian Act 2019 requires the Department of Education to report all allegations of reportable conduct to the Office of the Children's Guardian within 24 hours, to manage risk to students and to investigate those allegations. The investigations are then oversighted by the Office of the Children's Guardian, providing strong independent scrutiny of the department's investigations.

The department is also required to report allegations of corrupt conduct to the NSW Independent Commission against Corruption (ICAC).

12. How many staff (and percentage of total staff) have undertaken face-to-face disability training?

Department of Education staff have access to a wide range of resources and professional learning opportunities to build their knowledge, capability and confidence to meet the needs of students with disability. This includes:

- Courses about the Disability Standards for Education.
- A suite of on-line courses addressing a range of diverse disabilities.
- An inclusive practice hub which provides a range of resources to

inform inclusive teaching and learning practices.

The Disability Standards for Education Leaders is mandatory training for staff who are substantive, active or relieving as a Director Educational Leadership, Principal, Deputy Principal, Assistant Principal or Head Teacher only. This training must be completed on commencement and revisited every three years.

13. How many Principals (and percentage of total staff) have undertaken face-to-face disability training?

See answer to supplementary question 12.

14. How many principals (and percentage of total staff) have undertaken face-to-face training in legal requirements for child protection and abuse allegation?

All staff are trained and have a duty to recognise and respond to safety, welfare or wellbeing concerns for children and young people that arise from or during the course of their work. All department staff are mandatory reporters and are required to complete child protection training.

All department staff are required to complete Child Protection Awareness training upon commencing employment with the department. Existing staff (in their second year of employment onwards) are required to complete the new mandatory training Annual Competency Check which contains a dedicated section to Child Protection. Staff are taught how to recognise the indicators and factors of abuse, how to respond to ensure the safety of all students and how to appropriately report these concerns.

The department's Professional and Ethical Standards Directorate (PES) provides significant training and support to employees, in particular principals and workplace managers, in relation to the reporting of allegations of employee misconduct involving child protection concerns. This includes training and professional learning, fact sheets and bulletins, and the publication of relevant judgements and decisions.

15. Could the Minister provide an update on the implementation of the Student Behaviour policy?

The revised Student behaviour policy and new Suspension and expulsion procedures have been operational since Day 1, Term 1, 2024.

Schools are required to develop and commence implementing a School Behaviour Support and Management Plan by Term 1, 2025, which outlines how they will operationalise the policy, including how they will identify, prevent and respond to student behaviour.

Schools have access to evidence-based support designed to support teacher knowledge and practice, including:

- An online e-learning model of the Positive Behaviour for Learning framework. Explicit teaching practices are used within the Positive Behaviour for Learning (PBL) framework to teach clear and consistent behavioural expectations for all students within the school environment.

- Professional face-to-face learning in Trauma Informed Practice delivered by a series of behaviour management workshops for teachers in 2024 and a trial model to support beginning teachers around classroom management.

- More targeted and intensive support from the department's Team Around a School (TAaS).

- A behaviour professional learning roadshow for school executive and classroom teachers which focussed on assisting students with complex behaviours and driving change to improve school-wide support. Professional learning sessions included current, evidence-based behaviour approaches and interventions that can be utilised by teachers.

16. Could the Minister explain any changes made to the previously published new policy?

There have been no further changes to the Student Behaviour policy, updated in January 2024 and published on the department's website at https://education.nsw.gov.au/policy-library/policies/pd-2006-0316.

17. Is there a Staff Behaviour policy to compliment the Student Behaviour Policy?

The department's Code of Ethics and Conduct provides direction and guidance on professional conduct standards that promote adherence to department and NSW public sector values. The Code obliges employees to be accountable for their professional and personal conduct.

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?

As part of the department's emergency response to damage that occurred to Bunyip Preschool and Long Day Care Centre, the service was supported to relocate to a temporary location.

The temporary location is Harden Racecourse at 4559 Burley Griffin Way, Cunningar, and the service commenced operations from 24 February 2025. This ensures that the community has continued access to early childhood education and

care, whilst repairs are undertaken at Bunyip Preschool. The department will continue to support the provider.

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?

I am advised the Grenfell Childcare Centre, which is a non-government service, is operational. The department has been advised the provider plans to expand its service.

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?

It is unfortunate that the former Liberal National Government failed to deliver a new primary school for Castle Hill during its 12 years in office. Like many communities across north-west Sydney, Castle Hill is an area that the former Liberal National Government allowed to grow without the necessary school infrastructure.

The NSW Government is currently finalising plans to address the short-term enrolment demand around Castle Hill and Kellyville, while assessing options to meet the projected longer-term enrolment demand. The work of ensuring value for money for taxpayers is constant and ongoing.

It should be noted that the former Liberal National Government did not develop any plans for a new primary school at the Showgrounds Precinct or commit any funding towards building a new school at that location. It is disappointing that the Liberals gave the community false hope of a new school when it had no plans or intention to build one.

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?

Since becoming Minister for Education and Early Learning I have visited hundreds of schools across New South Wales, including schools in Castle Hill.

The Minns Labor Government is delivering record funding for school infrastructure after more than a decade of neglect by the Liberals.

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?

The department regularly reviews student projections and population changes to ensure every student can attend a NSW public school.

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?

See answer to supplementary question 22.

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, comparted 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?

See answer to supplementary question 22.

25. Minister, what is your understanding of the relationship between civics education and social cohesion?

Civics and citizenship education builds students' knowledge and understanding of the ways in which citizens can actively participate in Australia's diverse and inclusive society. Students learn about the civic institutions and the processes through which decisions are made for the common good of the community and they also develop the skills and understandings that relate to the organisation of a harmonious democratic society.

In NSW, civics and citizenship education is integrated across various syllabuses, providing students with numerous opportunities to develop the knowledge, skills, and values that contribute to social cohesion.

Students are provided with opportunities to value the roles and responsibilities people have in Australia, to develop the knowledge, skills and dispositions to act as informed and active citizens in the future.

In the curriculum, students learn about the rights and responsibilities of citizens in a democratic society and the civic knowledge, skills and values required to participate in the democratic process. They also learn about the protection of rights and the responsibilities individuals have toward one another, further promoting social cohesion.

Students learn about the role of courts in Australian democracy and the ways they protect democratic rights and freedoms. They learn about the importance and characteristics of human rights and how human rights are incorporated into Australian law.

26. When will civics and citizenship education be mandated in NSW schools?

This question was answered in the hearing.

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?

NSW Education Standards Authority (NESA) has its own curriculum in line with the Australian curriculum. It did not determine the content of the current version of the Australian curriculum nor can it predict what the Australian Curriculum and Assessment Reporting Authority (ACARA) may choose to do in the future.

28. What is the NSW Department of Education's current offering on civics and citizenships?

See answer to LC QoN 2577.

29. Are NSW teachers equipped to meet the new mandated learning of civics and citizenships. What needs to change and what is the timeframe?

Teaching advice and other materials have been released to support teachers to deliver the new essential Civics and Citizenship content. NESA's teaching advice includes links to online Civics and Citizenship resources and professional learning provided by the Parliamentary Education Office.

Additionally, the department is developing a comprehensive support package for the new Human Society and its Environment (HSIE) K–6, Geography 7–10 and History 7–10 syllabuses. These will be published in time to support teachers implement the new syllabuses by 2027.

30. What specific training or professional development is provided to teachers to ensure they are equipped to deliver high quality Civics education?

See answer to Budget Estimates hearing 27 August 2024 supplementary question 196.

31. What teacher professional development resources are currently available to NSW teachers for the teaching of civics and citizenship?

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See answer to supplementary question 29.

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?

Civics and citizenship is one of 6 priorities identified by NESA that develop students' understanding of communities, contemporary issues and the world around them. Professional development for HASS teachers remains a priority area.

Any changes to the current professional development approach in NSW would require consensus among NSW education stakeholders and an identified need for further reform by employers, schools/sectors, and teacher representatives.

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?

See answer to Budget Estimates hearing 27 August 2024 supplementary question 193.

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?

See answer to Budget Estimates hearing 27 August 2024 supplementary question 194.

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?

See answer to Budget Estimates hearing 27 August 2024 supplementary question 197.

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?

See answer to Budget Estimates hearing 27 August 2024 supplementary question 198.

37. How does the Department support teachers who feel unprepared or insufficiently trained to teach Civics effectively?

See answer to Budget Estimates hearing 27 August 2024 supplementary question 199.

38. What resources are provided to schools to enhance the delivery of Civics education, and how is the effectiveness of these resources evaluated?

See answer to Budget Estimates hearing 27 August 2024 supplementary question 200.

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?

See answer to Budget Estimates hearing 27 August 2024 supplementary question 201.

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?

See answer to LC QoN 2577.

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?

See answer to supplementary question 40.

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?

The Department of Education provides a comprehensive set of support for all new syllabuses before they are implemented, including professional learning.

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?

See answer to supplementary question 27.

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?

Curriculum and policy monitoring meetings with schools form part of an internal assurance process regarding the implementation of policy and curriculum in schools. This process includes ensuring that schools are compliant with minimum curriculum time requirements for each learning area.

45. How does the Department ensure that the Code of Conduct is communicated and enforced among all teachers?

See answer to Budget Estimates hearing 27 August 2024 supplementary question 185.

46. How often are teachers required to undergo refresher training on the Code of Conduct?

All staff must complete Code of Ethics and Conduct training upon commencement at the Department of Education. The Annual Competency Check which covers Code of Ethics and Conduct content is required every year thereafter.

47. What mechanisms are in place for students or parents to report violations of the Code of Conduct?

See answer to Budget Estimates hearing 27 August 2024 supplementary question 187.

48. How does the Department ensure transparency and accountability in investigating such complaints?

See answer to Budget Estimates hearing 27 August 2024 supplementary question 187.

49. Are there any measures in place to monitor teachers' compliance with the Code of Conduct on social media platforms?

See answer to Budget Estimates hearing 27 August 2024 supplementary question 188.

50. How does the Department handle situations where teachers' personal beliefs interfere with their professional responsibilities

See answer to Budget Estimates hearing 27 August 2024 supplementary question 189.

51. Has there been any recent review or update of the Code of Conduct to address contemporary issues?

A revised Code of Ethics and Conduct was launched on 1 November 2024 to align the Department of Education's Code with the NSW Code of Ethics and Conduct for NSW Government Sector Employees. The department's Code aligns in full with the Public Service Commission (PSC) guidance.

The PSC recently issued guidance to employees on making public comment and the use of social media.

52. Can you explain the role of school principals in enforcing the Code of Conduct?

See answer to Budget Estimates hearing 27 August 2024 supplementary question 191.

53. What steps are taken if a school principal fails to enforce the Code of Conduct within their school?

See answer to Budget Estimates hearing 27 August 2024 supplementary question 192.

54. How does the Department plan to prevent similar incidents in the future and ensure adherence to the Code of Conduct?

See answer to Budget Estimates hearing 27 August 2024 supplementary question 192.

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?

Breaches of the Code of Ethics and Conduct are handled in the workplace under established management processes. The Professional and Ethical Standards directorate (PES) provides guidance to principals and workplace managers about what should be reported to PES as an allegation of employee misconduct.

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?

See answer to supplementary question 55.

At no point were students of Jewish faith isolated from classes by the school.

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?

The department releases information in relation to Teacher Conduct and Performance on an annual basis. This is available publicly online.

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?

See answer to supplementary question 57.

59. When was the last teacher suspended for a breach of the Teachers Code of Conduct?

See answer to supplementary question 57.

60. When was the last teacher dismissed under the Teachers Code of Conduct?

See answer to supplementary question 57.

61. How can parents have confidence in the Teachers Code of Conduct?

All employees are required to adhere to the Department of Education's Code of Ethics and Conduct.

The department's Code of Ethics and Conduct is consistent with the NSW Public Service Commission's Code of Ethics and Conduct. The Code was released in late 2024. It sets out clear expectations and provides information about the work context for employees working in schools. All department employees were required to undertake training in relation to the new Code.

Principals and workplace managers respond to cases of lower-level conduct of concern. Allegations of misconduct are referred to the Professional and Ethical Standards Directorate (PES). PES assesses all reports received and takes appropriate action.

62. What prompted the review of Legal Issues Bulletin 55?

The review of the Transgender Legal Issues Bulletin is part of a general review of Legal Issues Bulletins being undertaken by Legal Services. Following this review, it is expected the revised Legal Issues Bulletin 55 will be published shortly.

Legal issues bulletins are a statement of the legal position the department takes on particular issues. Some stakeholders are routinely consulted about legal issues bulletins, for example the Primary Principals' Association and the Secondary Principals' Council. NSW government agencies and other organisations are consulted about a particular legal issues bulletin when the topic relates to an issue in which they have expertise or impacts on an area of their operations.

The department has a common law duty of care to take reasonable steps to keep all students safe from foreseeable risk of harm while they are at school or engaged in school related activities.

63. Will the Bulletin remain relevant to issues relating to Transgender students in schools?

See answer to supplementary question 62.

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?

See answer to supplementary question 62.

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?

See answer to supplementary question 62.

66. Does the School have a duty of care to include parents in discussions relating to the welfare of students concerning gender and transgender?

See answer to supplementary question 62.

67. How many teacher vacancy positions have been filled by existing Deputy Principals in the last 12 months?

No permanent teacher vacancies have been filled by an existing permanent Deputy Principal or Principal in the last 24 months.

68. How many teacher vacancy positions have been filled by existing Deputy Principals in the last 24 months?

See answer to supplementary question 67.

69. How many teacher vacancy positions have been filled by existing Principals in the last 12 months?

See answer to supplementary question 67.

70. How many teacher vacancy positions have been filled by existing Principals in the last 24 months?

See answer to supplementary question 67.

71. Minister, how are teacher vacancies being filled in NSW Schools?

The recruitment and placement of permanent teachers in NSW public schools is undertaken in accordance with the Staffing Agreement which is publicly available on the department's website.

72. Does merit selection for teacher vacancies remain in place for NSW Schools?

Yes.

73. How are transfers managed by the NSW Department relevant to teacher vacancies?

See answer to supplementary question 71.

74. Minister, is there confidence in the NSW Education system by teachers? What do reports and research reveal?

Confidence in the NSW Education system is growing as the Minns Labor Government begins the work of fixing the mess caused by 12 years of neglect from the previous Liberal-National Government.

While former Education Minister Sarah Mitchell stated that teacher vacancies were "not something [she was] overly concerned about," 12 years of wage suppression by the previous Government caused a teacher shortage crisis, and eroded confidence in the system.

Since coming to office, the Minns Labor Government has worked to restore confidence in the NSW Education system by making NSW teachers amongst the highest paid in the country, leading to a 40% reduction in teacher vacancies and the halving of merged and cancelled classes.

75. Minister, is there confidence in the NSW Education system by parents? What do reports and research reveal?

See answer to supplementary question 74.

76. Minister, what are enrolment levels in NSW Government schools over the last 12 months?

NSW public school enrolment number data is publicly available online at https://data.nsw.gov.au/data/group/education-and-training.

77. Minister, what are enrolment levels in NSW Government schools over the last 24 months?

See answer to supplementary question 76.

78. Minister, what are enrolment levels in NSW Government schools over the last 5 years?

See answer to supplementary question 76.

79. Minister, what are enrolment levels in NSW Government schools in the Camden electorate in the last 24 months?

See answer to supplementary question 76.

80. Minister, what are enrolment levels in NSW Government schools in the Liverpool electorate in the last 24 months?

See answer to supplementary question 76.

81. Minister, what are enrolment levels in NSW Government schools in the East Hills electorate in the last 24 months?

See answer to supplementary question 76.

82. Minister, what are enrolment levels in NSW Government schools in the Leppington electorate in the last 24 months?

See answer to supplementary question 76.

83. Minister, what are enrolment levels in NSW Government schools in the Penrith electorate in the last 24 months?

See answer to supplementary question 76.

84. Minister, what are enrolment levels in NSW Government schools in the Prospect electorate in the last 24 months?

See answer to supplementary question 76.

85. Minister, what are enrolment levels in NSW Government schools in the South Coast electorate in the last 24 months?

See answer to supplementary question 76.

86. Minister, what are enrolment levels in NSW Government schools in the Castle Hill electorate in the last 24 months?

See answer to supplementary question 76.

87. Minister, what are enrolment levels in NSW Government schools in the Willoughby electorate in the last 24 months?

See answer to supplementary question 76.

88. Minister, what are enrolment levels in NSW Government schools in the Kellyville electorate in the last 24 months?

See answer to supplementary question 76.

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?

The Department of Education's Code of Ethics and Conduct clearly identifies the standard of behaviour expected of employees.

The department is committed to ensuring all staff, students and visitors are treated with dignity and respect and that action will be taken to prevent and respond to bullying in its workplaces in line with the Code.

The department has a range of programs and resources in place to support the physical and psychological health and wellbeing of its staff, including programs and initiatives that have been implemented to prevent bullying from occurring and to ensure allegations of bullying are responded to appropriately.

90. Minister, should the handling of complaints relevant to Diversity, Inclusion and Belonging Strategy be investigated by an independent body?

Complaint handling in the NSW Department of Education is fair, with concerns addressed promptly and efficiently. If a staff member feels their complaint needs independent investigation, the Australian Human Rights Commission provides details of services that provide advocacy support. The NSW Teachers Federation and Public Service Association also provide support to staff pertaining to the complaint's procedures.

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

All Department of Education employees are obligated to abide by legislative requirements and government policies, including the Privacy and Personal Information Act 1998 (PPIP Act), the Public Interest Disclosures Act 2022 (PID Act) and the department's Code of Ethics and Conduct.

The department's Data Breach Policy provides direction and guidance on how the department identifies, responds to and manages data breaches. This is available at https://education.nsw.gov.au/policy-library/policies/pd-2024-0485-12.

In addition, the department's annual reports provide further detail on privacy and personal information protection, including data on privacy internal reviews and data breach notifications.

92. What is the Government's anti-bullying policy in NSW schools?

The policy is available on the department's website at:
https://education.nsw.gov.au/policy-library/policies/pd-2006-0316

93. What resources/ teacher training is available relating to anti-bullying in NSW schools?

Information on the resources and support is available relating to anti-bullying is available on the department's website at:
https://education.nsw.gov.au/schooling/schooling-initiatives/anti-bullying.

94. Are there any measurables outcome relevant to anti-bullying available resources and teacher training?

Seev answer to supplementary question 92.

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?

Schools work with the NSW Police Youth Command who deliver programs and presentations in schools on issues such as bullying and its consequences.

96. Are NSW School programmes relating to behaviour strategy currently on hold in NSW Schools?

No.

97. Are NSW State flags supplied to NSW Government schools? What other flags are provided to NSW Government schools?

The Department of Education can provide NSW public schools with a NSW State flag on request.

Schools are also able to request the Australian National Flag, the Australian Aboriginal Flag and the Torres Strait Islander Flag, free of charge, under the Constituents' Request Program via the electorate office of their local Senator or Federal Member of the House of Representatives.

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.)

The NSW State Flag Distribution Guidelines document was not attached.

See answer to supplementary question 97.

99. How many NSW State Flags have been supplied to NSW Government schools in the last 12 months?

The Department of Education does not collate this information centrally.

100. How many NSW State Flags have been supplied to NSW Government schools in the last 24 months?

See answer to supplementary question 99.

101. Does the NSW Government have a policy for the flying of the NSW State flag at NSW Government schools?

It's important to observe the correct protocol when flying the flag. Detailed information for the flying of flags can be found in the Australian Flags Booklet published by the Department of the Prime Minister and Cabinet. A copy is available at https://www.pmc.gov.au/resources/australian-flags-booklet.

The NSW Government supports the flying of both the NSW and national flags, and encourages everyone to become familiar with the protocols for the correct use of these flags. The NSW State Flag protocols are available online at https://www.nsw.gov.au/about-nsw/nsw-protocol/state-flag#toc-protocol.

The NSW Department of Education provides further details to assist NSW public schools with these protocols, including obtaining flags.

102. If a school has one flagpole what flag is expected to be flown?

See answer to supplementary question 101.

103. What about if there are 2 or 3 flag poles?

See answer to supplementary question 101.

104. Does the NSW Department of Education provide guidelines to the leadership of the school as to what flags ought to be flown?

See answer to supplementary question 101.

105. What is the budget for the provision of NSW State flags to NSW Government schools?

State flags are provided to NSW public schools on request to their local School Infrastructure team.

106. How are they made available?

See answer to supplementary question 105.

107. What communication is made to schools to inform them of the availability of these flags?

See answer to supplementary question 101.

108. What role will the NSW Department of Education play in the 2025 Sydney Gay and Lesbian Mardi Gras Festival?

The department participated in the Sydney Gay and Lesbian Mardi Gras parade alongside other participants such as NSW Health, NSW Ambulance, NSW Police Force, NSW Rural Fire Service, Transport for NSW and the NSW Liberal Party.

More information can be found at https://education.nsw.gov.au/news/latest-news/-celebrating-diversity-in-this-year-s-mardi-gras.

109. Has the NSW Department of Education applied to march again and has its application been accepted by the Sydney Mardi Gras Committee?

Applications to participate in the 2026 Sydney Gay and Lesbian Mardi Gras parade have not yet opened. The department is committed to continuing its participation in the Sydney Gay and Lesbian Mardi Gras parade.

110. What is the budget for the NSW Department of Education participation in the 2025 Sydney Mardi Gras?

Total costs for the department's 2025 Mardi Gras float were $25,154.06.

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?

The department reused a number of the items previously created which provided a modest saving on the budget allocated for the previous year.

112. What is the cost of staff time both in terms of preparation and participation in the march?

Zero. Staff volunteered their time outside of work hours to prepare and participate 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?

Committee meeting times to discuss the department's participation in the Mardi Gras and all related activities including workshops were held outside of working hours and on weekends. These are volunteer efforts.

114. What support or assistance is available to NSW families experiencing cost of living pressures relating to educating children?

Student assistance provides financial support for families experiencing short or long-term hardship to meet students' personal, social, and learning needs. Schools proactively engage with parents to understand their needs and offer support discreetly on a case-by-case basis.

The NSW Government made an $8 million election commitment to expand the School Breakfast 4 Health program from 500 to 1,000 schools across the state. This commitment to doubling the number of schools in the program will ensure that no matter what their financial circumstances, kids in NSW are getting the right start to their day.

115. What support or assistance is available to NSW families experiencing cost of living pressures relating to sporting activities for their children?

See answer to supplementary question 114.

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?

The department is complying with the Premier's memorandum.

117. What is the current level of office occupancy relating to each NSW Department of Education office across NSW?

The department is working to ensure that office space is fully utilised. Classroom occupancy in NSW has increased as the Minns Labor Government has reduced teacher vacancies by 40% after 12 years of neglect by the previous Liberal-National Government. This has led to a halving of the number of merged and cancelled classes.

118. How does the NSW Federal funding arrangement for education compare to the other States?

The Australian Government has committed to increasing its contribution from 20% to 25% of the Schooling Resource Standard by 2034.

Other States and Territories remain in negotiations with the Australian Government.

119. What are the transport costs to NSW Government when students are denied entry to local school under current school catchment areas?

Parents are entitled to enrol their child at the local NSW public school within the designated intake area, providing the child is eligible to attend and the school can accommodate them.

Questions relating to transport costs should be referred to the Minister for Transport.

120. How is disadvantage being addressed by early education?

The NSW Government is building 100 new public preschools that are co-located with primary schools by 2027. These new public preschools are in addition to the existing 100 public preschools already operated by the Department of Education and have been selected in areas of greatest need.

The department funds a range of initiatives to support the provision of inclusive Early Education and Care (ECEC). This includes the Disability Inclusion Program for NSW community preschools, which provides funding and support to include children with disability and additional needs to participate in early childhood education on the same basis as their peers.

The NSW Government is rolling out the free health and development checks for 4-year-olds in ECEC services program to increase the number of NSW children starting school developmentally on track.

121. What is the evidence-based approach to achieve long-term outcomes for young people experiencing disadvantage?

Our Plan for NSW Public Education includes targeted interventions and data-driven strategies to support students with low socio-educational advantage backgrounds to improve their outcomes. Through agreement with the Commonwealth Government, the NSW Government is committed to delivering 100% of the needs-based Schooling Resource Standard for NSW public schools.

122. How is the NSW Government improving outcomes for priority equity cohorts?

The extensive support for priority cohorts is built into targeted and flexible funding supports for schools.

Students learning English as an additional language or dialect, including those who are newly arrived and/or from refugee backgrounds, receive support from specialist teachers.

In 2024, we celebrated record enrolments of First Nations students in Year 12 and the largest overall HSC cohort in NSW and Australian history, with nearly 60,000 students eligible for an ATAR and 25% completing a VET course.

The 2024 full year report card is publicly available on the department's website at: https://education.nsw.gov.au/content/dam/main-education/about-us/strategies-and-reports/plan-for-nsw-public-education/2024_full-year_report_card.pdf Our Plan for NSW Public Education 2024 full-year report card.

123. What are the strategies to improve school attendance and year 12 completion?

The Department of Education has system supports and multi-tiered interventions to support the drivers of strong attendance. Our approach for 2025 will focus clearly on the factors that support attendance at the system and school level:

- Requiring every school to have a focus on attendance with a mandatory improvement measure.
- Clear messaging to community and schools that attendance matters.
- Universal, targeted and individual supports and resources for schools and students addressing specific cohorts of students and/or specific types of absence.

124. How is the NSW Government enhancing pathways for post-school support?

Our Plan for NSW Public Education includes a goal that every student finishes school ready to succeed in their chosen pathway as an informed, responsible citizen. It commits to:
- enhanced access to high-quality vocational education and training (VET) in schools, school-based apprenticeships and traineeships, and HSC pathways
- supporting, informing and inspiring all students to choose post-school pathway options aligned to their goals
- improving access, opportunities and choices across post-school pathways including university, training and work for all students

Further information is available on the departments website at: https://education.nsw.gov.au/schooling/students/career-and-study-pathways.

125. How is the NSW Government tracking issues and measuring equity?

Our Plan for NSW Public Education sets ambitious goals to enhance student outcomes, support our staff, and strengthen the education system. A suite of measures has been established to track progress.

126. How can we uplift morale in the teaching profession today?

The Liberal and National parties can help uplift morale by scrapping its promise to bring back a wages cap and supress the salaries of teachers'.

The former Liberal National Government's decision to supress teachers' wages for 12 years, impose excessive administrative workloads on teachers and systematically undervalue the teaching profession did lead to significantly low morale. This is evidenced by the former Liberal National Government's record of unprecedented teacher vacancies of more than 3,300, record resignations and 10,000 merged and cancelled classes every day.

Valuing the teaching profession is a priority of the Minns Labor Government. It is why we made the early decision to scrap the former Liberal National Government's wages cap and deliver the most significant uplift in salaries in a generation. As a result, teacher vacancies are down 40%, resignations are falling for the first time in 13 years and the number of merged and cancelled classes has been halved.

Furthermore, the Minns Labor Government has made more than 16,000 temporary teachers and support staff permanent and reduced the administrative workload burdens placed on teachers.

127. How can we restore confidence to the NSW Government education sector.

The Liberal and National parties can help maintain confidence in the NSW Government education sector by scrapping its promise to bring back a wages cap and supress the salaries of teachers.

Under the former Liberal National Government, confidence in public education was undermined by;
- 12 years of supressing teachers' wages;
- Record teacher vacancies;
- 10,000 merged and cancelled classes every day;
- Failure to build schools in our fastest growing suburbs;
- Leaving NSW with fewer schools;
- A 35% increase in demountables; and
- Failure to mandate evidence-based teaching practices such as explicit teaching.

The Minns Labor Government is delivering on its commitment to rebuild public education by;

- Delivering record funding for NSW's public education system.
- Securing an historic agreement with the Commonwealth to deliver full and fair funding for NSW public schools in line with the Gonski Review.
- Abolishing the wages cap and delivering the most significant uplift in teachers salaries in a generation.
- Reducing teacher vacancies by 40%.
- Halving the number of merged and cancelled classes.
- Building schools and delivering school upgrades in our fastest growing communities such as Box Hill, Leppington, Edmondson Park, Gledswood Hills, Gregory Hills, Schofields, Tallawong, Melonba, Gables, Nirimba Fields, Jordan Springs and Melrose Park.
- Reversing the disastrous policies of the previous Liberal National Government such as Local Schools, Local Decisions and reversing failed school amalgamations in regional NSW.
- Giving teachers more time to successfully implement NSW's nation-leading, new curriculum.
- Mandating evidence-based, explicit teaching.
- Banning mobile phones in schools.
- Replacing the former Government's disastrous Student Behaviour Policy with policy that empowered teachers and principals.

128. How are we tracking on administration burden and teachers?

The Liberal National Government was tracking poorly on addressing the workload burden placed on teachers, having imposed excessive administrative demands on teachers that took them away from the classroom. Furthermore, the Liberal National Government's decision to supress teachers' wages led to record teacher vacancies and 10,000 classes being merged and cancelled every day, which placed significant pressure on teachers.

The Minns Labor Government is committed to reducing the excessive administrative workload burden for all school staff. Since coming to office, we have taken significant steps to address this challenge, including:

- Extending the timeframe for the new curriculum to be successfully implemented.
- Expanding the School Admin Reduction Program
- Limiting meetings to 1 hour a fortnight.
- Setting clear guidelines for digital communications outside of school hours.
- Rolling out NSWEduChat to all staff.
- Halving the number policy and procedures.
- Replacing the former Government's disastrous Student Behaviour Policy and empowering teachers to adequately address persistent misbehaviour.
- Streamlining teacher accreditation.

- Removing the restrictive categories of Professional Development (PD).
- Providing additional school development days to give teachers more time for planning, programming, and preparation.
- Cutting back on the amount of change imposed on schools.

129. How can schools and the system work smarter to avoid burnout?

Respecting, valuing and supporting the teaching profession is critical to retaining teachers. That means not supressing teachers wages which the Liberals and Nationals did for 12 years and has promised to do again if it returns to government.

130. How are we addressing supply issues?

Lifting the status of the teaching profession and valuing teachers are vital to attracting more people into the profession.

The former Liberal National Government's decision to supress teachers' wages for 12 years undervalued the profession and led to record vacancies, record resignations and 10,000 merged and cancelled classes every day. It is disappointing the Liberal and National parties have promised to bring back the wages cap should it return to government.

The Minns Labor Government decision to abolish the former Liberal National Government's wages cap and provide the most significant uplift in salaries in a generation has led to;

- Applications for education degrees in NSW increasing by 23%
  - Compared to 7% nationally
- Offers for teacher education courses in NSW increasing by 36%
  - Compared to 14% nationally
- A 40% reduction in permanent teacher vacancies
- Resignation rates falling for the first time in 13 years
- Resignation rates among teachers in their first year and first five years falling to a four-year low

Through the commitment of a $20 million Innovative Teacher Training Fund, an Early Career Academy for Teachers has been established to attract and retain more high-quality teachers, especially in high-need locations and specialist subject areas.

More information can be found at https://education.nsw.gov.au/teach-nsw/initiatives/early-career-academy.

131. Are you concerned with the reactive instead of proactive approach to education facilities as commercial developments surge over Sydney?

I was extremely concerned about the former Liberal National Government's lack of action regarding delivering education facilities in our fastest growing suburbs.

The former Liberal National Government allowed significant development, particularly in Western Sydney, without delivering the necessary school infrastructure. In some cases, the former Liberal National Government failed to build schools that they promised communities such as Box Hill, Marsden Park and Gregory Hills.

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?

All project details, including their status, for the Camden electorate are available on the School Infrastructure website.

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?

All project details, including their status, for the Castle Hill electorate are available on the School Infrastructure website.

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?

All project details, including their status, for the Willoughby electorate are available on the School Infrastructure website.

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?

All project details, including their status, for the Kellyville electorate are available on the School Infrastructure website.

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?

All project details, including their status, for the East Hills electorate are available on the School Infrastructure website.

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?

All project details, including their status, for the Leppington electorate are available on the School Infrastructure website.

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?

All project details, including their status, for the Wollondilly electorate are available on the School Infrastructure website.

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?

The department publishes information about project timelines on its website. Unlike the former Liberal Government, which failed to deliver for growing communities, the Minns Labor Government is committed to delivering the school projects growing areas need.

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?

See answer to supplementary question 139.

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?

See answer to supplementary question 139.

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?

See answer to supplementary question 139.

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?

See answer to supplementary question 139.

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?

See answer to supplementary question 139.

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?

See answer to supplementary question 139.

146. How does the department assess the educational needs of a community before approving large-scale residential projects?

It is true that for 12 years, the former Liberal National Government allowed large-scale residential development to occur without building the schools that these communities required. This includes communities such as Box Hill, Gregory Hills, Gledswood Hills, Leppington, Schofields, Tallawong, Marsden Park, Jordan Springs, Edmondson Park and the Gables.

Under the Minns Labor Government, the Department of Education has improved the way it monitors population and residential development trends and projects student enrolment growth across NSW. This includes using more granular data and consulting closer with stakeholders such as local councils and industry.

147. How does the department coordinate with local councils to ensure that the infrastructure needs of new residents, including schools, are adequately planned for?

See answer to supplementary question 146.

148. What data does the department use to forecast the number of school-aged children that will result from new residential developments?

The NSW Government's enrolment growth audit, completed in 2024, highlighted the failures of the former Liberal National Government to plan and build the schools our growing communities needed.

Findings from the enrolment growth audit are now combined with census data and dwelling and population projections provided by the Department of Planning, Housing

and Infrastructure in conjunction with local councils and the development industry, to inform more accurate long-term forecasting.

149. Can you provide an update on the status of school construction in St Leonards/Crows Nest, given the proposed 7,000 new dwellings?

After 12 years in office, the former Liberal National government had undertaken very little work to progress this project. The project is currently in planning, as the Department of Education continues to monitor changes in service demand.

Updates will be published on the School Infrastructure website.

150. What challenges does the department face in securing land for new schools in rapidly growing urban areas, and how are these being addressed?

The main challenge is the failure of the former Liberal National Government to properly plan for, and build, the schools our rapidly growing suburbs required. In many communities, such as Box Hill, Marsden Park, Gregory Hills and Leppington, the former Liberal National Government failed to build the schools it promised these communities. Despite 12 years in office, the former Liberals National Government left NSW with fewer schools than it began with.

151. How does the department prioritise which areas receive new school infrastructure first? How much say does the current Minister have over this direction?

See answer to supplementary question 150.

152. In areas where schools are already overcrowded, what immediate actions is the department taking to alleviate the pressure on these schools?

See answer to supplementary question 146.

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?

I do agree that the former Liberal National Government failed the people of Kellyville and the Hills area when it comes to schools.

See answer to from Budget Estimates Hearing 27 August 2024 supplementary question 167.

154. How does the department ensure that funding for new schools keeps pace with the need generated by new residential developments?

This is managed through the annual budget process. It should be noted that in the last budget, the Minns Labor Government outlined a record investment in new and upgraded schools. This is despite being left by the former Liberal National Government, the biggest debt in NSW history, record deficits and a downgrading of the state's credit rating.

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?

See answer to from Budget Estimates Hearing 27 August 2024 supplementary Question 178.

156. How does the department communicate with local communities about the progress of new school construction projects?

School community representatives take part in Project Reference Groups during the planning phase of new schools or upgrades. Planning or project updates are published and shared on the School Infrastructure website, via school channels and letterboxed to local residents. Information sessions are held at key milestones.

157. What measures are in place to ensure that new schools are fully staffed and equipped from the moment they open?

Principals are usually appointed 12 months in advance to ensure new schools are well resourced and the local community is involved with the decision-making in establishing the school.

158. How does the department work with developers to ensure that infrastructure contributions include provisions for educational facilities?

Local infrastructure contributions are managed by local councils.

159. What role does public consultation play in the department's planning process for new schools, and how are community concerns addressed?

As projects progress, the community provides feedback via planning exhibition periods and community information sessions.

160. Can the department provide a breakdown of current and planned school infrastructure projects across NSW, particularly in high-growth areas?

Infrastructure project details are available on the School Infrastructure website.

161. What is the department's strategy for dealing with potential delays in school construction due to unforeseen circumstances?

The department's School Infrastructure division actively monitors and mitigates risks and issues in the planning and delivery of school projects.

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

See answer to supplementary question 146.

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

See answer to Budget Estimates 27 August 2024 hearing supplementary question 202.

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?

See answer to Budget Estimates 27 August 2024 hearing supplementary question 203.

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?

See answer to Budget Estimates 27 August 2024 hearing supplementary question 204.

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?

See answer to Budget Estimates 27 August 2024 hearing supplementary question 205.

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?

See answer to Budget Estimates 27 August 2024 hearing supplementary question 204.

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?

See answer to Budget Estimates 27 August 2024 hearing supplementary question 207.

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 in place, or are being developed to ensure this increase occurs?

See answer to supplementary question 167.

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?

The NSW Education Standards Authority (NESA) publishes 2024 HSC enrolment numbers by region.

The ATAR is calculated for use by universities to rank and select school leavers for admission to university. The Universities Admissions Centre (UAC) Pty Ltd manages the selection processes for the universities. Information about the ATAR is available on the UAC website.

The ATAR is a rank and not a mark or score generated by UAC, NESA do not hold the records of students' ATAR nor average ATAR 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?

See answer to supplementary question 170.

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?

See answer to supplementary question 170.

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?

See answer to supplementary question 170.

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?

See answer to supplementary question 170.

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?

See answer to supplementary question 170.

176. How often are the NSW department of education policies formally reviewed?

The Department of Education's Policy Governance Framework requires policy owners to conduct an annual desktop check of operational policies to verify currency and accuracy as the need arises.

Policy owners respond to triggers, such as legislative or regulatory changes, government or departmental priorities, policy user or stakeholder feedback.

In 2023-24, the entire policy library was reviewed and significantly reduced to remove duplication and to ensure that the policies were clear and concise to aid staff in compliance and management of policies. This is one of the measures undertaken to help reduce workload across the system.

177. What criteria is used to determine if updates are needed to department policies?

Please refer to Supplementary Question 176.

178. How does the department prioritise which areas require new policies or policy review?

Please refer to Supplementary Question 176.

179. What platforms and methods are used to communicate policy updates to school leaders, staff, and the broader school community?

The Department of Education's Policy Library provides a list of recently updated policies, while policy owners may also use the Staff Noticeboard and Viva Engage to communicate policy updated to staff. They may also implement a communication and engagement plan using appropriate channels to communicate updates.

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

The Department of Education's Policy Library intranet site is the single source of truth for instructions to staff and other policy users.

The Policy Governance Framework also requires policy documents to be explicit about whether actions are mandatory or discretionary. If discretionary, policy documents make the intended outcomes clear so schools can make decisions based on local context.

Grounding policies and procedures for schools, such as the School Excellence Framework, and the established school excellence cycle, provides a strong evidence-informed description of high-quality practice, with a consistent process that allows flexibility for schools in how they put this practice in place for their particular setting.

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

A comprehensive model of support is being offered for all new syllabuses to ensure effective curriculum implementation in all K–12 contexts statewide across NSW. The

support includes effective on-the-ground support for Directors Educational Leadership, principals, leaders of curriculum and teachers in schools, including professional learning in explicit teaching and effective classroom strategies to ensure that all students receive the learning entitlement the curriculum was designed for.

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

Teachers are a key stakeholder in NESA's syllabus development process. Teachers' expertise and input is critical to the Curriculum Reform program. School sectors, professional associations and unions recommend teachers to be syllabus and support material writers for NESA. Teachers are selected based on their expertise and experience.

Teachers play a role in the Technical Advisory Group (TAG) for the development of each syllabus. The TAG is an advisory group that provides expert advice and quality assurance of the draft syllabus documents throughout the syllabus development process.

Teachers can provide feedback on the draft syllabus documents via an online survey during the 'Have Your Say' period. NESA also conducts targeted consultation with key education stakeholder groups including specialist and head teachers, teachers with expertise in diverse learning and Aboriginal education.

NESA hosts webinars highlighting key aspects of the draft syllabuses, ensuring that NSW teachers, regardless of their location or school setting, are included in curriculum reform. All feedback received throughout consultation is well-considered and informs revisions to the final syllabus and assessment and exam requirements.

183. When it comes to "quality teaching," how does the NSW DoE define it and what metrics are used to evaluate it?

The Australian Professional Standards for Teachers describes the elements of high-quality teaching practice in all Australian schools, to maximise impact on all learners. The NSW Department of Education's School Excellence Framework (SEF) identifies quality practice in schools across the three key domains of education – learning, teaching and leading – to help schools identify areas of strength and areas to improve.

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

The Statement of Equity Principles and related Guiding Statements informs writing teams of syllabuses, support documents, examinations, assessment guidelines and other relevant educational materials produced by NESA.

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

NESA's early stages of the syllabus development process involve a review of current research, trends, and issues, including emerging and innovative technologies.

NESA consults with external industry experts during the syllabus development process, who offer their insights and expertise to inform the development of the syllabus.

New technologies such as coding and AI have been integrated into the curriculum as part of NESA's curriculum reform. Coding is introduced in the Science and Technology K–6 syllabus and progresses through Stages 4 and 5, focusing on algorithmic understanding and the basics of coding.

AI is included across various syllabuses, with an emphasis on ethical considerations in its use and application.

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

NESA consults a wide variety of stakeholders who represent the interests of all NSW students throughout the entire syllabus development process.

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

The School Excellence Framework identifies quality practice across the 3 key domains of education – learning, teaching and leading – to help schools plan and monitor strategies for ongoing improvement. Schools are required to report on their progress against the School Excellence Framework and are subject to external validation.

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

Strengthening student wellbeing and development is a focus area of Our Plan for NSW Public Education.

The department partners with leading national and international mental health organisations to promote and support student mental health and wellbeing. In collaboration with Wayahead, the department supports the promotion of Mental Health Month. Resources are available to help students understand the importance of good mental health in daily life and encourage help-seeking behaviours when needed.

The department has training available for school staff that provides additional skills in understanding and supporting student mental health and wellbeing. This includes the quality assured, Supporting our Student's Mental Health, Trauma-Informed Practice for Improved Learning and Wellbeing, Youth Mental Health First Aid, Understanding and managing school refusal for teachers and school staff as well as Psychological First Aid in Schools for Serious Incidents and Disasters.

Examples of programs for students include Youth Aware of Mental Health, a mental health promotion program for students in Year 9 and Year 10 that has been shown to reduce suicidal behaviours and increase help-seeking, and Getting On Track In Time, a specialised mental health early intervention program for children in Kindergarten to Year 2 who display emerging conduct problems.

NSW public schools also have over 2,000 wellbeing roles, including school psychologists, school counsellors, student support officers, wellbeing nurse coordinators and school chaplains/wellbeing officers.

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

NSW is part of the Australian Schools Anti-Bullying Collective to provide streamlined national coordination of bullying prevention strategies and implement practical solutions. This group focuses on bullying messaging, research and initiatives for the National Day of Action Against Bullying and Violence, and the Bullying. No Way! website resources.

The department's Cybermarvel program, cyber safety webpages and Digital Citizenship website also provide additional support and resources for students, parents, and staff. More information about the Cybermarvel program is available at https://www.nsw.gov.au/education-and-training/cybermarvel.

The department has partnered with the NSW Association of Independent Schools, Catholic Schools NSW, eSafety Commissioner, Bullying. No Way!, and the Kids Helpline to create an evidence-based resource package for students, teachers, parents and carers to identify, prevent and respond effectively to student bullying behaviours, including cyberbullying. The resources are available on the department's website at https://education.nsw.gov.au/student-wellbeing/attendance-behaviour-and-engagement/anti-bullying.

All NSW public schools are guided by the Student Behaviour policy, which encompasses all student behaviour, including bullying and cyberbullying. Schools must develop a School behaviour support and management plan under the policy. The plans include anti-bullying strategies and outline how schools will identify, prevent and respond to student bullying and/or cyberbullying.

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

All staff in NSW public schools are required to recognise, respond to, and report safety and wellbeing concerns for students, including self-harm and/or abuse. The Department of Education provides policies and resources to guide staff in addressing these concerns.

The Mandatory Reporter Guide assists mandatory reporters, to make the most appropriate reporting decision and whether to make a report to the Department of Communities and Justice Child Protection Helpline. For concerns that don't meet the threshold of suspected risk of significant harm, the department's Child Wellbeing Unit offers advice and support for local responses.

In addition to school-based support, students may be referred to external agencies like the Child and Adolescent Mental Health Service or a headspace centre. A safety plan is an important protective measure to support a student who has reported self-harm and who is considered at risk of further harm. The plan may involve key support from within the school, family and external services like mental health or child protection agencies.

NSW public schools have over 2,000 wellbeing roles, including school psychologists, school counsellors, student support officers, wellbeing nurse coordinators and school chaplains/wellbeing officers who work together with mental health care and child protection services to provide comprehensive support for students in need of intensive services.

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

The department's Inclusive Education for Students with Disability policy and its associated Personalised Learning and Support procedures provide directions and guidance on supporting the inclusion of students with disability in NSW public schools.

Local School Infrastructure offices work directly with school principals to identify essential access works for students with moderate to high learning and support needs to ensure they can access their local school with ease.

Funding is available for students with additional needs under the department's Integration Program which provides facilities adjustments that aim to provide a more inclusive educational experience. Adjustments ensure that students with disability can access and participate in education on the same basis as students without a disability. The department also provides purpose-built facilities for students with moderate or severe intellectual disabilities, known as Schools for Specific Purposes (SSPs). Students at SSPs are provided with the same syllabus and curriculum content as mainstream students in NSW, however activities are modified to suit individual student needs. Teachers utilise various forms of adaptive technologies in order to achieve the best educational outcomes.

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

The Student Behaviour policy requires that behaviour support and management interventions are implemented in line with the Australian Professional Standards for Teachers and the Disability Standards for Education in that they must be fair, equitable, inclusive and proportionate.

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

Roll checks, conducted through the Home School Liaison Program are a formal review of a school's system-wide and individual student attendance data. The purpose of the roll checks is to identify students who have been identified as having low attendance and support the school to develop additional strategies to re-engage and support the student.

Schools have access to a range of supports for student wellbeing, including support for at-risk students. Roles to support student wellbeing include the NSW School Counselling Service, Student Support Officers, Wellbeing Nurses, School Chaplains and Student Wellbeing Officers.

The department has partnered with NSW Health to build teachers' and school leaders' awareness and skills in supporting students experiencing school refusal through targeted professional learning opportunities and resource provision including:

- A School Refusal e-Learning module for clinicians was launched in May 2021 as part of a collaboration between NSW Health and the department. Funded by NSW Health, this e-learning module is available to NSW Health Child and Adolescent/Youth Mental Health Clinicians and NSW school counselling staff. The training package includes resources to help identify and manage school refusal.
- A NESA accredited school refusal e-learning module for teachers was finalised in August 2023 as part of an ongoing collaboration between the department and NSW Health. The module helps teachers to identify school refusal early and provides teachers with strategies to support students experiencing school refusal.
- School refusal resources co-developed by the department and NSW Health are available to all NSW public schools on the Attendance Matters resources page https://education.nsw.gov.au/schooling/school-community/attendance-matters-resources-for-schools/resources-for-schools.

Schools can apply for attendance support for students with extensive vulnerabilities, including where there is a child protection concern risk of educational neglect or there is a sudden decline in attendance, through the Home School Liaison Program.

Schools can also access a range of support for students with additional learning and wellbeing requirements, through the department's Team Around a School.

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

The NSW Department of Education values the perspectives of students.

The department builds partnerships with students and consults them through forums including the Youth Advisory Council and the Post School Youth Advisory Committee.

The department involves students in shaping policies through the Minister's Student Council (DOVES), which serves as the peak forum for NSW public school students to engage directly with the Minister for Education and department leaders.

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

The NSW Department of Education is committed to fostering a supportive environment for all students. Students are required to follow the Behaviour code for students, which includes being respectful and inclusive and not to bully, harass, intimidate or discriminate against anyone in schools. The department's Student Behaviour policy outlines that all students and staff have the right to be treated fairly and with dignity, both online and offline, in an environment free from intimidation, violence, harassment, victimisation and discrimination, including that based on sex, race, religion, disability or sexual orientation.

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?

Information on the approval to teach process is publicly available on the department's website.

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

All NSW public school teachers are required to participate in the performance and development process which is outlined in the Performance and Development Framework for Principals, Executive and Teachers in NSW Public Schools.

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

Information on the Performance and Development Framework for Principals, Executive and Teachers in NSW Public Schools is available to staff on the department's website.

The NSW Education Standards Authority (NESA) also maintains and publishes a list of Recognised Professional Development Providers who offer relevant professional development (PD) courses for teachers across NSW. Expert advisory panels support NESA to review PD courses and to provide relevant advice.

NESA offers self-paced online PD courses to all accredited teachers through the NESA Learning Hub, available on-demand and at no cost, to support the release of new syllabuses.

NESA supports teachers to identify effective PD through the PD Framework. The Framework is available on NESA's website at https://www.nsw.gov.au/education-and-training/nesa/teacher-accreditation/maintain-accreditation/professional-development-requirements/nesa-professional-development-framework.

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

Beginning teacher support is provided to schools to assist beginning teachers with their induction and development.

The establishment of the Early Career Academy, through the Minns Labor Government's 'Innovative Teacher Training Fund', will further strengthen early career teacher programs and initiatives. The Academy will deliver a coordinated approach to supporting early career teachers as they transition into employment. More information can be found at https://education.nsw.gov.au/teach-nsw/initiatives/early-career-academy.

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

The Diversity, Inclusion and Belonging Strategy 2023-2026 aims to make the department a workplace where staff feel represented and valued.

To maintain a safe workplace, the department has a Work Health and Safety (WHS) Management Program. The program is supported by relevant processes and resources to help workplaces implement the departments' WHS Policy.

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

In partnership with NESA, teachers have access to flexible pathways towards recognition of their teaching expertise removing many of the barriers across early childhood and school settings, and geographical locations. The department's Highly Accomplished & Lead Teacher (HALT) Talent Pipeline has established sustainable support systems for all schools and teachers across the state to equitably access support when pursuing higher levels of accreditation.

The new Teachers Award includes several provisions that support more flexible work and employment arrangements for teachers.

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

In 2024 the department launched a Staff Wellbeing Strategy to support staff mental health and wellbeing the systemic issues impacting the wellbeing of our staff.

A key goal within the Strategy addresses improving the psychological health of staff to support them to perform at their best.

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

The department's Regional, Rural Remote and Unique Settings directorate works to support regional, rural and remote schools, and 50 School in Unique settings including Hospital Schools, Schools in Juvenile Justice Centres, Distance Education Schools and Environmental Education Centres.

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

The Department of Education is committed to improving outcomes for all Aboriginal and/or Torres Strait Islander students.

The department works with the NSW Aboriginal Education Consultative Group Inc. (NSW AECG) on the *Walking Together, Working Together Partnership Agreement and* to co-chair the Closing the Gap (CTG) Education and Economic Prosperity Steering Committee, with AE&C leading the Secretariate. This Steering Committee brings together executives across NSW Government agencies and Aboriginal Community Controlled organisations, with educational outcomes and CTG Priority Targets as standing agenda items.

The Connected Communities Strategy is part of the department's work to reduce the gap in outcomes for Aboriginal and/or Torres Strait Islander students. The Strategy provides high-quality learning and tailored supports across 33 schools in some of the most complex locations across NSW.

In 2025, the department is rolling out a Guiding Principles for Aboriginal Education resource to schools, to complement the School Excellence Framework and guide school leaders to best support Aboriginal and/or Torres Strait Islander students.

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

The EAL/D Effective School Practices resource guides schools in the development and implementation of effective whole-school programs for EAL/D learners. A range of professional resources also assists schools in providing effective support for EAL/D learners.

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

The High Potential and Gifted Education (HPGE) Policy supports every student in achieving their full potential. This policy is being implemented in all public schools. Assessment and data are used to inform teaching across four domains of potential – creative, intellectual, physical and social–emotional.

All public school teachers will complete a day of HPGE professional learning during the HPGE School Development Day (SDD) at the start of Term 2, 2025. This will build the knowledge and skills of school staff in assessment and identification of high potential and gifted students. The selective high school and opportunity class placement tests are another pathway to support high potential and gifted students in the intellectual domain.

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

The Inclusive Education for Students with Disability Policy and its associated Personalised Learning and Support Procedures provide direction and guidance on supporting students with disability.

208.

This question was blank.

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

The Statement of Equity Principles and related Guiding Statements inform writing teams of syllabuses, support documents, examinations, assessment guidelines and other relevant educational materials produced by NESA.

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

The department provides advice to teachers and principals on what should be considered when making decisions about resources for use in schools.

School staff are required to preview and evaluate strategies, resources and teaching and learning approaches in full before use with students to determine suitability for student learning needs, stage of development and local school context.

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

The department provides state-wide inclusive and participatory opportunities, as well as representative pathways, competitive frameworks, teacher professional learning, and teaching and learning resources to support schools in delivering safe and engaging extra-curricular activities.

212. How does the department ensure student safety while using the internet and online learning platforms whilst at school?

The department implements both policy and technical controls to reduce the risk of harm to students from internet content and online platforms while inside the school gate.

Online learning platforms are assessed for security and privacy controls prior to being endorsed for student or staff use.

Internet access is filtered for both staff and students. The department can intervene to block websites if they are found to be unsafe. Internet access by both staff and students is logged so that it may be investigated as required.

213. What measures are in place to protect student data from cyberattacks or unauthorised access?

The department treats cyber security as a key priority and has built a strong multilayered defence through its Cyber Security Uplift Program.

It has a cyber security team that governs the implementation of security controls and provides threat intelligence and incident response services for the department. Access to systems holding student data follows a 'least privilege' role-based access principle. Under this arrangement, a principal at a school is in control of which of their staff has access to the student data for that school.

Technical controls are in place to detect, block or trigger alerts for any cyber attack directed at the department's information systems.

214. How does the department and individual schools regulate the use of emerging technologies, such as AI, virtual reality, and machine learning, in classrooms?

The department provides advice and guidance for school leaders on technology, including emerging technology. Schools create and update their own technology use procedures to align with relevant departmental and NSW Government policies.

The department assesses the educational quality and cyber safety of commercial and non-commercial educational technology products in an open market request for tenders.

The department restricts student access to free-to-use generative AI tools. This restriction will remain until these tools are assessed positively against the department's Safe AI Ethics Assessment and Cyber Security and Privacy Assessment.

Products and platforms identified as breaching cyber security or privacy requirements, or presenting a risk to student safety, are blocked by the department's web filtering and network security system.

215. How does the department address the digital divide among students in low-income or remote communities?

The department's renewed Digital Strategy execution plan works to ensure that all public school students have access to high-speed internet and technology, through programs such as the recently completed Rural Access Gap, the new Device Refresh Strategy and ongoing Metropolitan Network Upgrade programs.

216. How does the department regulate digital citizenship education in schools?

Digital citizenship is embedded in the mandatory Personal Development, Health and Physical Education (PDHPE) syllabus for NSW students in Kindergarten to Year 10.

217. What protocols are in place to handle breaches of the department's cybersecurity policies?

Depending on the nature of a breach, the department's Cyber Security team, Professional and Ethical Standards directorate or Privacy team may oversee the response. These responses use the Cyber Security Incident Response Plan or the Data Breach Response Plan where appropriate.

218. What guidelines are provided to teachers to help them design assessments that are fair, inclusive, and aligned with curriculum outcomes?

Resources, advice and professional learning are available on the department's Effective assessment practices- a guide for teachers and leaders webpage.

219. What are the reporting requirements for communicating student progress to parents or guardians?

The Curriculum policy standards require schools to provide a formal written report to parents and/or carers twice a year. Schools must report on how students achieve against the statewide syllabus standards. Information about reporting requirements is found on the department's Reporting to parents' webpage.

220. How does the department ensure transparency and fairness in grading policies across all schools?

The Curriculum planning and programming, assessing and reporting to parents K-12 policy and curriculum policy standards outline requirements for schools to have procedures in place that ensure equity and transparency in assessing student achievement.

Schools are provided with advice and support on assessment and the implementation of consistent teacher judgement in delivering outcomes-based assessment.

221. What support is offered to teachers for moderating assessments and maintaining consistency?

The department provides schools with advice and support on assessment and the implementation of consistent teacher judgement in delivering outcomes-based assessment. The Effective Assessment Practices – a guide for teachers and leaders is available to support consistent understanding of evidence-based practice in schools.

222. Does the department have a discipline policy when it comes to plagiarism or academic dishonesty in student work?

NESA sets out plagiarism and malpractice guidelines for schools. In stage 6, requirements are outlined in the Assessment Certification Examination (ACE) rules.

223. How are assessment practices modified for students with disabilities or additional learning needs?

The department provides implementation support for NSW K-12 syllabuses through sample units, which include suggested modified assessment opportunities.

Large print and braille versions of the assessment are available for students who already access the Braille and Large Print Service and who are supported by an itinerant support teacher vision. Other adjustments for assessment tasks may include but not limited to; extra time, access to assistive technology, a scribe or reader.

The Inclusive Assessment Program (IAP) provides educators with assessment tools to assess, support and scaffold learning for students with complex learning needs.

224. What professional development is provided to teachers on assessment and reporting policies?

The updated Curriculum planning and programming, assessing and reporting to parents K–12 policy and associated standards and procedures was published in the departments' Policy Library in January 2025.

During Term 1, professional learning and information sessions for leaders and teachers were delivered. These professional development sessions provided schools with information about assessment and reporting policy requirements.

Sessions for Higher School Certificate and Record of School Achievement monitoring are offered to schools across Term 4 and 1 each year which address assessment and reporting requirements for Stage 6.

225. What guidelines govern emergency preparedness and drills in NSW schools?

The Department of Education's Work health and safety (WHS) policy sets out the emergency management responsibilities of employees at all levels in the department. This policy, along with the *Work Health and Safety Act 2011* (NSW) (WHS Act) and Work Health and Safety Regulation 2017 (NSW), requires all workplace managers to consult with employees, students and other regular users of the workplace for example, contractors or volunteers on work health and safety matters. This consultation includes the development, implementation and maintenance of emergency management plans.

The Health, Safety and Staff Wellbeing Directorate has developed the Emergency Management Process that provides schools direction and practical guidance to develop, implement and maintain site-specific Emergency Management Plans (EMPs) and response procedures.

226. How often are schools mandated to carry out emergency drills?

The school's Emergency Management Plan should be tested at regular intervals by workplaces to ensure that employees know how to respond confidently to emergencies. This assists workplaces to meet their responsibilities under the WHS Policy to ensure the safety of all staff, students and visitors.

The Emergency Management Process indicates that the school must schedule emergency drills to test their plan and validate the effectiveness of the plan and familiarise staff and students with emergency responses. Drills can be planned for a variety of emergency types as risk assessed by the relevant staff.

The school will ensure the required minimum drills are completed and may decide to schedule additional drills should further testing be required or desired.

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

See answer to Budget Estimates Hearing 27 August 2024 transcript question 40.

228. How are playground safety standards monitored and enforced?

Schools work with their local Asset Management Unit to ensure any open space is made accessible and safe for students to use.

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

The department provides advice and support to schools with their specific ventilation requirements through local Asset Management Units.

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

See answer to supplementary question 229.

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

Schools use a variety of mechanisms to gather feedback through the school's usual communication platforms including but not limited to forums, discussions at meetings, information and feedback sessions, surveys and feedback forms.

The department also has a formal 10-year partnership agreement with the Parent & Citizen (P&C) Federation NSW. A key aim of this agreement is to help strengthen collaboration between schools, P&C Associations and communities. P&C Associations provide an opportunity for parents, carers and the school community to engage with the school, and feel their voices are heard and their involvement is valued.

Individuals may also use the Policy Library feedback channel for comments or suggestions on published policy documents.

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

The Australian Professional Standards for Teachers and the department's School Excellence Framework explicitly reference community engagement, guiding school leaders in all school planning processes.

Parents and community assisted in the framing of the Plan for NSW Public Education by providing input and feedback throughout the development process. The plan informs every public school's School Excellence Plan.

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

The foundation of the 45-year partnership with the NSW Aboriginal Education Consultative Group Inc. (AECG), is validated through the Walking Together, Working Together Partnership Agreement between the Department of Education and the NSW AECG. The partnership agreement empowers local communities to have a voice, and builds trust that their voices will be heard, regarding educational outcomes, cultural inclusivity and pre and post school pathways. These partnerships grow community confidence in NSW public schools.

The department's Aboriginal Education and Communities directorate (AE&C) leads targeted support to schools and communities through dedicated teams including Languages and Cultures, Schools and Transitions, Leadership and Direction, Commissioning and Partnerships, and Closing the Gap (CTG).

It is a commitment of the CTG Education and Economic Prosperity Steering Committee, co-chaired by the department and the NSW AECG, that local Aboriginal Community Controlled Organisations (ACCOs) are preferred providers and businesses in supporting schools at a local level regarding opportunities for Aboriginal and/or Torres Strait Islander students.

This work is supported by directorates across the department, including Early Childhood Outcomes and Education and Skills Reform, which work with schools and communities to provide access to pre-school and post-school pathways.

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

External providers should be used by schools only where this adds value to existing teaching and learning practice. Programs should reflect the local school context and local student and community needs.

Principals, in consultation with their staff and school community, make decisions about the suitability of programs and resources to best support teaching and learning in NSW public schools.

NSW Government agencies must comply with a range of procurement-related requirements and government legislation.

Student Wellbeing external programs for NSW public schools are selected through a rigorous open tender process managed by the NSW Department of Education.
All programs are assessed against quality standards to provide proven, positive outcomes for students.

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

The community complaint procedures provide direction and guidance on raising concerns about the department's products, services, employees and complaint handling.

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

The Code of Ethics and Conduct describes the standards of professional conduct that promotes adherence to the Department of Education's and NSW Public Sector's values and provides a framework for employees to support day to day ethical decision making.

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

The department's policies and procedures which refer to volunteers are:
- Code of ethics and conduct
- Employment screening procedure
- Community complaint procedure
- Excursions and variations of routine
- First aid
- Fraud and corruption control
- Induction and onboarding
- Mentoring students
- Other activities of a religious nature in schools
- Overseas students, visitors and partnerships
- Public interest disclosures
- Road safety education
- Social media
- Religious education and special education in ethics
- Travel on official business
- WHS risk management
- Work health and safety (WHS)
- Workplace sexual harassment prevention and response

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

The Department of Education engages external education experts as needed for specific initiatives, research, and projects, in accordance with department policies and procurement requirements.

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

Our Plan for NSW Public Education ensures that department policy and practice are underpinned by evidence, research and data. National and International educational trends and research are considered within the department's strategic policy framework. The department's Research Statement and Guide to Our Evidence Needs resource also supports evidence-based practice by aligning research efforts with credible and relevant evidence.

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

The NSW Department of Education addresses both academic achievement and student wellbeing through policies and initiatives outlined in Our Plan for NSW Public Education. The Plan sets a strategic direction with focus areas that commit to 'advance equitable outcomes, opportunities and experience', and 'strengthen student wellbeing and development'.

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

The Department of Education's Code of Ethics and Conduct applies in all situations and stipulates required actions for individuals with actual, potential or perceived conflict of interest. The Code requires individuals to:
- disclose the conflict of interest as soon as they become aware of the conflict
- work with the appropriate person with responsibility for managing the conflict to resolve any conflicts in the public interest.

The person responsible for managing a conflict interest:
- assesses the risks related to the conflict of interest
- ensures the conflict is appropriately documented
- considers whether the circumstances warrant removing the individual from the duties that are in conflict with their private interests
- develop a management plan to eliminate or manage the conflict in the public interest
- implement the plan and monitor the situation to ensure compliance with the agreed management plan.

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

The NSW Department of Education negotiates closely with the Commonwealth on a range of national education priorities – including through national and bilateral agreements, to maximise outcomes for NSW learners and schools. Through Education Ministers Meetings, jurisdictions work together on national directions and priorities for the education system.

243. How does the department identify outdated or redundant policies?

The department's Policy Governance Framework requires policy owners to ensure their policy documents are relevant and accurate at all times and to conduct a desktop check of their policy documents at least annually.

Any operational policy documents that are outdated or redundant are placed on review for appropriate action such as updating, consolidation or rescission.

244. How does the department ensure that extracurricular programs align with the broader curriculum objectives?

Extracurricular programs provide diverse and enriching experiences to reinforce and enhance classroom learning and to cater for the range of student interests and abilities.

The Department of Education, in collaboration with teachers, leaders and schools, ensures that extracurricular programs align with the broader curriculum to create a cohesive educational experience that maximises learning outcomes and student engagement.

245. How does the department regulate the balance between theoretical and practical learning in subjects like science and technology?

The NESA Science syllabuses outline the balance of theoretical and practical learning. Classroom teachers are responsible for determining how their classes will meet the requirements of the syllabuses, selecting theoretical and practical learning experiences that best suit their students.

In most Technology and Applied Studies 7-12 syllabuses, NESA specifies that students complete 'practical learning and project work for most of the course time' and 'practical experiences must make up the majority of the course'. The class teacher determines how their classes will meet this requirement.

246. What are the guidelines for implementing inquiry-based and student-led learning models?

In accordance with Our Plan for NSW Public Education, the Department of Education is prioritising support for the implementation of explicit teaching.

247. How is the department integrating financial literacy into the school curriculum?

Financial literacy content is addressed in the mandatory syllabuses Mathematics K-10 and PDHPE K-6. Students may also elect to study Commerce 7-10, which has an emphasis on practical financial skills. In Stage 6, public education students engage with the compulsory 25-hour Life Ready course to develop their knowledge and skills associated with financial independence.

248. How does the department encourage schools to adopt innovative teaching methodologies?

Our Plan for NSW Public Education is committed to delivering outstanding leadership, teaching and learning through supporting schools to deliver excellence through continuous improvement, as well as provide high-quality, evidence-based curriculum resources with the focus on explicit teaching.

249. How does the department identify and support at-risk students in NSW schools?

Schools are equipped to identify when students may be at-risk. A school's learning and support team works with families, agencies and students to provide direct support. If needed, the school can also reach out to department staff with expertise who can support the school and assist with planning and linking with agencies. Schools have access to a range of supports for student wellbeing, including support for at risk students. Roles to support student wellbeing include the NSW School Counselling Service, Student Support Officers, Wellbeing Nurses, School Chaplains and Student Wellbeing Officers.

Additionally, other supports include individualised student planning processes, such as attendance support and improvement plans, personalised learning and support plans, behaviour support plans and safety plans, Health Support planning and risk management strategies.

250. How does the department ensure that all students have access to nutritious meals during school hours?

The Minns Government's School Breakfast 4 Health Program provides participating schools with a nutritious, free breakfast for public school students. This is part of the NSW Government's $8 million investment to expand the School Breakfast 4 Health Program from 500 schools to 1,000.

The NSW Healthy School Canteens Strategy applies to all NSW public school canteens and aims to increase the availability of healthy food and drink options in school canteens to make the healthy choice, the easy choice.

251. How are schools guided in providing safe spaces for students to discuss personal or social issues?

The Student Health and Wellbeing policy provides direction and guidance for schools on implementing strategies, practices and systems to support all students' health and wellbeing needs. This policy supports schools to provide an environment in which the health and wellbeing of students is promoted and nurtured.

In addition, schools have spaces in their school for school counselling staff to carry out psychological assessment, counselling and intervention service.

252. What policies are in place for schools to support students with chronic illnesses or medical conditions?

The Student health and wellbeing policy provides guidance for schools on implementing strategies, practices and systems to support all students' health and wellbeing needs. Under the policy, there are procedures that provides guidance on establishing a whole-school approach to support students' health and wellbeing, including students with specific health support needs. This can include providing first aid, administering medication and developing individual heath support plans to manage students' health effectively.

253. How is the department fostering leadership skills among teachers and staff?

The department's School Leadership Institute (SLI) provides world-class leadership development programs and resources to support current and future school leaders at all career stages.

All teachers and leaders in NSW public schools have access to leadership learning which is free, tailored to their role, and of the highest quality.

More broadly, the Minns Labor Government is committed to ensuring the entire teaching professions is valued and supported to stay in profession. That is why we ended the former Liberal National Government's 12 year suppression of teachers' wages and delivered the biggest uplift in salaries in a generation.

As a result, permanent teacher vacancies are at a 4 year low with NSW public schools beginning Term 1, 2025 with 40% fewer teachers than the same time in 2023. Teacher resignations have also fallen for the first time in 13 years.

It is disappointing the Liberal and National parties continue to oppose our government's decision to fairly pay teachers.

254. How does the department ensure all teachers stay current with advances in educational psychology?

Teachers accredited at Proficient Teacher or above are required to complete at least 100 hours of professional development every 5 years, or every 7 years for part time and casual teachers. This is aligned to the Australian Professional Standards for Teachers. Based on the feedback of NSW education stakeholders, NESA has identified PD priorities for teachers in schools and early childhood services including:

- delivery and assessment of NSW curriculum/Early Years Learning Framework
- student/child mental health
- students/children with disability
- Aboriginal education and supporting Aboriginal students/children
- leadership to support the learning outcomes of students/children.

The former Liberal National Government restricted the PD that teachers could count towards their 100 hours. Under the revised policy, teachers' now have the flexibility to choose PD in the areas that will best suit their needs and context, and that will add value to their practice and classroom. This also means a greater ability to stay current with advances in relevant areas of teaching.

255. How are teachers in rural and remote schools supported with professional growth opportunities?

The department's School Leadership Institute (SLI) is delivering the Regional, Rural and Remote Middle Leaders Program which supports the leadership growth of assistant principals and head teachers in these locations.

256. What internal mechanisms does the department use to evaluate the effectiveness of policies after implementation?

The department's Enterprise management policy requires the evaluation of programs, projects, strategies, policies and initiatives to assess their effectiveness in improving student outcomes and ensuring the efficient and transparent use of public resources.

257. What are the specific timelines for schools to implement new or revised policies?

Several factors influence implementation timelines for new or revised policies, including legislative or regulatory requirements. A key consideration for determining the timing of implementation for new or revised policies is minimising the change impact on school operations.

258. How does the department coordinate with other government agencies in developing education policies?

The department works closely with key partners across both government and non-government agencies. The department works collaboratively on a range of strategic policies to ensure alignment and, where beneficial, a whole of government approach.

259. What are the specific channels for anonymous reporting of policy violations within schools?

Any person can raise a concern about any aspect of the department's operations in person, by phone, email, in writing or through the department's online feedback and complaint form.

If a person wishes to remain anonymous, they can submit a complaint or feedback by phone, in writing or through the online feedback and complaints form on the department's website without providing their details.

260. How are school leaders trained to implement departmental policies effectively?

The Department of Education offers a range of professional development opportunities, and support for school leaders, at every stage of their career, to help them successfully enact their role.

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

See answer to supplementary question 259.

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

To ensure cultural protocols are understood and respected, school staff and Executive can engage with their Local Aboriginal Education Consultative Group (AECG). This relationship provides a culturally responsive and inclusive learning environment, effective leadership, good governance and community partnerships. The NSW AECG is made up of 20 regional and over 148 local committees, supporting schools by reflecting the local context and involving key stakeholders such as Elders and community leaders.

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

The department has a formal 10-year partnership agreement with the P&C Federation NSW. A key aim of this agreement is to help strengthen collaboration between schools, P&C Associations and communities. P&C Associations provide an opportunity for parents, carers and the school community to engage with the school.

The department also engages regularly with the P&C Federation NSW on department policies and programs within NSW public schools.

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

2024 data is not yet available. The most recent publicly available data on suspensions is publicly available at: https://data.nsw.gov.au/data/dataset/nsw-education-suspensions-and-expulsions-in-nsw-government-schools.

265. Are alternative disciplinary measures encouraged before suspension?

Information about how schools manage suspensions is available online in the department's Suspension and expulsion procedures.

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

See answer to supplementary question 264.

267. What are the gender disparities in suspensions?

See answer to supplementary question 264.

268. Are students provided counselling after being suspended for cyberbullying?

A range of strategies are used to support a student's return to school following suspension for cyberbullying. This may involve a referral to and ongoing support from school counselling service staff.

269. What percentage of suspended students reoffend?

See answer to supplementary question 264.

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

The department's Suspension and expulsion procedures provide guidance on the factors to be considered when deciding whether to proceed with any suspension. The procedures also provide for an appeals process which outlines steps to ensure procedural fairness.

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

Specific actions taken in response to cyberbullying incidents will depend on the circumstances and the school involved. The Student behaviour policy requires all schools to develop a School behaviour support and management plan. The plan is required to include effective strategies to identify, prevent and respond to disruptive student behaviours, including bullying and cyber-bullying, and behaviours of concern when they occur.

The Department of Education's Incident Report and Support Hotline allows staff to report incidents and seek advice and support when cyberbullying occurs. The department works with NSW Police to support schools with the management of incidents where needed, including those associated with bullying.

Schools have access to a range of supports for student wellbeing. Roles to support student wellbeing include the NSW School Counselling Service, Student Support Officers, School Chaplains and Student Wellbeing Officers.

There are more than 2,000 wellbeing roles in NSW public schools, including school psychologists, school counsellors, student support officers, wellbeing nurse coordinators and school chaplains/wellbeing officers.

This network of specialist staff have complementary roles and work together to provide students with support. School staff also work with parents and carers and the broader mental health care system for students who need more intensive services.

Resources on anti-bullying are available on the department's website at https://education.nsw.gov.au/schooling/schooling- initiatives/anti-bullying.

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

See answer to supplementary question 271.

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

See answer to supplementary question 271.

274. What mental health resources are available for affected students?

See answer to supplementary question 271.

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

See answer to supplementary question 271.

276. How are vulnerable student groups protected from cyberbullying?

See answer to supplementary question 271.

277. How is cyberbullying data collected in NSW schools?

Schools maintain local records regarding cyberbullying, it is also contained in data on incident reporting and in suspension and expulsions data.

In line with the suspension and expulsion procedures, principals, with the support of school staff, collect and retain information on student behaviour, including actions taken to support and manage individual student behaviour. This data collection helps schools monitor the impact of the support they are providing to students.

Under the Student Behaviour policy, schools develop a School behaviour support and management plan, which sets out how they operationalise the policy and procedures, including how they will identify and respond to bullying and cyberbullying. It is a requirement of the policy that schools review and update their plans every year.

The Student behaviour policy requires all schools to develop a School behaviour support and management plan in consultation with their school community, including staff, students and parents. This must be published on their school website. The plan is required to include effective strategies to identify, prevent and respond to disruptive student behaviours, including bullying and cyber-bullying, and behaviours of concern when they occur.

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

See answer to supplementary question 277.

279. What percentage of cyberbullying cases result in suspension?

See answer to supplementary question 277.

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

See answer to supplementary question 277.

281. Are there geographical trends in cyberbullying incidents in NSW?

See answer to supplementary question 277.

282. How is suspension data analysed to improve policies?

See answer to supplementary question 277.

283. Are there correlations between cyberbullying and academic performance?

See answer to supplementary question 277.

284. Are external researchers allowed access to cyberbullying data?

See answer to supplementary question 277.

285. Are policies reviewed annually to address emerging cyberbullying trends?

See answer to supplementary question 277.

286. How are cyberbullying policies communicated to staff, students, and parents?

See answer to supplementary question 277.

287. What programs are in place to educate students about the impact of cyberbullying?

The department works closely with national stakeholders, such as the eSafety Commissioner and Headspace, to share information that will assist in a coordinated response to support students, schools, parents/carers and the school community with bullying, online and face to face, and the mental wellbeing of students.

NSW forms part of the Australian Schools Anti-Bullying Collective to provide streamlined national coordination of bullying prevention strategies and implement practical solutions. This group focuses on bullying messaging, research and initiatives for the National Day of Action Against Bullying and Violence, and the Bullying. No Way! website resources.

The department's Cybermarvel program, cyber safety webpages and Digital Citizenship website also provide additional support and resources for students, parents, and staff. More information about the Cybermarvel program is available at https://www.nsw.gov.au/education-and-training/cybermarvel.

The department has partnered with the NSW Association of Independent Schools, Catholic Schools NSW, eSafety Commissioner, Bullying. No Way!, and the Kids

Helpline to create an evidence-based resource package for students, teachers, parents and carers to identify, prevent and respond effectively to student bullying behaviours, including cyberbullying. The resources are available on the department's website at https://education.nsw.gov.au/student-wellbeing/attendance-behaviour-and-engagement/anti-bullying.

The department is part of a cross-sector leadership group led by the Chief Behaviour Advisor, Professor Donna Cross to provide advice about how schools could enhance the ways they address all forms of bullying, especially cyberbullying. Professor Cross has developed a report 'Protecting children and adolescents from cyberbullying: An evidence review of risk and protective factors and effective interventions. The department will use this report to guide future actions, including on addressing issues like new technologies.

288. How are teachers trained to identify and address cyberbullying?

See answer to supplementary question 287.

289. How are parents informed about their role in preventing cyberbullying?

See answer to supplementary question 287.

290. How are new technologies, like AI, addressed in anti-cyberbullying education?

See answer to supplementary question 287.

291. How are cyberbullying incidents reported in NSW schools?

Cyberbullying incidents are reported at school and system level. Schools maintain local records while system-level data is available within incident reporting data. System-level data is also available on suspension and expulsions relating to bullying and cyberbullying.

As per the incident reporting policy, schools are required to report all health and safety related incidents, including incidents related to cyberbullying to the incident report and support hotline in the Health, Safety and Staff Wellbeing Directorate within the Department of Education.

Specific actions taken in response to cyberbullying incidents will depend on the circumstances involved. Schools will respond to information provided relating to student or staff wellbeing, anonymous or otherwise. Students and adults can report illegal and restricted online content and image-based abuse reports to the Australian eSafety Commissioner anonymously.

NSW Police or the Australian Federal Police may forensically collect such digital artefacts directly from the sources when building a case to charge an individual or individuals. Evidence of cyberbullying is handled in the confines of confidentiality and provided to NSW Police (if applicable).

Third-party platforms (typically the social media platforms) may be contacted by the department, the individuals involved or the eSafety Commissioner to take down offensive content. The department can contact the eSafety Commissioner for assistance in dealing with online platforms when those platforms decline to take action at the request of the affected individuals.

The duty of care and work health and safety law requires the department to do what it reasonably can to ensure the safety of students and staff. This obligation is met by assessing identified risks and identifying and implementing strategies to eliminate or minimise identified risks, including providing individuals with necessary support. Where a student is at risk of harm, procedures apply under the department's Child protection - responding to and reporting students at risk of harm policy. More information can be found on the department's website at: https://education.nsw.gov.au/policy-library/policies/pd-2002-0067.

School counselling staff are one component of the extensive network of wellbeing staff who provide support to students in public schools. They work collaboratively with learning and support teams, parents and carers to build awareness of evidence-based resources. School counselling staff also consult with teaching staff and parents, and apply their expertise in mental health, learning, and behaviour to help children and young people affected by a range of issues including cyberbullying. This may include providing counselling to children and young people and linking students and their families to other support services, when needed.

Repeat patterns of student behaviour are considered in responding to behaviour/s of concern, including cyberbullying, in NSW public schools. The suspension and expulsion procedures outline the importance of principals considering an immediate suspension for any student who engages in serious behaviour or behaviours of concern due to the immediate and/or significant risk of harm to students or staff.

As outlined in the Student Behaviour Policy, each NSW public school must develop a School Behaviour Support and Management Plan for implementation by Term 1 2025 and publish it on their school website. Mandatory information provided in this plan includes the school's strategies to identify, prevent and respond to disruptive student behaviours, including bullying and cyber-bullying, and behaviours of concern when they occur.

Guidance on implementing and evaluating the School Behaviour Support and Management plan is provided through procedures which outline that schools should:

- review the plan annually to ensure it continues to be fit for purpose
- use current school data to inform practice and direction
- include community and student feedback.

Allegations an individual employee has failed to address cyberbullying may amount to an allegation of misconduct and should be referred to the Professional and Ethical Standards Directorate (PES). PES assesses and responds to all reports. In some cases, PES will support the principal or workplace manager to respond directly and proportionately. In other cases, PES will investigate the alleged misconduct and take appropriate action.

The department's policies in relation to behaviour, cyberbullying and online safety are also subject to internal audit and public oversight by the Australian eSafety Commissioner, Office of Children's Guardian, and NSW Ombudsman in accordance with their functions.

NSW public schools are required to comply with NESA registration requirements for Curriculum and Policy Monitoring processes. In 2024, the focus was about providing evidence of compliance in relation to discipline, and behaviour management and bullying. In 2025, NESA will be reviewing a sample of these policies and procedures through schools selected at random for a short-notice inspection.

The department, along with the non-government education sectors in NSW have supported Dr Donna Cross, Chief Behaviour Advisor, to complete a review, 'Protecting children and adolescents from cyberbullying: An evidence review of risk and protective factors and effective interventions.

292. Are anonymous reporting systems available for students?

See answer to supplementary question 291.

293. What role do school counsellors play in addressing cyberbullying?

See answer to supplementary question 291.

294. Is there a time limit for investigating cyberbullying incidents?

See answer to supplementary question 291.

295. Are parents informed immediately when their child is involved in a cyberbullying case?

See answer to supplementary question 291.

296. How is evidence of cyberbullying (e.g., screenshots) handled?

See answer to supplementary question 291.

297. Are third-party platforms involved in incident resolution?

See answer to supplementary question 291.

298. How are repeat offenders of cyberbullying managed in schools?

See answer to supplementary question 291.

299. How is the effectiveness of cyberbullying policies measured?

See answer to supplementary question 291.

300. Are there audits to assess compliance with cyberbullying policies?

See answer to supplementary question 291.

301. What consequences do schools face for failing to address cyberbullying?

See answer to supplementary question 291.

302. Are there independent reviews of cyberbullying policies in NSW?

See answer to supplementary question 291.

303. How do NSW schools address anonymous cyberbullying on apps like Snapchat?

Mobile phones are now banned at all NSW public schools and the department's web filtering does not permit student access to social media apps like Snapchat. Students are actively encouraged to practice good digital citizenship , which is promoted through initiatives including Safer Internet Day and October Cyber Security.

304. What policies exist to handle deepfake or AI-generated cyberbullying?

See answer to supplementary question 303.

305. How are schools addressing cyberbullying through gaming platforms?

See answer to supplementary question 303.

306. What measures are in place to detect and manage group cyberbullying?

Group cyber-bullying typically occurs on IT platforms not provided by the department (such as social media platforms and gaming platforms and forums). The department is unable to monitor and manage such external platforms.

See answer to supplementary question 303.

307. Are there specific policies for cyberbullying occurring outside school hours?

See answer to supplementary question 303.

308. What data is there to suggest mobile phone bans are linked to reductions in cyberbullying incidents?

Feedback from schools since the implementation of the ban indicates a number of positive benefits, including a significant reduction in distraction during class time and an increase in student interaction and engagement during recess and lunch breaks.

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?

The NSW Government will provide its response to the final report of the inquiry by the due date of 20 May 2025.

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?

This question should be directed to the Minister for Roads.

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?

This question should be directed to the Minister for Planning.

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?

This question should be directed to the Minister for Health.

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?

I am advised that in accordance with the Premier's Memorandum M2015-05 Publication of Ministerial Diaries and Release of Overseas Travel Information, all Ministers publish extracts from their diaries, summarising details of scheduled meetings held with stakeholders, external organisations, third-party lobbyists and individuals.

Ministers are not required to disclose details of the following meetings:
- meetings involving Ministers, ministerial staff, parliamentarians or government officials (whether from NSW or other jurisdictions)
- meetings that are strictly personal, electorate or party political
- social or public functions or events
- meetings held overseas (which must be disclosed in accordance with regulation 6(1)(b) of the Government Information (Public Access) Regulation 2018 and Attachment B to the Premier's Memorandum), and
- matters for which there is an overriding public interest against disclosure.

Ministers' diary disclosures are published quarterly on The Cabinet Office's website (https://www.nsw.gov.au/departments-and-agencies/the-cabinet-office/access-to-information/ministers-diary-disclosures).

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?

I am advised that in accordance with the Premier's Memorandum M2015-05 Publication of Ministerial Diaries and Release of Overseas Travel Information, all Ministers publish extracts from their diaries, summarising details of scheduled meetings held with stakeholders, external organisations, third-party lobbyists and individuals.

Ministers are not required to disclose details of the following meetings:
- meetings involving Ministers, ministerial staff, parliamentarians or government officials (whether from NSW or other jurisdictions)
- meetings that are strictly personal, electorate or party political
- social or public functions or events
- meetings held overseas (which must be disclosed in accordance with regulation 6(1)(b) of the Government Information (Public Access) Regulation 2018 and Attachment B to the Premier's Memorandum), and
- matters for which there is an overriding public interest against disclosure.

Ministers' diary disclosures are published quarterly on The Cabinet Office's website. (https://www.nsw.gov.au/departments-and-agencies/the-cabinet-office/access-to-information/ministers-diary-disclosures).

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

I am advised that the Ministerial Code of Conduct (Ministerial Code) requires Ministers to make certain disclosures to the Premier and the Secretary of The Cabinet Office. I comply with my obligations under the Ministerial Code.

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?

I am advised that redundancies are published in the respective Department(s)/Agency(s) Annual Reports under employee related expenses. Published Annual reports can be accessed on respective Departmental websites.

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

The annual reports were tabled in accordance with the requirements of the Government Sector Finance Act 2018.

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?

I am advised that annual reports should be prepared in accordance with the NSW Treasury Policy and Guidelines TPG23-10 Annual Reporting Requirements. TP23-10 also requires that an agency's annual report contain the total external costs incurred in the production of the report, including printing costs.

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?

I am advised that in accordance with the Treasury Policy and Guidelines TPG23-10 Annual Reporting Requirements, an agency's annual report must contain the total external costs incurred in the production of the report, including fees for consultants.

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

I am advised that the annual report of a reporting GSF agency is to be prepared, submitted and tabled in accordance with requirements under the Government Sector Finance Act 2018 and Treasurer's Direction 23-11 Annual reporting requirements.

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?

I am advised that annual reports should be prepared in accordance with the NSW Treasury Policy and Guidelines TPG23-10 Annual Reporting Requirements. TP23-10 also requires that an agency's annual report contain the total external costs incurred in the production of the report, including printing costs.

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?

I am advised that the Ministers' Office Handbook provides guidance in relation to recordkeeping obligations under the State Records Act 1998.

The Cabinet Office also provide guidance, advice, training and support on these obligations for Ministers' offices.

Further information is available on State Records NSW's website (www.nsw.gov.au/departments-and-agencies/dciths/state-records-nsw).

I expect all staff in my office to comply with their obligations under the State Records Act 1998.

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

I am advised that annual reports are published on the website of the relevant department or agency and are also held by the Parliamentary Library.
Department and agency expenditure is also published at data.nsw.gov.au
Agency expenditure must be reported in accordance with TD23-11 Annual reporting requirements and TPG23-10 Annual Reporting Requirements.

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

Individual schools and department business units maintain local workplace registers for all staff declarations. For declarations made by PSSE and Nominated Employees, the Chief Risk Office collects and collates declarations into central register.

This register is available on the department's website at https://education.nsw.gov.au/rights-and-accountability/corruption-prevention.

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

I am advised that all Ministerial staff are required to comply with the Gifts, Hospitality and Benefits Policy for Office Holder Staff attached to the Ministers' Office Handbook and available on the NSW Government website.

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?

I am advised that all Ministerial staff are required to comply with their disclosure obligations under the Gifts, Hospitality and Benefits Policy for Office Holder Staff and I expect them to do so.

A breach of the Policy may be a breach of the Office Holder's Staff Code of Conduct. The Policy includes disclosure obligations for Ministerial staff in respect of gifts, hospitality and benefits over $150.

If a Ministerial staff member is required by their role to accompany their Office Holder at an event that the Office Holder is attending as the State's representative, or where the Office Holder has asked the staff member to attend, then attendance at that event would not constitute a gift or benefit for the purposes of the Policy.

327. Since 28 March 2023, have you breached the Ministerial Code of Conduct? (a) If yes, what was the breach?

I am advised that all Ministers are expected to comply with their obligations under the NSW Ministerial Code of Conduct (Ministerial Code) at all times.

The Ministerial Code sets the ethical standards of behaviour required of Ministers and establishes practices and procedures to assist with compliance.

Among other matters, the Ministerial Code requires Ministers to:
- disclose their pecuniary interests and those of their immediate family members to the Premier
- seek rulings from the Premier if they wish to hold shares, directorships, other business interests or engage in secondary employment (known as 'prohibited interests')
- identify, avoid, disclose and manage conflicts of interest
- disclose gifts and hospitality with a market value over $500.

A substantial breach of the Ministerial Code (including a knowing breach of any provision of the Schedule) may constitute corrupt conduct for the purposes of the Independent Commission Against Corruption Act 1988.

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?

I am advised that Ministers and Ministerial Staff are not eligible to receive Departmental credit cards except in the case of overseas travel. In cases of overseas travel short-term cards will be issued and returned at the completion of official travel together with a travel diary for fringe benefit tax purposes.

Where an NSW Government-issued credit card is provided the credit card must only be used for official overseas business trips and official business purposes, this

includes for transport to/from the airport when departing/returning from the trip. NSW Government-issued credit cards for official business trips overseas will be held with government contract bankers and used within credit limits imposed.

Credit cards are a useful means of expenditure control, but their use should never be for personal purposes.

Costs associated with overseas travel are published on the NSW Government website in line with M2015-05.

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

I am advised that the use and management of purchasing (credit) cards for official purposes is in accordance with standard procurement arrangements of the NSW Government.

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

Each Department / Agency within the portfolio have a specified policy, these are attached.

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

I am advised that I make use of an office in 52 Martin Place, NSW Parliament and my Electorate office.

When travelling, Ministers may make ad hoc arrangements to work for periods in Departmental offices.

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

I am advised that no senior executives employed by the Department of Education have a driver.

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?

I am advised that GIPA statistics for Ministers' offices are published in the annual reports of the Department of Communities and Justice.

The Deputy Premier's Office disclosure log is available on the Department of Education's website.

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)?

I am advised that Under the Government Information (Public Access) Act 2009:
An agency is not subject to the direction or control of any Minister in the exercise of the agency's functions in dealing with a particular access application.

The office of the Deputy Premier complies with the Government Information (Public Access) Act 2009.

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

I am advised that the URL is https://education.nsw.gov.au/rights-and-accountability/information-access/disclosure-log.

336. Are you on TikTok?
**   (a) If yes, do you access TikTok from a NSW Government device?**

I am advised that the Circular DCS-2025-01 Cyber Security NSW Directive - Restricted Applications List advises how NSW Government agencies are required to appropriately manage risks to NSW Government information on government-issued devices, or personal devices that are used for government business.

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?**

I am advised that like the former Coalition Government, a range of communications are used by the NSW Government.

I comply with the State Records Act 1998 and I expect all staff members to comply with their obligations under the State Records Act 1998.

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?**

I am advised that Ministers have undertaken a program of Ministerial induction training. Ministers have undertaken training on the Respectful Workplace Policy.

Members of Parliament are provided with a Skills Development Allowance that may be used in a manner consistent with the Parliamentary Remuneration Tribunal Annual Determination.

Ministerial Office Budgets are managed in accordance with the Ministers' Office Handbook.

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

I am advised that the conventions and practice for access to Cabinet documents are outlined in Premier's Memorandum M2006-08 - Maintaining Confidentiality of Cabinet Documents and Other Cabinet Conventions.

The Premier's Memorandum M2006-08 provides that the unauthorised and/or premature disclosure of Cabinet documents undermines collective ministerial responsibility and the convention of Cabinet confidentiality. It is essential that the confidentiality of Cabinet documents is maintained to enable full and frank discussions to be had prior to Cabinet making decisions.

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

I am advised that security passes for the parliamentary precinct and 52 Martin Place are required to be issued in accordance with the Parliament House Security Pass Policy and 52 Martin Place security procedures and the associated Privacy and Surveillance Statement.

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

I am advised: No.

342. Has your Parliamentary Secretary ever used your Ministerial Vehicle?

I am advised that the Ministers' Office Handbook provides that:
- the Premier's Department will provide each Minister with a designated vehicle, which may be used by other drivers nominated by the Minister from time to time.
- the Premier's Department transport services may be used by Parliamentary Secretaries for official business trips in connection with their duties as Parliamentary Secretaries, with costs paid from the Ministers' office budget.

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?

I am advised that the Department of Customer Service (DCS) is responsible for managing www.nsw.gov.au/media-releases and the publication of media releases.

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

I am advised that the NSW Government Travel and Transport Policy provides a framework for NSW Government travelling employees and covers official air and land travel by public officials using public money. Section 2.1 of that Policy sets out approvals required in relation to overseas travel. Further information in relation to the Policy can be found here: https://www.info.buy.nsw.gov.au/policy-library/policies/travel-and-transport-policy.

NSW Treasury Policy and Guidelines – Annual Reporting Requirements (TPG-10) requires agencies to include information on overseas visits by officers and employees in agency annual reports.

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?

I am advised that the Department of Education keeps an internal register of eligible data breaches as required by section 59ZE, Part 6A of the *Privacy and Personal Information Protection Act 1998* (PPIP Act).

Agencies are required by section 59ZD to prepare, publish and make publicly available a data breach policy. The PPIP Act does not provide for the internal register to be made public.

Under clause 17, of Schedule 1 to the *Government Information (Public Access) Act 2009*, it is conclusively presumed that there is an overriding public interest against disclosure of information contained in a document prepared for the assessment of an eligible data breach under the PPIP Act, Part 6A, if the information could worsen a public sector agency's cyber security or lead to further data breaches.

346. If yes to 38, what is the website?

See answer to supplementary question 345.

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?

I am advised that the fund for the Education and Early learning portfolio is administered by the Department of Education.
https://www.nsw.gov.au/grants-and-funding/minister-for-education-and-early-learning-discretionary-fund

348. Are you a member of the Qantas Chairmans Lounge?

I am advised that the Constitution (Disclosures by Members) Regulation 1983 (Regulation) sets out Members' obligations to disclose relevant pecuniary and other interests in periodic returns to Parliament.

The Legislative Assembly Standing Committee on Parliamentary Privilege and Ethics Report on Review of the Code of Conduct, Aspects of Disclosure of Interests, and Related Issues (December 2010) notes that:

"Advice has been received from the Crown Solicitor that use of the Chairman's Lounge by invitation is not a "gift" for the purposes of clause 10 of the Regulation, as it does not involve disposition of property. However, when the membership leads to an upgrade valued at more than $250, it becomes disclosable as a contribution to travel, and should be reported under clause 11 of the Regulation."

Clause 16 of the Regulation allows a Member to, at their discretion, disclose any direct or indirect benefit, advantage or liability, whether pecuniary or not.

Relevant disclosures have been made to The Cabinet Office and to the NSW Parliament.

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

I am advised that ministerial staff are employed by Ministers, on behalf of the State, in their capacity as "political office holders" under Part 2 of the Members of Parliament Staff Act 2013. All Ministerial staff are required to comply with the NSW Office Holder's Staff Code of Conduct, including obligations to seek approval for secondary employment, and to take reasonable steps to avoid, and in all cases disclose, any actual or potential conflicts of interest (real or apparent).

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

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 Fairfield High School.
(a) Have both of these matters been resolved?
(b) If so, what was the outcome for each matter?

I am advised that:

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

The decision of Secretary of the Department of Education v SafeWork NSW [2024] NSWIRComm 1042 (12 July 2024) – concerning work groups at Fairfield High School was formally handed down on 12 July 2024 after orders had been made on 3 July 2024. The IRC set aside SafeWork NSW's determination regarding work groups at Fairfield High School and made orders for an alternative work group formation sought by the department.

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):

There is no question here.

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

The details of the department's external legal spend under the NSW Government Legal Services Panel is published annually and is available at https://dcj.nsw.gov.au/legal-and-justice/strategies-and-plans/information-for-government-lawyers/nsw-government-legal-services-panel/legal-services-panel-reports.html.

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

The department complies with the NSW Government Model Litigant Policy for Civil Litigation in the management of any litigation the department is a party to.

354. Have any of these matters been resolved?

As question 351 does not list specific matters referred to, and question 354 presumably relates to question 351, the department is unable to respond with detail to this question.

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

See answer to supplementary question 354.

356. When does the Department expect the other matters to resolve?

See answer to supplementary question 354.

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

Details of the department's external legal spend under the NSW Government Legal Services Panel is published annually and is available at: https://dcj.nsw.gov.au/legal-and-justice/strategies-and-plans/information-for-government-lawyers/nsw-government-legal-services-panel/legal-services-panel-reports.html.

Where a litigated claim is made against the department, and the claim falls under the iCare Statement of Cover, any legal fees are paid by iCare.

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

See answer to supplementary question 357.

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

See answer to supplementary question 353.

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

The increase in total claims in 2022-23 is attributed to work-related COVID claims.

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

The department does not capture this specific information.

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

Of the total claims reported for each financial year in the Department of Education's Annual Report 2023-24, the following is a breakdown of nature of injury:

Financial Year	Physical	Psychological	Total
FY 19-20	3,290	828	4,118
FY 20-21	3,788	966	4,754
FY 21-22	3,693	875	4,568
FY 22-23	5,274	1,139	6,413
FY 23-24	4,456	1,294	5,750

Note the above data is as at February 2025 and claims numbers will differ from the annual report data.

Data Source: Icare NSW

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

See answer to supplementary question 361.

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?

Principals may be absent from their role for a variety of reasons. Principals have access to paid and unpaid leave, as well as potential opportunities for secondment into other roles. A relieving principal is appointed when the substantive principal is absent.

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

If a permanent staff member is on workers compensation or alternate duties, they typically remain attached to their substantive position, however these matters are managed on a case-by-case basis.

In circumstances where a staff member has resigned, retired or been dismissed, they no longer hold a substantive position with the department. In circumstances where a staff member has resigned, retired or been dismissed, they no longer hold a substantive position with the department.

Alternative duties is a risk management action that may be employed by the Professional and Ethical Standards Directorate (PES) during an investigation into allegations of misconduct.

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?

The number of Public Sector Senior Executives (PSSE) employed in each band is published in the department's Annual Report. The Department of Education is committed to meeting the whole of sector PSSE reduction targets do ensure delivery is sustainable.

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?

Support resources vary depending on the needs of each functional area. The department is focussed on ensuring it delivers essential services effectively and efficiently in line with the Plan for NSW Public Education. Remuneration is in alignment with the grade level (as published) for each classification.

368. what are their classifications?

See answer to supplementary question 367.

369. what is the remuneration for each classification?

See answer to supplementary question 367.

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?

Structures have been reviewed and realigned over 2024-2025 with a focus of ensuring that there is appropriate leadership and management to support teams to deliver the Plan for Public Education. The Department of Education is committed to meeting the whole of sector PSSE reduction targets do ensure delivery is sustainable.

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?

See answer to supplementary question 371.

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?

The department's processes for managing underperformance of Public Service Senior Executive (PSSE) complies with the Government Sector Employment Act 2013, Government Sector Employment Regulation 2014 and the Government Sector Employment (General) Rules 2014.

Workplace managers, including managers of PSSE, are responsible for ensuring employees under their supervision meet required work standards. Should a manager have concerns regarding an employee's performance they are able to seek support from the Professional and Ethical Standards Directorate's Employee Performance

team to ensure the correct procedures are applied and the process is fair and transparent.

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

See answer to supplementary question 372.

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?

See answer to supplementary question 372.

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?

See answer to supplementary question 372.

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?

See answer to supplementary question 372.

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,

See answer to supplementary question 374.

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)

See answer to supplementary question 374.

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

See answer to supplementary question 374.

380. 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.
What actions has the Department taken to address these risks?

See answer to supplementary question 374.

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?

See answer to supplementary question 374.

382. Why would the HSSW Directorate advocate for placement in unsafe settings?

Suitable work duties are adjustments to work duties to accommodate an employee's health requirements and to support their recovery and return to work after an injury or illness.

In the first instance, the priority is to identify and consider suitable work for an employee at the substantive work location, to facilitate the most direct pathway to recover at work.

Where a return to the substantive location cannot be accommodated, for example in circumstances where it may not be reasonably practicable to provide suitable work within the employee's medical restrictions, consideration may be given to the identification of alternate suitable work options, such as placement at an alternate workplace.

All offers of suitable work are made in line with medical restrictions and in consultation with the employee.

383. How many cases have been heard in the PIC in the last 5 years?

See answer to supplementary question 374.

384. How many of these cases have the Department 'lost'?

The department does not make decisions in respect of workers compensation claims, such as liability. These matters are determined by the Department's claims services provider.

385. How many of these lost cases have resulted in successful work injury damages claims?

See answer to supplementary question 384.

386. What is the total cost of these work injury damages claims?

See answer to supplementary question 384.

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				*Not reported in DoE Annual Report*			
(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 in is responsible for Co-ordinating PID's

The Director, Investigations, Professional and Ethical Standards directorate.

388. What are their qualifications and how long have they been in the PID Co-ordinator role for?

As per the role description, the qualifications for the Director, Investigations, Professional and Ethical Standards directorate are:

Key knowledge and experience:
- Demonstrated extensive experience at a senior level in the management of a large, complex organisation.
- Demonstrated high level expertise and extensive experience at a senior level in investigation, with particular expertise in misconduct investigations.
- Knowledge of and commitment to implementing the Department's Aboriginal Education Policy and upholding the Department's Partnership Agreement with the NSW AECG and to ensure quality outcomes for Aboriginal people.

Essential requirements:
- Appropriate tertiary qualifications in a relevant discipline such as human services, education, business, management, social sciences or communications, and/or equivalent knowledge and experience.
- Hold a valid clearance to work with Children (Working with Children Check).
- Demonstrated understanding of and commitment to the value of public education.

389. Why were PIDs omitted from the 2024 Annual Report?

There was no requirement to provide this data in the Annual Report given the data is already reported to the NSW Ombudsman.

390. What was the PID data for 2024?

In 2024 the department received 74 voluntary Public Interest Disclosures (PID). The department finalised 76 PIDs.

In July 2024 the department provided an annual return to the NSW Ombudsman in relation to its management of PIDs between 1 October 2023 and 30 June 2024 (the return period).

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?

In 2024, the department received 74 voluntary PIDs and finalised 76 PIDs. The finalisation rates in 2024 were therefore similar to the receipt rate and consistent with the rates seen in 2023.

392. Of the finalised disclosures for each year, how many did the Department:
(a) Investigate itself?
(b) Refer to an integrity agency such as ICAC or the NSW Ombudsman?
(c) Make a finding of serious wrongdoing?
(d) Take no further action?
(e) Take corrective action under s69(4) of the GSE Act 2013?
(f) Issue an apology?
(g) Make operational changes?

In 2024, 39 voluntary Public Interest Disclosures (PIDs), relating to 34 cases, were finalised by the department. In the same period, 35 PIDs (relating to 20 cases) received under the former legislation (Public Interest Disclosures Act 1994) were finalised.

(a) The department's Professional and Ethical Standards directorate (PES) investigates all allegations of misconduct, including allegations raised via a voluntary PID (allegations of serious wrongdoing), except in certain defined circumstances including:
- where there is a conflict of interest
- if advised not to by the Independent Commission Against Corruption.

PES investigated or is investigating all voluntary PIDs made in 2024.

(b) The department does not refer matters to the oversight agencies for action. In accordance with section 11 of the Independent Commission Against Corruption Act 1988, the department has a duty to report possible corrupt conduct to the Independent Commission Against Corruption (ICAC). This reporting is prepared by PES and is a non-delegable function approved by the Secretary. Reporting occurs at the beginning of an investigation and where new allegations are raised throughout. The ICAC assesses these reports and where appropriate provides instruction to the department. The ICAC also has broad powers under their Act to instruct the department to perform certain functions.

(c) The term 'serious wrongdoing' is a term used in the Public Interest Disclosures Act 2022. In accordance with the Teaching Service Act 1980, Education (School Administrative and Support Staff) Act 1987 and the Government Sector Employment Act 2013 the department's delegated decision maker/s make findings of misconduct.

(d) & (e) PES takes some form of action in all matters. Under the relevant employment acts, the decision maker has a broad delegation to take disciplinary and/or remedial action.

Corrective action is a broad concept also used by the Public Interest Disclosures Act 2022. PES takes corrective action in all matters from providing guidance and advice to a subject employee's supervisor to serious disciplinary action including dismissal. Where appropriate PES provides advice to other areas of the department in relation to identified systemic risks.

(f) Serious wrongdoing relates to allegations of misconduct. In most cases, the department is the victim. The department does not record this information.

(g) Refer to answers to (d) and (e) above.

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?

Assuming this question relates to 'purported Public Interest Disclosures (PIDs)', this concept did not exist prior to the introduction of the Public Interest Disclosures Act 2022, between 1 October 2023 and 31 December 2024 the department received 13 purported PIDs that did not meet the criteria to be a voluntary PID.

While he department does not provide comment on individual matters or retain data in relation to actions taken in matters after they are assessed as not within PES' jurisdiction, PES conducted a preliminary investigation into each of the reports. No further action was taken in relation to any of the matters as there was insufficient evidence to demonstrate that any employee engaged in misconduct.

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

Due to issues with data collection, accurate data prior to 2023 is unable to be provided. In 2023 there were 143 reports, while in 2024 there were 130 reports.

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

The department's Public Interest Disclosures (PID) practice is aligned with the legislation, policies and procedures in the management of PIDs.

In December 2024, the NSW Ombudsman released their report, 'Oversight of the Public Interest Disclosures Act 2022 Annual Report which considered the compliance of agencies, including the department under the Act.

396. How does the Department protect staff from detrimental action?

The Department of Education's Public Interest Disclosures (PID) Procedures contain information for all employees, including about detrimental action.

There are a number of mechanisms employed by the department to manage risk to reporters, including those who make voluntary PIDs. Risk assessments are regularly completed by the Professional and Ethical Standards directorate (PES) in line with the risk assessment process, and risk management strategies are applied on a proportionate and case by case basis. PES seeks guidance from the NSW Ombudsman where appropriate in managing risk.

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

See answer to supplementary question 395.

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

The *Public Interest Disclosures Act 2022* introduced reporting requirements in relation to allegations of detrimental action.

Since 1 October 2023, the department has received two allegations of detrimental action following reports made under the *Public Interest Disclosures Act 2022*.

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?

Since the introduction of the *Public Interest Disclosures Act 2022,* the department has received 2 allegations of detrimental action in relation to an employee who made a voluntary PID.

These allegations were referred to the NSW Ombudsman under the reporting requirements at section 34(4)(a) of the PID Act. In each of these matters, it was determined that there was no evidence to support that a detrimental action offence occurred, or that further action was required by the Professional and Ethical Standards directorate (PES).

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

See answer to supplementary question 395.

401. 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.**

Who within the department makes the reports to ICAC?

In accordance with section 11 of the *Independent Commission Against Corruption Act* 1988 the Secretary has a duty to notify the Independent Commission Against Corruption (ICAC) of possible corrupt conduct. This duty cannot be delegated.

In agreement with the ICAC, the department provides monthly schedules of corrupt conduct to the Commission. The report is prepared by the Director Investigations, Professional and Ethical Standards and the referrals are made by the Secretary.

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

The assessment of whether the department is required to notify the Independent Commission Against Corruption of a matter is conducted following a preliminary

investigation, conducted by the Professional and Ethical Standards Directorate's Preliminary Investigation Team.

The *Independent Commission Against Corruption Act* 1988 provides the legislative threshold for a report. That is, a matter must be reported if 'the person suspects on reasonable grounds that the matter concerns or may concern corrupt conduct'.

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?

Information about findings made by the Independent Commission Against Corruption (ICAC) should be obtained from the ICAC.

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

The department utilises a number of internal controls to identify allegations of misconduct, including corrupt conduct. It is not possible to determine why there has been a significant increase in referrals; however, it is likely a result of the strengthening of controls and methods of detection, rather than an increase in improper behaviour/misconduct.

In 2024, the department provided information to the Independent Commission Against Corruption in relation to an increase in a category of allegations. The department does not comment on the specific details of these matters.

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?

The threshold for reporting differs significantly from the threshold for making a finding of corrupt conduct or a referral for prosecution (refer to supplementary question 402). The Independent Commission Against Corruption (ICAC) does not investigate all allegations of corrupt conduct. The ICAC's investigation resources are reserved for matters where a response from the integrity agency is in the public interest. The department meets its legislative obligations under both Acts and retains responsibility for investigating lower-level allegations of misconduct that may meet the definition of corrupt conduct.

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?

The Department of Education is administering the provision of the program, which was part of a NSW Government election commitment to fund a Football in Schools program in Western Sydney. The delivery of the Football in Schools Program is based on school catchment areas within Southwest and Western Sydney.

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

Macarthur FC
-   FY 2023/24 $2,000 000
-   FY 2024/25 $2,000 000.

Western Sydney Wanderers FC
-   FY 2023/24 $1,625 000
-   FY 2024/25 $1,625 000.

Schools do not receive funding from the department for the Football in Schools Program. Funding has not been allocated to 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?

The providers provide a revised budget plan based on deliverables in the Funding Deed before the commencement of each financial year.

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.

Macarthur FC - schools to date:

Public Schools	
Ambarvale Public School	Hinchinbrook Public School
Austral Public School	Ingleburn Public School
Bardia Public School	John Warby Public School
Barramurra Public School	Kemps Creek Public School
Blairmount Public School	Kentlyn Public School
Busby West Public School	Leppington Public School
Cabramatta High School	Mary Brooksbank School
Camden High School	Mount Hunter Public School
Camden Public School	Narellan Public School
Campbellfield Public School	Narellan Vale Public School
Campbelltown East Public	Oakdale Public School
Campbelltown Public School	Oran Park Public School
Campbelltown North Public School	Robert Townson Public School
Cawdor Public School	Ruse Public School
Claymore Public School	Sackville Street Public School
Cobbitty Public School	Sarah Redfern Public School
Colo Vale Public School	Smithfield Public School
Denham Court Public School	Spring Farm Public School
Gledswood Hills Public School	St Helens Park Public School
Glenfield Park Public School	Tahmoor Public School
Greenway Park Public School	Thomas Acres Public School
Guildford Public School	Warragamba Public School
Gulyangarri Public School	Woodland Road Public School
Harrington Park Public School	
Heckenberg Public School	

Independent Schools	
Arrahman College	Our Lady of The Sacred Heart College
Aspect Macarthur School	Southern Highlands Christian School
Holy Family Catholic Primary Ingleburn	St Anthony's Picton
Leppington Anglican College	St Benedict's Catholic College
Marion Catholic Primary School	St Francis Catholic College
Mary Immaculate Eagle Vale	St Paul Camden Primary School

| Our Lady Help of Christians Rosemeadow | Wollondilly Anglican College |

Western Sydney Wanderers - schools to date:

Public Schools	
Barnier Public School	Metella Road Public School
Bennett Road Public School	Nangamay Public School
Bert Oldfield Public School	Newbridge Heights Public School
Blackett Public School	Noumea Public School
Blacktown Boys High School	Londonderry Public School
Burnside Public School	Madang Avenue Public School
Busby Public School	Marayong Heights Public School
Busby West Public School	Marsden High School
Cambridge Park Public School	Marayong Heights Public School
Canley Heights Public School	Parramatta High School
Carlingford Public School	Penrith Valley Learning Centre
Colyton Public School	Quakers Hill Public School
Dalmeny Public School	Rooty Hill High School
Dawson Public School	Rooty Hill Public School
Doonside Public School	Roselea Public School
Eastern Creek Public School	Sadleir Public School
Emerton Public School	Samuel Terry Public School
Ermington Public School	Schofields Public School
Evans High School	Seven Hills West Public School
Fairfield Heights Public School	Shelley Public School
Granville Boys High School	Sherwood Ridge Public School
Hebersham Public School	St Johns Park Public School
Jasper Road Public School	Strathfield South High School
John Edmondson High School	The Ponds School
John Palmer Public School	Toongabbie East Public School
Kings Park Public School	Toongabbie Public School
Kingswood Park Public School	Tregear Public School
Leonay Public School	Walters Road Public School
Lethbridge Park Public School	Warwick Farm Public School
Llandilo Public School	Westmead Public School
Londonderry Public School	Whalan Public School
Madang Avenue Public School	Windsor Park Public School
Marayong Heights Public School	Winston Heights Public School
Marsden High School	

For further information, please see answers to supplementary questions 407 and 408.

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?

The Football in Schools Program is subject to ongoing monitoring and review to ensure its objectives are being met and that deliverables benefit students in the Western and Southwest Sydney.

As part of the program and the department's regular grants management processes, a program implementation review is being conducted this financial year.

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 Wanders FC donated:**
>> **i. $3960 to Stephen Bali**
>> **ii. $990 to Hugh McDermott**

All reportable political donations are made publicly available on the NSW Electoral Commission website. Donations made during the pre-election period for donation disclosure must be lodged with the NSW Electoral Commission within 21 days.

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?**

See answer to supplementary question 411.

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?

The department assumed responsibility for the oversight and funding administration of the two Football in Schools programs in October 2023, as part of the NSW Government election commitment and is delivering them in conjunction with schools.

In administering this program, the Department of Education is complying with the NSW Government Grants Administration Guide, available at https://www.nsw.gov.au/grants-and-funding/grants-administration-guide.

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.

See answers to supplementary questions 411 and 413.

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?**

See answer to supplementary question 411.

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?

See answer to supplementary question 413.

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?

See answer to supplementary question 411.

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.

See answer to supplementary question 413.

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?

See answer to supplementary question 411.

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;
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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

Grant information is published in accordance with the NSW Grants Administration Guide.

All reportable political donations are made publicly available on the NSW Electoral Commission website.

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?**

I have regular discussions with Parliamentary colleagues regarding a range of matters. As the Member may be aware, all Members of NSW Parliament are bound by the Members' Code of Conduct, and all Ministers are bound by the Code of Conduct for Ministers of the Crown.

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.

See answer to supplementary question 420.

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.

The Department of Education provides a range of support to my Ministerial office in accordance with the relevant guidelines and policies.

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?

See answer to supplementary question 62.

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?

See answer to supplementary question 62.

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"?

See answer to supplementary question 62.

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"?

See answer to supplementary question 62.

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?

The department was referring to any of the family law matters that may impact on a school and are dealt with in the department's Family Law Guidelines.

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.

See answer to supplementary question 428.

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.

See answer to supplementary question 428.

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?

See answer to supplementary question 62.

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 Page 4 of 98.
(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?

See answer to supplementary question 62.

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?

See answer to supplementary question 62.

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?

See answer to supplementary question 62.

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?

At the Minister's request for an independent review into early childhood education care regulation in NSW to be instigated, the NSW Department of Education contacted former NSW Deputy Ombudsman Mr Chris Wheeler in February 2025. Mr Wheeler agreed to undertake the independent review, and his engagement is in line with the procurement policy framework.

Details of the independent review are set out in its terms of reference which are outlined on the department's website. As indicated, the independent review report will be made public.

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?

In accordance with its usual process the department has engaged with the Deputy Premier's Office and The Cabinet Office in its response to this SO52. In addition, departmental staff have met with Ms Abigail Boyd MLC in relation to the terms of the SO52.

The NSW ECEC Regulatory Authority has advised ACECQA and Regulatory Authorities in other jurisdictions of the Standing Order 52 and referred them to public information available on the Parliament website.

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?

See answer to supplementary question 436.

438. Has the Minister of her office had discussions with the Department in relation to the progress of complying with the SO52 order?

My office and I have discussions with the department regarding compliance with all Parliamentary responsibilities and requirements.

439. Has the Minister been made aware of the consequences of not complying with an SO52 order?

See answer to supplementary question 438.

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?

The Department of Education supports school staff in identifying and responding to domestic and family violence (DFV) through existing child protection and wellbeing processes. Staff use the Mandatory Reporter Guide (MRG) to assess concerns, with the Child Wellbeing Unit (CWU) providing advice and referral pathways where statutory intervention isn't required.

The department will implement the NSW Common Approach to Risk Assessment and Safety Framework (CARAS) through collaboration with key stakeholders and agencies, ensuring staff have the necessary tools, training, and support to respond effectively to DFV concerns.

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?

The department's Respectful Relationships Education (RRE) program provides teachers, leaders and school staff with access to resources, professional learning,

and system-based expertise to implement age appropriate and evidence-based learning in RRE across NSW public primary and secondary schools.

The department will develop new curriculum resources, tools and advice which embed age-appropriate learning about respectful relationships, coercive control and consent education. Professional learning will be delivered for school staff and leaders.

As part of the Brighter Beginnings cross government collaboration, the Department of Communities and Justice's (DCJ) Family Connect and Support program brings together families, support services and community resources so that children and young people are safe and well. In 2024, the department worked with DCJ to increase the provision of outreach for this program through early childhood education and care services.

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?

Where the operational decisions of a service affect access of families to early childhood education and care, adequate notification for families is important for informed decision-making and continuity of care.

The department will raise the issue of notification timeframes for families with other States and Territories at the next opportunity to review the regulations.

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?

The department is committed to transparent reporting of suspension and expulsion data in NSW public schools.

2024 data is not yet available. The public factsheet will be made available online at https://data.nsw.gov.au/data/dataset/nsw-education-suspensions-and-expulsions-in-nsw-government-schools.

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?

The department's 2024/2025 Integration Program is currently being rolled out with more than 500 projects across more than 400 schools. Further information will be available following the end of the financial year.

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.)

I am advised that this information is held by the government insurer, iCare.

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?

The department does not record data on staff misconduct findings linked with litigated claims, noting that litigated claims may be made months or years after a staff misconduct investigation has been finalised.

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?

I am advised that this information is held by the government insurer, iCare.

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.)

The department does not keep a register of confidentiality agreements.

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?

See answer to supplementary question 448.

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.?

Professional and Ethical Standards Directorate (PES) investigations are guided by the employment acts: the *Teaching Service Act 1980*, the *School Support and Administrative Staff Act (1987)*, the Government Service Employees Act 2012, and the guidance arising from those Acts.

Some disciplinary decisions made under those Acts may be reviewed by the Industrial Relations Commission of NSW. The department is also oversighted by the Independent Commission Against Corruption, the NSW Ombudsman and the Office of the Children's Guardian.

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?

Any concerns regarding PES should be raised directly with PES in the first instance. Should an individual remain dissatisfied, they should raise their concerns with the Chief People Officer, Department of Education.

It is also open to individuals to raise concerns directly with external agencies such as the NSW Ombudsman, the Independent Commission Against Corruption and the Office of the Children's Guardian.

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?

See answer to supplementary question 374.

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?

There are no disciplinary or remedial actions imposed by PES that result in transfer from a substantive position to an "unattached" position.

An employee may be directed to attend alternative duties as a risk management strategy. This is a temporary measure and is not a transfer. While undertaking duties in a different role or location the person remains "attached" to their substantive position.

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.

If a principal or workplace manager recommends that an employee has not satisfactorily completed a performance management program the matter is forwarded to Employee Performance to commence the disciplinary process.

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?

An employee needs to demonstrate sustained satisfactory performance aligned to their role description and accountabilities/responsibilities. Employees are required to demonstrate sustained improvement at the conclusion of the program.

456. Are departmental employees whose performance is of concern permitted to be transferred?

Employees who are subject to a formal improvement program should not be transferred during the improvement program process.

457. Are there any policies or procedures which support the cessation of performance management processes before an employee demonstrates satisfactory improvement?

Employees may request to resign or retire during an improvement program. The decision to allow separation from the department is delegated to the Director Employee Performance.

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?

A manager of a complaint may decide on occasion, to engage a recently retired senior officer or external party to assist with the management of a complaint or a request for a review of the complaint handling or outcome. This decision is made on a case-by-case basis, following an assessment of risk and consideration of the nature and complexity of the concern.

The officer provides information and independent advice to inform the decision making and complaint outcome made by the complaint manager.

459. Do Directors or DELs ever engage former employees to manage complaints and reviews?

See answer to supplementary question 458.

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?

Additional guidance for complaint managers is provided by the department to staff and includes a 'Reviews by external contractors' section.

461. What qualifications and experience are required for individuals engaged to assist with the management of complaints and reviews?

From time to time, the department obtains the services of appropriately qualified and experienced persons to support 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?

See answer to supplementary question 458.

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?

The department ensures compliance with procurement policies and legislation by requiring employees to adhere to the NSW Government Procurement Policy framework and the department's procedures. This includes declaring any conflicts of interest, working to resolve these conflicts in the public interest, complying with applicable NSW procurement board policies, and ensuring probity and fairness. Employees must take reasonable steps to ensure that goods and services are not the product of modern slavery and obtain value for money. These processes are outlined in the department's Code of Ethics and Conduct, which applies to all public resources, including procurement activities. The department ensures compliance with procurement policies and legislation through several key practices:

- Authorisation and Funding Checks: Before making any purchase, staff must confirm that they have approved funds available and that they are authorised to make the purchase.
- Use of Mandated Contracts: If a mandated contract exists for the goods or services needed, it must be used, regardless of the purchase amount. This helps maintain compliance with procurement policies.
- Documentation and Record Keeping: Staff must provide evidence of value for money and prudent spending of public funds. Supporting documents such as quotes, invoices and emails are uploaded as part of the purchase order or acquittal process. This ensures that there is a clear audit trail for all purchases.
- Approval Process: Any purchases made must be approved by a staff member with appropriate financial delegation, ensuring that there is oversight in the purchasing process.
- Regular Reviews and Guides: The department provides guides and resources to assist staff in navigating procurement policies effectively.

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?

The Staff Complaint procedures and Community Complaint procedures include guidance on the declaration and management of conflicts of interest in the complaint process.

A failure to declare or appropriately manage a conflict of interest may amount to serious wrongdoing and must be reported to the Professional and Ethical Standards Directorate for assessment.

465. Who determines the remuneration for former employees supporting complaint management, and on what basis is this determined?

See answer to supplementary question 458.

466. Under which Award are former employees paid?
(a) Does this differ for each former employee based on their qualifications?

See answer to supplementary question 458.

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?

Assistance in the management of a small number of complaint reviews was provided between June 2023 and March 2024. This information and advice were provided to the complaint manager for consideration in their decision making.

468. How does the Department manage concerns regarding the perception of former employees providing favourable outcomes in exchange for ongoing or future employment?

If an external contractor or recently retired senior officer is engaged by a complaint manager to assist with the handling of a complaint or to review aspects of the handling of a complaint, the complaint manager is responsible for deciding and communicating the complaint's outcome. It is not the role of external contractors or retired senior officers to decide the complaint or review outcome.

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?

See answer to supplementary question 458.

Recently retired senior officers or external contractors who may be engaged to assist with the management of a complaint do not decide the complaint outcome or review outcome.

470. What is the total expenditure on engaging former employees for these tasks over the past five years?

See answer to supplementary question 458.

471. What is the total expenditure on engaging former employees for these tasks over the past five years?

See answer to supplementary question 458.

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

Section 5.5.3 of the Department of Education's Code of Ethics and Conduct identifies the responsibilities and expectations of employees in relation to the use of drugs, alcohol and smoking.

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?

Yes.

Specific requirements for managing EOI processes for higher duties opportunities for executive and principal positions are outlined in the Teachers Handbook.

Guidance for advertising temporary teaching opportunities is provided to Principals via the Jobfeed frequently asked question website at:
https://education.nsw.gov.au/teach-nsw/find-teaching-jobs/jobfeed/jobfeed-faq.

474. Is it the usual practice to advertise EOIs before schools know how much funding they will receive for the following school year?

Principals typically commence planning for the following school year during Terms 3 and 4 of the previous school year. This will include ascertaining any temporary workforce needs. Where possible, EOI processes for the following school year would occur during this period.

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.)

There are a number of reasons why a planned temporary engagement is not able to proceed. In the event a temporary engagement ceases early, as much notice as possible is provided to the temporary employee.

Where schools are requiring temporary staff and conducting an EOI process, the EOI will specify the role or roles available. Teacher and School Learning Support Officer are distinct roles with different qualifications, employment conditions, remuneration and role requirements, and would not be advertised as interchangeable.

476. What are the Department's expectations with regards to the timeframe for EOI processes?

The timeframe for potential applicants to respond to an EOI for a temporary position may vary, depending on the length of time the temporary role is required, the pool of potential applicants and how quickly the role is required.

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?

Any conflicts of interest or issues around the role of the decision maker are considered on a case-by-case basis by the Department of Education's Professional and Ethical Standards Directorate.

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?

Workplace managers are responsible for managing declared conflicts of interest and related management plans in accordance with the Department of Education's policies and procedures.

479. Who does the Executive Director of PES report COI matters to?

In accordance with the Department of Education's policies and procedures, the Executive Director, Professional and Ethical Standards Directorate reports their conflicts of interest to their line manager, in this instance, the Chief People Officer.

480. Is the internal case management system used as the COI register, or is this a separate system?

See answer to supplementary question 478.

481. Does PES manage and audit its own COI register?
(a) If so, doesn't this raise concerns about impartiality and transparency?

See answer to supplementary question 478.

482. How does the Department address situations where staff may have been denied their right to impartiality in decision-making?

During a Professional and Ethical Standards Directorate investigation or performance management process, it is open to employees to raise any issues around impartiality.

Once a disciplinary decision is made, rights to review are set down in the relevant employment acts.

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?

The Professional and Ethical Standards Directorate (PES) provides guidance to employees about reporting to PES through the Reporting Guide and associated material.

Following a preliminary investigation, matters referred to PES are assessed by a senior officer who decides whether there should be an investigation. In some cases, the report is referred back to the principal/workplace manager with supporting advice about strategies for directly managing the employee's conduct.

Purported Public Interest Disclosures (PID) or reports that may relate to serious wrongdoing are referred to and assessed by the Department's Director Investigations/PID Co-ordinator to ensure the department meets its responsibilities under the *Public Interest Disclosures Act* 2022.

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?

The Department of Education complies with all its responsibilities under the Public Interest Disclosures Act 2022 (the PID Act).

The requirement to report allegations of detrimental action to the NSW Ombudsman should not be confused with the requirement to report evidence of a detrimental action offence to the NSW Police and the Independent Commission Against Corruption, as the thresholds for each differ. In accordance with section 11 of the Independent Commission Against Corruption Act 1988, the department reports allegations of detrimental action to the Independent Commission Against Corruption, in addition to reporting to the NSW Ombudsman under PID Act requirements.

It is the responsibility of the Professional and Ethical Standards Directorate to assess whether evidence supports a detrimental action offence. The directorate also provides support to an alleged victim throughout this process.

The implementation of the PID Act by the department is monitored by the NSW Ombudsman. The Act places a legislated responsibility on the department to manage risk to all parties to a disclosure, including the subject of that disclosure.

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?

The Department of Education's Recovery at Work Program ensures employees with an injury, illness, or health condition receive workplace support.

Collaboration, consultation, and open communication are key to recovery at work, allowing issues to be resolved promptly. Quick resolution prevents barriers to an employee's return to work.

The recovery plan is reviewed regularly with the employee, doctor, line manager, Health Safety and Staff Wellbeing (HSSW) team and other people involved in the employee's return to work to discuss progress and barriers. All parties must sign the plan to confirm agreement and commitment.

All involved should work together to resolve barriers. If unresolved, employees can escalate issues through the department's staff complaints or issue resolution procedures. The program provides information on resolving return-to-work barriers or disputes.

486. What are the ramifications if HSSW officers do not fulfil this responsibility?

See answer to supplementary question 485.

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?

Suitable work duties to accommodate an employee's health requirements after a workplace injury, illness or personal health condition are provided where it is reasonably practicable to do so. This is individualised, for example to the person, role and workplace.

The Department of Education implements workplace reasonable adjustments to enable employees to work effectively and safely in the workplace unless any adjustment would cause unjustifiable hardship.

See answer to supplementary question 485.

488. What are the implications if HSSW obtains medical information but disregards this advice when planning the RAW?

An employee's recovery at work plan is updated in line with current medical restrictions and in consultation with all parties involved in the employee's return to work. Suitable work duties are provided to employees where it is reasonably practicable to do so.

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?

The Department of Education's Recovery at Work Program was recently reviewed, in consultation with relevant parties, to ensure it is effective.
The revised program was published on 31 January 2025 and is available to all staff on the department's website.

The department's Recovery at Work Program was deemed compliant with its requirements under s52 of the Workplace Injury Management and Workers Compensation Act 1998 by the State Insurance Regulatory Authority when it undertook its integrated compliance audit and performance review of the Treasury Managed Fund Government agencies workers compensation claims in 2023.

490. If so, will the Department commit to genuinely and fairly addressing any findings that come from the review?

See answer to supplementary question 489.

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?

The recovery at work plan is developed in collaboration with the employee and other key people involved in the return to work.

Where there is a concurrent return to work and active conduct or performance matter involving the Professional and Ethical Standards Directorate (PES), consultation with PES is initiated to ensure that any risks or decisions requiring consideration in respect to return-to-work planning are addressed appropriately.

The Health, Safety and Staff Wellbeing Directorate may review existing medical information or request new medical information from the employee's treating doctor (with the employee's consent) so the department can determine if the employee is fit to participate in departmental processes or if adjustment to the process is required. Recovery at work and performance support and improvement processes continue independently of each other.

Participation in performance support and improvement processes are inherent requirements for staff.

Where there are concurrent workplace processes and health-related matters, Professional and Ethical Standards is consulted in the development of the recovery at work plan so the department can determine if the employee is fit to participate in departmental processes or if adjustments to the process are required.

The Recovery at Work program provides this information for staff.

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?

See answer to supplementary question 491.

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

See answer to supplementary question 491.

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

See answer to supplementary question 485.

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?

See answers to 2 December 2024 supplementary Budget Estimates hearing supplementary questions 105-106.

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?

The Teaching Service Act 1980 does not provide a right of review. External review may be available to staff via the courts. The department does not provide legal advice to individual staff regarding external appeal options.

497. Is it standard practice for staff transferred under Section 51A not to be informed of their right to review the decision?

See answer to supplementary question 496.

498. Is it standard practice to advertise a substantive position before a review of the decision has been undertaken?

See answer to supplementary question 496.

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?

S51a of the Teaching Services Act 1980 is a mechanism that provides the Secretary authority to transfer a permanent officer of the Service from one position to another position within the Service, with or without consent.

Compassionate transfer requests are considered under s51A (3), where a teacher may request a transfer but is not entitled to be transferred at his or her request. Compassionate transfers are granted where there are accepted exceptional and/or compelling circumstances identified by the teacher that cannot be managed in their current work location.

Compassionate transfers are managed in accordance with procedures developed in alignment to the Staffing Agreement. These procedures are published and available to all department staff on the department's intranet.

500. Who approves these transfers?

The Secretary may transfer an officer under s51A of the Teaching Services Act 1980 without a request or the consent of the officer. The Secretary's powers to effect this transfer can be delegated to senior officers of the department.

Effective July 2024, all Section 51A compassionate transfer applications are considered by a central panel, comprising the Executive Director, School Workforce and two Executive Directors, Public Schools. This panel process ensures equitable and consistent decision making in accordance with the Staffing Agreement.

501. Who checks the information contained in the Briefing Note for a transfer to ensure it is valid, accurate, and unbiased?

Briefing notes are formal internal documents, typically for the purposes of seeking the approval of the appropriate senior officer, Secretary or Minister. Briefing notes include requirements to list consultation with relevant subject matter experts and must be reviewed and endorsed internally before they go to the final approver.

Typically, where a briefing note has been required to effect a s51a transfer, it will include appropriate advice and consultation with relevant areas of the department, including Public Schools division, School Workforce, Legal Services and, where required, Health, Safety and Staff Wellbeing and Professional and Ethical Standards.

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?

Where a health and safety and/or workers compensation related matter is identified in relation to a potential decision to effect a S51A transfer, appropriate consultation is undertaken with the department's Health, Safety and Staff Wellbeing Directorate to ensure that all current and relevant information is provided to the decision-maker.

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?

The department adheres to all obligations under the Teaching Services Act.

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?

The Football in Schools programs aims to provide a range of initiatives to involve more students in sports from across the Southwest and Western Sydney regions. The Football in Schools program commenced in 2023.

All deliverables in the Football in Schools program are to be offered to students and community members at no cost. The department assumed responsibility for the oversight and administration of the Football in Schools programs in 2023 and delivers them in conjunction with schools.

The department allocated funds based on the total $14.5 million election commitment made to Macarthur Bulls and Western Sydney Wanderers. The payments are made to the clubs on a yearly basis. The department has outlined clear criteria and conditions in the Funding Deed to ensure milestone objectives are for the benefit of school students and the West & Southwest Sydney community.

The department has monitoring and control processes internally which are executed at various points in the program delivery cycle. Macarthur Bulls FC and Western Sydney Wanderers FC provide annual projections prior to the commencement of each financial year. The department captures actual visits reported at various reporting periods in the Deed against the annual projections. The clubs provide fortnightly reports to the department, a mid-point report halfway through each financial year and a final report at the end of each financial year. $2,262,108 was spent in the 2023-24 Financial Year. Information on the 2024-25 Financial Year expenditure will be available at the end of the financial year.

As part of the program and the department's regular grants management processes, it is undertaking a review and check of student registrations, participation numbers and program implementation this Financial Year.

The department is not aware of any tickets purchased through Ticketek under the program.

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?

The Football in Schools program commenced in Term 3, 2023, which is post COVID and lockdowns.

506. What safeguards did the Department have in place to ensure that the FIS grant money was only spent on the FIS program?

See answer to supplementary question 504.

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?

See answer to supplementary question 504.

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?

See answer to supplementary question 504.

509. How much of the grant money went to private companies and how much went to not- for-profit organisations?

See answer to supplementary question 504.

510. Did MacArthur FC receive an invitation to apply for a grant?
(a) If so, what was the justification for this?

See answer to supplementary question 504.

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?

See answer to supplementary question 504.

512. How much of the $3.65 million has been spent on the FIS program in the first year?

See answer to supplementary question 504.

513. How much of the $3.65 million has been spent on the FIS program in the second year?

See answer to supplementary question 504.

514. Were there any complimentary match day tickets purchased through Ticketek under the FIS program?

See answer to supplementary question 504.

515. Which targeted programs under the FIS program are assisting with the cost of living crisis?

See answer to supplementary question 504.

516. Has the Department advised any clubs under the FIS program to limit their social media reporting program?

See answer to supplementary question 504.

517. What is done by the clubs to promote wellbeing and active lifestyle?

See answer to supplementary question 504.

518. Who approved the FIS program?

See answer to supplementary question 504.

519. When was the program moved to the responsibility of the Department?

See answer to supplementary question 504.

520. How did the Department ensure the 7 grant principle guidelines were followed?

1. **Robust Planning and Design –** Intensive consultation with Macarthur Bulls FC and Western Sydney Wanderers FC at each stage.
2. **Collaboration and Partnership –** The department works closely with Macarthur Bulls FC and Western Sydney Wanderers to ensure program delivery is on track. Additionally, site visits are conducted monthly, and regular communication takes place to provide the best support within the guidelines and Deed.
3. **Proportionality –** Funding is allocated by the election commitment of $14.5 million over four years.
4. **An Outcomes Orientation –** Objectives are outcome and benefit-focused; they are measurable and transparent about how and when the objectives are expected to be achieved. They also aligned with the department's 'Our Plan for NSW Public Education'.
5. **Achieving Value with relevant money –** The department monitors expenditure against milestones to ensure funds are used for the intended purpose.
6. **Governance and Accountability -** The department has outlined clear criteria and conditions in the Deed to ensure milestone objectives benefit school students and the West and Southwest Sydney community. Additionally, the department has included specific clauses to ensure the funds are not misused within the Deed. The department has monitoring and control processes internally, which are executed at various points in the program delivery cycle.
7. **Probity and Transparency –** The grants administration incorporates appropriate safeguards against fraud and unlawful activities managed by the Deed, including internal controls giving financial approval for the expenditure to ensure compliance is met.

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?

See answer to supplementary question 504.

522. 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).
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

The department is on track to meet the NSW Government's commitment to reduce recurrent/non-frontline contractor labour spend by 25% each year over the next 5 years.

The number of contractors engaged by the department reduced by 21% over the period FY 22/23 to FY23/24. The department has continued to work hard to reduce contractor spend throughout 2024/25. A comparison of half yearly spend (July-December) in 2023-24 with 2024-25 demonstrates a reduction of $86 million in spend between the 2 periods.

523. What is the Department's SCM0007 contingent workforce spend, by Category?
(a) by FTE
(b) by Headcount
(c) total spend

See answer to supplementary question 522.

524. What is the Department's SCM0007 contingent workforce spend by Category, by division?
(a) by FTE
(b) Headcount
(c) total spend

See answer to supplementary question 522.