



**LEGISLATIVE ASSEMBLY FOR
THE AUSTRALIAN CAPITAL TERRITORY**

The Work for the Dole project in primary schools

STANDING COMMITTEE ON EDUCATION

REPORT NO 2

MARCH 1999

Committee membership

Ms Kerrie Tucker MLA (Chair)
Mr Wayne Berry MLA (Deputy Chair)
Mr Harold Hird MLA

Secretary: Ms Judith Henderson
Administration: Ms Kim Blackburn

Resolution of appointment

The following general purpose standing committees be established to inquire into and report on matters referred to it by the Assembly or matters that are considered by the committee to be of concern to the community:

...a Standing Committee on Education to examine education, schooling, training services, children's, youth and family services and sport and recreation and any other matter under the responsibility of the portfolio minister.

Minutes of Proceedings, No 2, 28 April 1998, pp 15-19.

Terms of reference

Inquire into and report on the work for the dole project planned for primary schools with particular reference to:

- the processes adopted to consult with key stakeholders who would be involved in or have an interest in the project;
- the selection of participants;
- the adequacy of the training component of the project;
- the adequacy of the support for the young people and staff involved in the project; and
- any other related matter.

Preface

This inquiry was established in order to look closely at the proposal of the Department of Education and Community Services to place Work for the Dole participants in Primary Schools. Major players in the education and youth area, including the Youth Coalition of the ACT, the ACT Council of Social Services, the Primary Principals' Association, and the Australian Education Union were concerned because they had not been consulted on the proposal and had reservations about how well it would achieve positive outcomes for students, staff and participants.

While some members of the Committee do have an ideological objection to the Work for the Dole scheme and the concept of 'mutual obligation' as described by John Howard's government, the Inquiry was carried out in a professional and rigorous manner. The evidence came from nine written submissions and 24 oral submissions. It was interesting to see that organisations who advocate for young people were equally concerned about the implications for their constituency as the Australian Education Union was concerned for theirs. There were many common concerns. Specifically the support for participants and support for the school personnel responsible for supervision, selection processes, resource allocation for training and the lack of consultation with stakeholders.

It was very concerning for the Committee to see how poorly thought out the original proposal was, and on several occasions as evidence came before the committee, the Department had to re-assess significant aspects of its proposal. It was also interesting to note that in the original proposal the participants were to be assisting with numeracy and literacy, but this was withdrawn at the request of the responsible Commonwealth Department.

As far as we know this was the first proposal to place Work for the Dole Participants in Primary Schools. The committee was unable to get a clear understanding of whether the Commonwealth Department actually consulted with its own Department of Education to ascertain the suitability of placing participants into primary schools, which are complex and sometimes stressful workplaces.

It was clear from the submissions that there is strong support for labour market programs which equip young unemployed people to enter the work force.

However, there was concern that if there is not appropriate support and training for such work-place programs it can be a negative experience for everyone concerned. Young unemployed people have often already had disappointing experiences and can have low self-esteem. It is very important that we do not create another possibility for failure.

I would like to thank all those who participated in and assisted with this inquiry.

Kerrie Tucker MLA
Chair
8 March 1999

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List of recommendations

Recommendation 1

The committee recommends that, in future, the Department of Education and Community Services comply with the Government's consultation protocol. (Paragraph 7.12)

Recommendation 2

The committee recommends that compliance with the Government's consultation protocol be included as a performance measure in contracts of all senior executives. (Paragraph 7.13)

Recommendation 3

The committee recommends that before proceeding with the project, the Department of Education and Community Services develop a detailed selection process. (Paragraph 7.17)

Recommendation 4

The committee recommends that:

- the Department of Education and Community Services review the training to be offered to participants with a view to providing accredited or industry-recognised training;
- schools be provided with resources to provide specific on-the job training;
- the per capita training budget be increased significantly. (Paragraph 7.26)

Recommendation 5

The committee recommends that the Department of Education and Community Services re-examine the level of projected support required and negotiate revised funding arrangements with the Commonwealth as appropriate. (Paragraph 7.32)

Recommendation 6

The committee recommends that if the Department of Education and Community Services is unable to negotiate with the Commonwealth adequate funding arrangements to enable the implementation of recommendations 3, 4 and 5 it withdraw from the project.
(Paragraph 7.33)

1. Introduction

The Work for the Dole Program

1.1. The Work for the Dole scheme is underpinned by the Commonwealth Government's mutual obligation principle: that it is fair and just that people receiving unemployment benefits from the community be asked to make a contribution to the community in return. Under this principle, unemployed young people aged 18 to 24 years, after having been on unemployment benefits for six months, will be required to participate in an activity in addition to job search.¹

1.2. The objectives of the Work for the Dole (WFD) Program are to:

- develop work habits in young people;
- involve the local community in quality projects that provide for young people, and help unemployed young people, at the end of the projects; and
- provide communities with quality projects that are of value to that community.²

1.3. In relation to developing work habits, participation in the project is expected to develop or enhance the ability of participants to:

- work as part of a team
- take directions from a supervisor
- work independently
- improve their communication skills, motivation and dependability.³

¹ Department of Employment, Education, Training and Youth Affairs, *Work for the Dole Sponsor Handbook*, AGPS, April 1998.

² *op cit* p 1.

³ *op cit*, p 2.

1.4. The Work for the Dole Sponsor Handbook defines quality projects as projects which provide:

- a variety of work experiences
- opportunities for participants to apply their skills and abilities
- opportunities to develop new work skills
- responsibility and challenges
- social interaction within the workplace
- interesting and enjoyable activities and
- pride in results.⁴

1.5. To participate in the Work for the Dole scheme jobseekers must be:

- 18 years and over;
- in receipt of income support for six months or more;
- not in Job Search Training or Intensive Assistance; and
- on full rate of Newstart Allowance or Youth Allowance at the time of commencement.⁵

Department of Education and Community Services' (DECS) application for the Work for the Dole project

1.6. On 19 May 1998, the department submitted an application for funding for a Work for the Dole project to the then Department of Employment, Education, Training and Youth Affairs (DEETYA). It proposed to place up to 140 participants in government primary schools to assist teachers and administrators, either in class settings or through school beautification/maintenance projects.

⁴ Department of Employment, Education, Training and Youth Affairs, *Work for the Dole Sponsor Handbook*, AGPS, April 1998, p 3.

⁵ Submission 1.

1.7. The key features of the project described in the application are:

- the award of an exit certificate, endorsed by national employer groups, which clearly shows to potential employers the competencies achieved by the participant;
- the provision of detailed references from principals;
- the sanction and support of the ACT's major business group (the ACT and Region Chamber of Commerce and Industry);
- direct assistance with identification of potential employers through department data bases;
- linkages with employers already associated with the department;
- training in job seeking skills, including OH&S, resume preparation, interview skills;
- a coordinated approach to development of positive work habits and self esteem, through close links with the ACT and Region Chamber of Commerce and Industry;
- challenging opportunities for participants to gain valuable vocational skills, training and work experience;
- the sensitive application of a careful selection process to ensure that suitable candidates are placed in situations where they will be working with school children;
- the provision of an opportunity to place young people in need of assistance into important community institutions where they will be nurtured and provided with opportunity to develop personal and vocational skills;
- the opportunity for young unemployed people to support each other in their work experience placements in primary schools through the provision of multiple places for participants in schools;
- access to the resources of the ACT's major education provider, including expertise in staff placement, support, evaluation and monitoring;

- the experience of an education provider which has run successful pilot programs for young, long-term unemployed people in ACT government primary schools.⁶

1.8. The application stated that participants would be engaged in the following tasks:

- assist teachers to deliver outcomes in literacy
- assist teachers to deliver outcomes in numeracy
- assist with school maintenance and beautification
- assist with physical education and sport classes
- assist with after school care
- assist with information technology support and maintenance
- general clerical duties
- assist in areas such as school canteens
- general classroom support/assistance.⁷

1.9. On 22 July 1998, the department was advised that its application had been assessed as reaching the quality benchmarks prescribed by (DEETYA) and as suitable for funding.

1.10. However, the offer of funding was conditional on confirmation from DECS that:

- all aspects of the project would be additional; and
- some aspects of the school activities be eliminated and other activities negotiated.⁸

1.11. The department assured DEETYA that under no circumstances would Work for the Dole participants displace permanent staff or contract staff in

⁶ Department of Education and Community Services, 'Application for funding under the Work for the Dole Program', response to question 11.

⁷ Department of Education and Community Services, 'Application for funding under the Work for the Dole Program', response to question 34.

⁸ DEETYA, correspondence dated 22 July 1998.

classrooms.⁹ The department's application also stated that Work for the Dole participants will not replace any voluntary workers in the department.¹⁰

1.12. Following DEETYA's request, the department advised DEETYA that participants would not be engaged in the teaching and learning process and that any interaction would be incidental to the assistance they would provide teaching, clerical and janitorial staff.¹¹ The department also revised the areas and percentage of representation of participants in classroom activities from 50 per cent in the original proposal to 30 per cent. The revised breakdown of activities participants are to be engaged in is as follows.

School beautification	30 per cent
General clerical experience	25 per cent
Assistance to teachers*	30 per cent
Other (library and IT support non class based)	15 per cent

* Assistance to teachers will take the form of administrative support.

1.13. The application also stated that participants would assist with after school care. The committee was puzzled as to how after school care programs could be involved in the project since most after school care programs are sponsored and administered by Parents and Citizens' Associations or other community groups, over which the department has no control. The committee raised a number of questions with the Minister about the involvement of after school care programs in the project. In particular, the committee asked the following. Who would be responsible for the supervision of participants in after school care—the principal or the after school care coordinator? What consultation has been conducted with after school care providers such as individual P&Cs or regional community services? How can the sponsoring organisations of after school care programs be a party to the department's project.¹²In response, the Minister advised that 'assistance with after school programs is no longer included'¹³.

1.14. The revised tasks and percentage representation of participants are very different from the original proposal which would have involved participants heavily in classroom activities. Serious concerns were expressed about the appropriateness of involving untrained young people in assisting teachers to achieve learning outcomes.

⁹ Submission 1, p 5.

¹⁰ Department of Education and Community Services, 'Application for funding under the Work for the Dole Program', response to question 28.

¹¹ Submission 1, p 5.

¹² Chair, Standing Committee on Education, correspondence dated 7 December 1998.

¹³ Minister for Education, correspondence, dated 22 December 1998.

1.15. In September 1998, the department invited primary schools to indicate whether they would like to participate in the project. Responses were received from 37 primary schools, of which 25 indicated interest in participating. Schools were asked to give an indication of how many participants they would be prepared to take. Of the 25 positive responses, 21 schools requested a total of 48 participants. Four schools did not complete the question relating to the number of participants they anticipated being able to provide places for.¹⁴ The committee was surprised to note that one small school had requested eight participants, almost as many as the total school staff.

1.16. Following the October 1998 federal election, responsibility for the Work for the Dole program was given to the Department of Employment, Small Business and Workplace Relations. In its submission to the inquiry, this department advised the committee that ‘finalisation of contract negotiations have been suspended pending the inquiry into the Education Department’s Work for the Dole involvement’¹⁵.

Conduct of the inquiry

1.17. On 9 October 1998, the committee decided to undertake this inquiry following a series of concerns expressed to members about DECS’ proposed involvement in the Work for the Dole program.

1.18. Advertisements detailing the inquiry’s terms of reference and inviting input were placed in *The Canberra Times* and *The Chronicle* in mid October 1998. In addition, at the same time letters, advising of the inquiry were sent to organisations known to have an interest in the matter.

1.19. In response, the committee received nine submissions and held two public hearings. Details of submissions received are at Appendix 1 and of witnesses who gave evidence at public hearings are at Appendix 2.

1.20. On 15 February 1999, Centrelink officials briefed the committee on the role and responsibilities of Centrelink in relation to the project.

1.21. The committee requested and received from DECS all papers relating to the Work for the Dole project.

Acknowledgments

¹⁴ Minister for Education, correspondence, dated 22 December 1998.

¹⁵ Submission 1, p 5.

1.22. The committee wishes to thank all those who took an interest in this inquiry.

2. Consultation processes

2.1. In its application for funding the Department of Education and Community Services (DECS) stated that it had consulted with the following organisations:

- the Youth Coalition of the ACT;
- the ACT and Region Chamber of Commerce and Industry;
- the ACT Council of P&Cs; and
- the ACT Primary Principals' Association.

2.2. The application also stated that in preparing the submission, the department had taken into consideration feedback from the young unemployed people who participated in pilot programs in schools over the last three years.¹⁶

Consultation with the Youth Coalition of the ACT

2.3. In response to question 24 'Have you consulted with young people in relation to the proposed project?' the department's application stated that it had spoken to the Youth Coalition of the ACT which indicated that in their opinion 'there would be a number of young people aspiring to work in education and to explore careers in that area'.¹⁷

2.4. The Minister advised that the Youth Coalition of the ACT was contacted by telephone on 19 May 1998 (the day the application was signed off). The Youth Coalition pointed out to the committee this consultation was merely an information phone call which could not contribute to the process which developed the proposal.¹⁸ Any genuine consultation with a peak youth organisation would need to provide the organisation with time to consult its membership. This, clearly, was not considered. The consultation with the Youth Coalition appears to have been a last minute attempt to demonstrate in the application that some consultation had occurred.

2.5. The Youth Coalition of the ACT together with ACTCOSS questioned the value of any feedback from participants in past traineeship programs given

¹⁶ Department of Education and Community Services, 'Application for funding under the Work for the Dole Program', response to question 24.

¹⁷ *ibid.*

¹⁸ Submission 7, p3.

that traineeships are based on an entirely different premise from the Work for the Dole Program.¹⁹

Consultation with the ACT and Region Chamber of Commerce and Industry

2.6. The ACT and Region of Chamber of Commerce and Industry advised that it was consulted early in 1998.²⁰ The Minister advised that ‘the Chamber of Commerce and Industry was first contacted on or about 15 May 1998’.²¹ The Chamber further advised that:

Later the Department asked the Chamber whether we would be willing to endorse the Department’s application to DETYA and I advised that we would do so. I was subsequently given a draft of the Department’s submission, which I read and (a) made several suggestions to the Department and (b) discussed a number of issues further with the Department. Following that I then prepared a letter of endorsement to DETYA dated 18 May 1998.²²

2.7. The department’s files show that the letter of support from the Chamber of Commerce and Industry was drafted by a departmental officer and then signed by the Chief Executive of the Chamber.²³ The department’s application stated that the ‘ACT & Region Chamber of Commerce and Industry has provided its unequivocal support for the project’.²⁴

Consultation with the ACT Council of P&Cs

2.8. The Minister advised that telephone contact was made with the Council of P&C Associations ‘on or about 18 May 1998’. The department then wrote to the Council on 19 June 1998 providing further information.²⁵

¹⁹ Submission 7, p 4.

²⁰ Chief Executive, ACT and Region Chamber of Commerce and Industry, correspondence dated 6 January 1999.

²¹ Minister for Education, correspondence dated 22 December 1998.

²² Chief Executive, ACT and Region Chamber of Commerce and Industry, correspondence dated 6 January 1999.

²³ Minister for Education, correspondence dated 16 November 1998, pp 71-74.

²⁴ Department of Education and Community Services, ‘Application for funding under the Work for the Dole Program’, response to question 25.

²⁵ Minister for Education, correspondence, dated 22 December 1998.

Consultation with the Primary Principals' Association

2.9. The application stated that the Primary Principals' Association 'is an enthusiastic supporter of the project'.²⁶

2.10. The department advised that the executive of the Primary Principals' Association was consulted once the initial concept for the proposal had been identified.²⁷ Representatives of the Primary Principals' Association advised the committee that, while the sentiment that was picked up by the departmental officials who addressed the meeting of the executive was one of support for the proposal, no details were given as to how the project would operate and what the implications were. The information given at that meeting followed on from two previous programs that primary schools had been involved in—the Literacy Enhancement Officers (LEOs) and the trainee programs in information technology and physical education.²⁸ The Primary Principals' Association advised that the LEO program had been very well managed by the department and the union in both the provision of training and the supervision of participants. The information technology and physical education trainee programs had mixed results.²⁹

2.11. The full Primary Principals' Association discussed the proposal at a subsequent meeting. As a body they were not in support of the project. Extracts of minutes of a meeting on 30 July 1998 indicate serious concerns about the project, particularly in relation to:

- the possibility of high turnover among participants;
- the possible problems with untrained and possibly unwilling participants working in schools;
- the lack of any real future employment opportunities in the department for participants;
- the inadequacy of the training component.

²⁶ Department of Education and Community Services, 'Application for funding under the Work for the Dole Program', response to question 25.

²⁷ Submission 8, p 3.

²⁸ Transcript, p 13.

²⁹ Transcript, p 14.

The following motion was passed.

That the PPA does not support the Work for the Dole Scheme in its present form but would consider supporting the scheme if adequate formal training is provided by ACTDECS and the AEU approves of the involvement of its members.³⁰

2.12. On 1 December 1998, the Primary Principals' Association still had concerns about details of the project. Representatives of the association told the committee:

What is not clear and what seems to be different in this set-up is that the selection for training and the ongoing support for people working on the dole have not been spelt out to the association at this point.³¹

Consultation with relevant unions

2.13. None of the unions representing staff working in schools were consulted before the proposal was submitted.

2.14. The Australian Education Union (AEU), which claims to represent most teachers in schools, was not formally consulted until it discovered from another source that the department was submitting a proposal.³² The AEU met with the department on 4 June 1998 to discuss the proposal. The AEU has had subsequent discussions with DECS, however the union is not in support of the project. At its meeting on 20 June 1998, the following motion was passed.

The ACT Branch of the AEU directs school-based members not to have any involvement in the proposed placement of 18-24 year olds in our schools.³³

2.15. Neither the Community and Public Sector Union (CPSU) which represents administrative and support staff working in schools nor the Liquor, Hospitality and Miscellaneous Workers' Union (LHMU), which represents school janitors was consulted before the application was submitted. As a result of the changes in the proportion of participants who will be assigned to tasks in schools, administrative and support staff and janitors are likely to be heavily involved with participants.

³⁰ Extract of minutes of a meeting of the Primary Principals' Association received by the Department of Education and Community Services on 18 September 1998.

³¹ Transcript, p 14.

³² Submission 4, p 2.

³³ Submission 4, p 1.

2.16. On 28 September 1998, all relevant unions were sent a letter advising them that the department's application for funding had been successful and that principals had been asked if they wished to participate.

Consultation with the School Board Forum

2.17. The School Board Forum (the peak body of School Board Chairs) has been consulted about the proposed project since June 1998. It was not consulted before the application was submitted.³⁴

Conclusions

2.18. None of the key stakeholders whose core business is education were consulted in any meaningful way before the application was submitted. None of the unions who represent staff in schools were consulted in any way before the application was submitted. The only organisation which appears to have been satisfied with the consultation during the developmental stage was the ACT and Region Chamber of Commerce and Industry.

2.19. In 1997, the ACT Government produced *Consultation Protocol: A guide to consultation processes for the ACT Government*. The purpose of this protocol is to provide a guide to successful and effective consultation processes. The opening sentence of the protocol states:

To ensure consultation is genuine and seen as genuine by the community, commitment to the consultation process should be demonstrated by Ministers as well as senior Government officers and program managers.

2.20. The protocol's guide on when to proceed with consultation suggests that it should be undertaken when:

the issue directly affects a significant group in the community...

a significant number of people, or particular groups are likely to have strong views on the issue...

2.21. Based on the evidence received and assessed against the guidelines set out in the Government's consultation protocol, the committee considers that the

³⁴ Transcript, p 44.

consultation with key stakeholders by the department before it submitted its application was inadequate. It was superficial and limited.

2.22. The department advised the committee that it often puts in bids for Commonwealth funds and that before doing so it tries to get a sense of whether it is worthwhile doing so by gauging support.³⁵ The department further advised that a similar process of gauging support for the Work for the Dole project was applied before the application was submitted and that is why it only consulted with a few groups at that time. Since the application was submitted there has been further consultation with key groups.³⁶

2.23. The committee finds this approach surprising. The Work for the Dole project is very different from a literacy project or a project for students with disabilities. The Work for the Dole project will involve teaching and non-teaching staff in significant additional supervisory and training responsibilities. The outcomes for the department may have been much more positive in terms of acceptance of the project if the consultation had been more genuine and more widespread.

³⁵ Transcript, p 79.

³⁶ *ibid.*

3. Selection of participants

Work for the dole projects in schools

3.1. The committee was interested to know how the responsible Commonwealth department decided that Work for the Dole projects would be suitable for school environments. The committee wrote to the Department of Employment, Work Place Relations and Small Business and asked it to provide the following.

Details of any consultation with the Commonwealth Department responsible for education on the suitability of Work for the Dole projects in schools as part of the decision-making process to approve the ACT Department of Education and Community Services' application.

3.2. The Department of Employment, Workplace Relations and Small Business provided the following response.

In developing a policy decision to allow Work for the Dole projects in schools the then Department [Employment, Education, Training and Youth Affairs] consulted a number of State Education Departments to establish existing practices. The Department also considered a Discussion Paper 'Development of Best Practice Standards of Persons Employed in a Paid or Voluntary Capacity with Children', which was prepared for State Community Services Ministers in the wake of the NSW Royal Commission into Police Corruption.³⁷

3.3. The committee did not find this response particularly enlightening given that the committee understands that there were no Work for the Dole programs in operation before the policy was developed.

ACT concerns

3.4. A number of organisations expressed the need for a careful and thorough selection process to be put in place to ensure that participants are suitable to work in schools.³⁸ There are people who have a predisposition to work in environments where there are children for the wrong reasons.

³⁷ Group Manager, Labour Market Programs and Services Group, Department of Employment, Workplace Relations and Small Business, correspondence received 8 March 1999

³⁸ Submissions 2, 3, 4, 7.

3.5. The selection of participants was initially an area of concern for the School Board Forum and the Council of P&Cs. Both advised the committee that after discussions with the department they have received satisfactory assurances.³⁹

Department of Education and Community Services (DECS) planned selection process

3.6. In its submission and at a public hearing, the department advised the committee that the proposed selection process for participants would involve the following three steps.

DECS Central Office and nominated principals negotiate with Centrelink to identify suitable young, long-term unemployed people to participate in the work experience activities identified by schools.

Principals of participating schools, or their nominees, would be asked to interview and select participants appropriate for their school projects.

Selected participants would be subject to the department's normal police checks before beginning their induction training and work experience placements.⁴⁰

3.7. The department also advised that appropriate support for principals in the selection of participants will be provided. For example, before principals are asked to choose a participant, they will be provided with individual skills audits, prepared by participants. Only those young people who have suitable interests and strengths and who express an interest in working in schools, will be considered.⁴¹

3.8. Since it considers the selection process as a crucial aspect of the project, in February 1999, the committee asked the Minister for any additional information on the selection process. The Minister advised the following.

The first step will be to identify a suitable pool of eligible people who, through their communications with Centrelink, have indicated some interest or aptitude in working in the sorts of areas proposed by interested primary schools. That process

³⁹ Transcript, p 45, correspondence from the Council of P&Cs dated 30 November 1998.

⁴⁰ Submission 8, p 4, Transcript, p 95, 96.

⁴¹ Submission 8, p 5.

will be managed by the two central coordinators, who will liaise closely with the appropriate personnel in Centrelink to develop a list from which potential participants may be selected to progress to the next stage.

The second step will involve interviews conducted by a group of departmental personnel, including: primary principals; the central coordinators (one of whom is expected to be a trained youth worker); and personnel from Central Office of my department.

A skills/interests questionnaire will be developed which will enable interviewees to indicate general and specific areas of interest or ability, previous experience and future goals. Eligible participants will be asked to complete the questionnaire prior to interview. The purpose of the questionnaire will be to assist interviewees to focus their thoughts and provide some prompts for the interview.

Interviews will be conducted in a manner which puts participants at ease. The process will be designed to determine motivation, appropriateness of character and to ascertain, in a subjective way, the likelihood of the interviewee completing the project.

The interview panel will make recommendations about each interviewee and where appropriate, make a tentative match with an appropriate primary school. Where the panel is unable to reach consensus on a particular person, that person may be referred to the principal of the selected school for further discussion. Such referrals will be at the discretion of the chair of the panel and where interviewees indicate their willingness to participate.

Where interviews have been concluded and participants have indicated their willingness to be matched with a given school, a police character check will be performed.

The guiding principles of the selection process will be to:

- seek participants who are willing to work in school environments;
- conduct careful and thorough interviews; and

- provide quality information to and opportunities for consultation with participating schools.⁴²

3.9. The information provided in February 1999, spells out in a little more detail the interview process. No specific selection criteria were provided, presumably because they had not been developed.

3.10. The LHMU expressed a view that since a large proportion of participants will be engaged in school beautification tasks their members should be invited to have a say in the selection of participants at the school level.⁴³ The department advised that any such involvement would be the decision of the school principal. Principals usually like to have the support of staff who will be involved in specific projects.⁴⁴

Centrelink's involvement

3.11. Centrelink officials briefed the committee on their involvement and responsibilities in the selection process.

3.12. Recruitment of participants does not commence until a contract has been signed between the Department of Employment, Workplace Relations and Small Business (DEWRSB) and the sponsor, in this case DECS.⁴⁵ The Minister for Community Services advised that following the signing of the contract a meeting is organised with the sponsor, a representative from DEWRSB and Centrelink. The purpose of this meeting is to determine procedures for advertising the project, referral of participants and ongoing liaison. The meeting is also used to develop a recruitment strategy. The strategy includes details of proposed intake dates, including the number of participants to commence on each date and the skills required.⁴⁶ The sponsor develops a strategy to attract participants to the project. This advertising strategy may involve Centrelink in holding meetings of young unemployed people interested in working in schools.⁴⁷

3.13. Centrelink officials advised that Centrelink's responsibility in the selection of participants is merely to ensure that participants meet the legislative requirements for the Work for the Dole program, such as age and length of time unemployed. It is not Centrelink's role to provide information to the sponsor on the interests of participants. The sponsor, in this case DECS, is responsible for deciding on the suitability of individual participants for work in

⁴² Minister for Education, correspondence dated 23 February 1999.

⁴³ Transcript, p 25.

⁴⁴ Transcript, p 96.

⁴⁵ Uncorrected Proof Transcript, 15 February 1999, p 1.

⁴⁶ Minister for Community Services, correspondence received on 12 February 1999.

⁴⁷ Uncorrected Proof Transcript, 15 February 1999, p 12.

schools.

3.14. Young people may volunteer for the project by advising Centrelink or the sponsor. If the project cannot be filled with volunteers, Centrelink will make compulsory placements. However their preference is to place eligible volunteers⁴⁸.

3.15. Centrelink officials also made the point that since the preference was to fill the places with eligible volunteers, they expected most of them to be accepted by the sponsor.⁴⁹

Experience with the Literacy Enhancement Officer (LEO) program

3.16. The AEU pointed out that while there may be approximately 5,000 young unemployed people in the ACT eligible for the Work for the Dole project, when put through the selection process a vast number prove to be unsuitable to work in schools. Schools are very complex, busy and at times not easy places for trained professionals to work in. To work successfully in schools young people would have to have sound self esteem, well developed social skills and the capacity to work with low supervision. The AEU went on to state that in its experience, the majority of people who participated in the LEO program did not have sufficient skills in these areas to achieve success. As a result, for some, involvement in the program resulted in a very negative experience.⁵⁰

3.17. The selection process for the LEOs was very lengthy and complicated. In order to get 30 suitable participants, 87 people identified as suitable by the CES were interviewed. In all, the process involved two people working full-time for nearly two weeks and involved frequent liaison with CES staff, schools, interviewees, the CIT and schools.⁵¹ Based on this experience it is likely that to find 140 suitable participants it will be necessary to interview approximately 400 young people identified as eligible by Centrelink.

3.18. The department told the committee that a big pool will be required to find 140 suitable participants.⁵² This is quite a different view from the view of Centrelink officials who anticipate that most of the eligible young people referred to the department would be accepted on the project. Centrelink takes responsibility for supporting applicants who are rejected.

⁴⁸ Uncorrected Proof Transcript, 15 February 1999, p 3.

⁴⁹ Uncorrected Proof Transcript, 15 February 1999, p 24.

⁵⁰ Submission 4, p 3.

⁵¹ Transcript, p 12.

⁵² Transcript, p 95.

Transport

3.19. In its application, the department stated that it will ensure that participants are assigned to schools which are within convenient travelling distance of their place of residence. As a first priority, participants will be assigned to schools within their home suburb. Where this is not possible, participants will be placed in schools which require a maximum one bus ride from their homes and travel through interchanges will be avoided at all costs.⁵³

3.20. The committee supports the concept of placing participants close to their place of residence. Given the difficulties envisaged in selecting suitable participants, the committee was concerned that these transport restrictions may further limit the availability of suitable participants for particular schools. The Minister advised that:

Under ACTION's new fare/zone structure, it is now possible for commuters to travel for up to 60 minutes within a zone on the one fare, where previously they would have been charged a new fare had they needed to change buses. My department will now examine the new zones and ensure that, wherever possible, participants are not expected to travel across more than one zone, unless a specific service exists which can facilitate that travel for a similar fare to that charged within an individual zone.⁵⁴

Conclusions

3.21. It is understandable that the community wants to ensure that there is a thorough selection process and that only totally suitable young people are placed in schools. The safety of students must not be compromised.

3.22. There was an inconsistency between DECS and Centrelink relating to their respective roles in the selection process. DECS told the committee that Centrelink would provide information on eligible young people's interest in and/or aptitude for working in the areas proposed by primary schools. This does not appear to be the case. DECS will have prime responsibility for the selection of participants with Centrelink only being responsible for ensuring legislative requirements are met.

⁵³ Department of Education and Community Services, 'Application for funding under the Work for the Dole Program', response to question 33.

⁵⁴ Minister for Education, correspondence dated 9 February 1999.

3.23. The department assured the committee that there would be a careful selection process, however, detailed information such as the selection criteria was not available. This has meant that the committee has not been able to thoroughly assess the selection process and therefore the committee is not in a position to assure the community that the selection process is satisfactory.

3.24. While Centrelink expects that most young people referred to the department will be accepted, previous experience with the LEO program would indicate that the selection process will be a time consuming task for principals and other departmental staff. It is likely that it will be difficult to fill all the places. Those eligible volunteers who are rejected as unsuitable to work in schools must be offered appropriate support.

4. Training

Work for the Dole and traineeships

4.1. The Work for the Dole scheme is a work experience program rather than a traineeship program. Its objectives are:

- to develop work habits in young people;
- involve the local community in quality projects that provide for young people, and help unemployed young people at the end of the projects; and
- provide communities with quality projects that are of value to the community.⁵⁵

4.2. The Department of Education and Community Services (DECS) advised that the Work for the Dole project is the most recent in a series of successful programs through which it has provided opportunities for young, unemployed people to gain work experience.

Programs of this nature seek to enable the young unemployed to develop real skills in real workplace situations, thus enabling these young people to say to prospective employers that they have had some previous experience in a work related environment.⁵⁶

4.3. The Government reported that, in 1995, the then ACT Department of Education, in conjunction with the Australian Education Union, attracted Commonwealth funding to implement a scheme in which unemployed people were trained to work with students in 30 ACT Government schools as Literacy Enhancement Officers (LEOs). In 1996, approximately 50 unemployed people received individual placements under the program.⁵⁷

4.4. In 1996 and 1997, as part of the Government's Jobs for Canberra initiative, DECS placed a total of 20 physical education and sport and IT trainees in government primary schools over a 12 month period. In total, 40 primary schools were involved in the program, each hosting a trainee for approximately six months. The trainees worked with teachers and students and

⁵⁵ Department of Employment, Education, Training and Youth Affairs, *Work for the Dole Sponsor Handbook*, AGPS, April 1998, p 1.

⁵⁶ Submission 8, p 1.

⁵⁷ Submission 8, p 1.

undertook nationally recognised vocational qualifications. All the young participants were drawn from the ranks of Canberra's long term unemployed and were aged between 18 to 20 years.

4.5. However, as a work experience program, the Work for the Dole project is not required to offer training that will give participants the opportunity to gain any formal qualifications—a very different situation from the traineeship programs described above.

4.6. The majority of submissions stressed the critical importance of accredited or industry-recognised training to maximise employment outcomes for participants. For example, the Sport and Recreation Industry stated:

Lack of a formal training component and/or access to industry-specific training would minimise employment outcomes under this project and is not acceptable to this industry.⁵⁸

Training programs for participants

4.7. Sponsors are required to provide training in all areas of occupational health and safety to ensure participants are working safely, and other essential training required to undertake the duties specified in the project.⁵⁹

4.8. The Government advised that while the majority of training will be integrated into the school experience, participants will undertake a minimum five-day induction program prior to commencing their work experience placements in schools. The induction program will be similar to that provided for the physical education/sport and IT trainees in 1996-97. It will include:

- OH&S training;
- outline of the functions and structure of the department;
- general work place issues (EEO, cultural diversity, sensitivity of information etc);
- working in a school environment (duty of care as it relates to teaching staff, personal presentation, gender issues, special needs students, how teachers manage students, working in an environment with children, protective behaviours to avoid

⁵⁸ Submission 3, p 4.

⁵⁹ Department of Employment, Education, Training and Youth Affairs, *Work for the Dole Sponsor Handbook*, AGPS, April 1998, p 17.

harassment issues etc);

- conflict resolution, dealing with authority, working with and for someone; and
- presenting to employers, CV preparation, interview techniques.⁶⁰

4.9. According to the Government, the type of induction program outlined above is consistent with feedback from schools about the sort of training that would be appropriate and necessary for young people to gain work experience in their schools.

4.10. However, analysis of the mandatory training to be provided and the tasks that participants will be engaged in as described by the department reveals that significant on-the-job training will be required to enable participants to undertake these tasks. The Government indicated the need for on-the-job training in its submission, which stated ‘the majority of training will be integrated into the school experience’.⁶¹

4.11. As a number of witnesses pointed out, providing the on-the-job training and supervision will place an additional load on school staff, something staff are reported to be unhappy about.⁶²

4.12. The development of conflict resolution skills and feelings of self esteem and self respect are critical to a young person’s success in jobseeking and employment. The AEU claimed that self esteem and conflict resolution are not matters which can be taught as part of a five-day training course.⁶³ Further, as the AEU noted, none of the mandatory training to be provided will equip young people to gain skills in working with children.⁶⁴ This may no longer be an issue since the department has been forced to back down on its original intention to engage Work for the Dole participants in assisting teachers to deliver outcomes in literacy and numeracy and to assist with after school care.

4.13. The AEU, ACTCOSS and the Youth Coalition of the ACT told the committee that most participants will have already completed one, if not several courses in resume writing, interview skills and personal presentation as part of the services provided through their Job Network provider. Having to repeat this training was a big criticism of the initial two-week training program for the Literacy Enhancement Officer (LEO) program.⁶⁵

⁶⁰ Submission 8, p 5.

⁶¹ *ibid*

⁶² Transcript, p 5, p 39.

⁶³ Submission 4, p 3.

⁶⁴ Submission 4, p 4.

⁶⁵ Submissions 4, 7.

4.14. The Australian Association of Career Counsellors questioned the value to unemployed people of the emphasis in case management on resume preparation, analysis of technical skills and job search techniques. It argued that this methodology will not increase long-term retention in jobs unless there is adequate underpinning of career counselling, which would involve approximately four hours for each participant on an individual basis.⁶⁶ This association contends that professional vocational assessment and career counselling enhances employability of participants by building on strengths and giving participants more confidence and skills to market themselves. In particular, the provision of career counselling brings benefits to individuals such as:

- ability to plan their own future and take responsibility for their employability;
- increased self knowledge which leads to successful decision making;
- integration of the skills of planning and self assessment as an integral part of self development;
- accurate knowledge of career paths and jobs that are suitable for their unique characteristics, thus keeping this knowledge up-to-date in a constantly changing employment environment.⁶⁷

4.15. The Government reported that specific training for participants will be matched to the needs of participants and their schools, as identified and detailed in schools' expressions of interest. Training needs identified on the expression of interest forms in order of frequency were: working in a school environment (9); basic information technology (7); interpersonal skills (5); gardening (5); communication (4); maintenance, including graffiti removal (4); library skills (3); clerical skills (2); child care (2); photocopying (2); answering the telephone (2); preparation of teaching aids (1); and team work (1).

4.16. While some of the training requested by schools is included in the induction program, much of it, such as gardening, answering the telephone and clerical skills will need to be provided on the job and will involve school staff. No details were provided as to how most of the specific training will be provided. There was certainly no mention of additional resources being offered to schools.

⁶⁶ Transcript, p 131.

⁶⁷ Submission 6, p 2.

4.17. Apart from the compulsory training and on-the-job training, departmental officials advised that participants would be able to access training programs offered by the O'Connell Information and Resource Centre (OIRC). These courses are geared across a spectrum of people including those in schools assistant jobs who may not have had significant other experience.⁶⁸

4.18. The OIRC offers a range of training and professional development courses, including a variety of IT courses, courses to assist teachers, and general courses such as conflict resolution, and public sector correspondence and report writing.⁶⁹

4.19. To access a course, potential participants need to complete an enrolment form and pay the specified charge. Monthly invoicing arrangements apply to schools and workplaces on request.

4.20. The committee looked at the courses outlined in the *Staff Development Guide Number 2—1998*, and noted that those which may be suitable for Work for the Dole participants are very limited. They include: some of the IT courses—generally half day courses; book repairs—a half day course; and conflict resolution—three, two-hour sessions in late afternoon. Further, it is questionable whether much of this optional training will be pitched at an appropriate level to suit the needs of this group of young people.

4.21. To take advantage of these courses participants will need to be made aware of their availability, see them as relevant to their needs, have access to transport to the venues, and either be released from the workplace to attend or be prepared to do them in their own time, while at the same time being required to demonstrate that they are actively looking for work.

4.22. The AEU reported that many of the LEOs felt inadequate in formal training situations and needed constant encouragement. Experience with the LEO program demonstrated that the training program must be very relevant to the work at the school and phased in throughout the program in order to be applicable to the experiences they are having in the workplace.

Funding for training

4.23. The proposal provides for an amount of \$49,000 for training comprising \$35,000 from the Commonwealth and \$14,000 in-kind support from DECS. This is over and above the on-the-job training which participants will receive in their placements. Based on 140 participants, this equates to \$350 each. At

⁶⁸ Transcript, p 97.

⁶⁹ ACT Department of Education and Community Services. *Staff Development Guide Number 2—1998*.

current market rates, this amount may not even cover the cost of the five-day induction program.

Conclusions

4.24. There is strong support for programs for young unemployed people which offer significant training.

4.25. However, many organisations questioned whether the training for the Work for the Dole project is adequate and whether it will equip participants to work in schools and assist them to find work.

4.26. The training to be provided to participants in the Work for the Dole Program is very different from that offered to participants in any of the traineeship programs in which DECS has participated in that it does not lead to any accredited or industry-recognised qualification. As a result some industries will find it unacceptable.

4.27. The evidence before the committee indicates that schools will need to provide significant on-the-job training for participants. This will add to the workload of school staff.

4.28. While DECS placed great store in the availability, through its OIRC, of training for participants, close examination of the courses offered in 1998 indicates that there is only a very limited number of courses which are likely to be suitable for young unemployed people.⁷⁰

4.29. The training budget is inadequate and will hardly cover the most basic training for 140 participants.

⁷⁰ Information on the full range of 1999 courses was not available at the time of the finalisation of this inquiry.

5. Support for participants and staff

Anticipated support needs of participants

5.1. Based on previous experiences with the Literacy Enhancement Officers (LEOs), participants are expected to require considerable support. The AEU, which was responsible for management of the LEO scheme reported that many of the LEOs lacked the necessary skills to adapt to a workplace, including understanding the importance of punctuality, routine, dress, communication and interaction with supervising officers and students.

5.2. Additionally, as the AEU pointed out, a proportion of this group of young people could have complex problems, including mental health problems, housing problems, problems of low self esteem and in some cases few skills. Some will need interagency case management just to assist them in dealing with the complexities of their daily lives.⁷¹

Support from school and departmental staff

5.3. The department advised that it would appoint two full-time coordinators from project funding to assist schools and participants. School supervisors and principals would undertake the first level of monitoring of participants. The school will be responsible for monitoring attendance, performance of agreed tasks and participants' achievement of competencies. Schools will be required to provide reports on specified aspects of performance.⁷²

5.4. The coordinators' role will be to work with principals of participating schools, or their nominees, 'to develop appropriate processes for resolving difficulties and problems and for providing feedback'.⁷³

5.5. The department's proposal provides for two coordinators for up to 140 participants. That is a case load of up to 70 participants per coordinator.

5.6. The AEU advised the committee that in the LEO program one full-time field officer and one part-time (two days per week) administrative officer were employed to support 55 participants, at 55 schools throughout the ACT. On average the field worker made three school visits per day, by appointment. During the visits the field worker met with the LEO, the supervisor and on occasions the principal. The purpose of the visits was to monitor the placement

⁷¹ Submission 4, p 4

⁷² Submission 8, p 6.

⁷³ *ibid.*

as well as follow up leave forms, medical certificates and missed training. Each school was visited at least twice per term.⁷⁴

5.7. The part-time administrative officer was responsible for the record keeping for each LEO. According to the AEU, this involved constant communication with the supervisor/teacher at the school and all the stakeholders, including DECS, the CES and DEET. The workload at peak times, namely, at the beginning and end of the program, required full-time employment for a number of weeks. Additional work was required on a daily basis to ensure accurate records and accountability. Accuracy and reliability with this aspect of the work was found to be crucial because it impinged on participants' benefits.⁷⁵

5.8. By comparison, the Work for the Dole proposal offers approximately half the level of central support provided to the LEOs.

5.9. The AEU reported that, initially, the LEOs were expected to have a minimal effect on a teacher's workload. However, experience demonstrated, that in some cases, the load was great, both in time and energy, 'especially where the LEOs lacked knowledge and experience of any workplace and had a poorly developed work ethic'.⁷⁶

5.10. With 140 participants spread across 70 primary schools, the two full-time coordinators will be stretched to make two visits per term to participating schools. This will mean that the bulk of the problems will need to be dealt with at the school by the direct supervisor or the principal.

5.11. In addition, the coordinators will be required to undertake administrative work associated with the project, such as:

- monitoring and reporting on participant attendance, including the arrangement of replacements;
- notifying Centrelink of jobseeker commencement on the project within two days;
- notifying Centrelink of jobseeker withdrawal from the project within five days;
- providing reports to Centrelink as necessary, on inappropriate behaviour, non attendance etc; and

⁷⁴ Submission 4, Appendix 2.

⁷⁵ *ibid.*

⁷⁶ Submission 4, Appendix 1, p 4.

- providing reports to the funding body—including participant reports, financial reports and acquittals.⁷⁷

5.12. Most of the information listed above will need to be provided to the coordinators by schools.

5.13. The arrangement of replacements could involve both schools and the coordinators with significant additional work. Centrelink officials told the committee that the minimum period for placement is 13 weeks and that participants can be slotted into placements almost continuously. If there are more young people seeking a placement on a project than the number of available places, theoretically the number of participants can be doubled with each spending 13 weeks in the placement rather than six months. In addition as young people leave to take up a job offer, for example, the place is filled with another eligible young person.⁷⁸ The committee gained the impression from Centrelink officials that the places in the project need to be always filled for the duration of the contract period.

5.14. The AEU reported that the support necessary required a great deal of time, mature judgement, sympathy, empathy and a considerable knowledge of social support networks. Counselling and support were necessary on the job and in some instances out of hours at the participants' home.⁷⁹ Problems observed with the LEOs included absenteeism, drug dependency, inability to cope in the school as a workplace, and poor self esteem.⁸⁰

5.15. Both the Council of Parents and Citizens Inc and the School Board Forum indicated that they would be concerned if the involvement of schools in the Work for the Dole project resulted in an increased workload for principals and staff.⁸¹

5.16. It is impossible to envisage how such a project will not involve additional work for principals and staff at schools.

⁷⁷ Department of Employment, Education, Training and Youth Affairs, *Work for the Dole Sponsor Handbook*, AGPS, April 1998, p 17

⁷⁸ Uncorrected Proof Transcript, 15 February 1999, p 6.

⁷⁹ Submission 4, Appendix 1, p 3.

⁸⁰ Submission 4, Appendix 2.

⁸¹ Transcript, p 45. Council of P&Cs correspondence dated 24 July 1998.

Involvement of school counsellors

5.17. In its application, the department stated:

Schools employ counsellors who are well trained to deal with issues faced by young people. Participants in the project will have access to the range of support personnel employed by the department.⁸²

5.18. This statement was interpreted by all with whom it was discussed, except the Department of Education and Community Services (DECS), as meaning that the department intended to make the services of school counsellors available to participants in the Work for the Dole project.

5.19. The committee received strong evidence questioning the capacity of school-based counsellors to counsel and support participants. As the AEU and the Guidance and Counselling Association⁸³ told the committee there is a lack of resources provided to schools to support a growing group of children and young people in need of these specialised services. This is at a time when the support from other welfare agencies has also declined and schools' counselling services and the capacity for schools to deal with the issues presented by their own student population is being severely stretched.

5.20. Counsellors are usually only available on a part-time basis in primary schools. In fact, 80 per cent of primary schools have a school counsellor for less than two days per week⁸⁴.

5.21. The committee believes that there is absolutely no capacity for school counsellors to provide this sort of support and if they were required to, it would be to the detriment of students in schools.

5.22. The committee raised the matter with departmental officials, who when pressed, stated that they would have to pull back from any implied meaning in the statement in the application that school counsellors would be available to support participants in the Work for the Dole project. The view of the officials was that the statement referred to counsellors being available at the regular meetings involving them and central office staff to give advice to officers about general support for Work for the Dole participants.⁸⁵

⁸² Department of Education and Community Services, 'Application for funding under the Work for the Dole Program', response to question 36.

⁸³ Submission 4. Transcript, p 116.

⁸⁴ Transcript, p 116.

⁸⁵ Transcript, p 114.

5.23. The committee believes that if that was, in fact, the statement's intended meaning it was very poorly expressed and misleading.

5.24. The ACT Branch of the Australian Association of the Guidance and Counselling Association confirmed that even involving counsellors in a consultant way will impact on their workload and reduce the time they have to work with students and their families.⁸⁶

Certificates

5.25. The department's application stated that participants would be awarded a certificate at the end of the project. The certificate would be endorsed by national employer groups and clearly show to potential employers the competencies achieved by the participants.⁸⁷

5.26. The committee discussed the certificate with officials from the department, who advised that the department hoped to have available a simple assessment instrument to enable people to be assessed against seven key competencies. The competencies were developed by the Mayer Committee and include working in a team, understanding technology and using mathematics.⁸⁸

5.27. The committee considers it important for participants to receive a certificate which may assist them to enter the workforce, but is concerned that as late as December 1998, details were sketchy as development of the certificate was not finalised.

5.28. If the certificate is finalised and used someone, presumably school staff, will need to assess participants against the competencies. This will involve school staff in additional work.

⁸⁶ Transcript, p 124.

⁸⁷ Department of Education and Community Services, 'Application for funding under the Work for the Dole Program', response to question 11.

⁸⁸ Transcript, p 94, p 98.

Support for staff

5.29. Staff involved in the project will need access to support, particularly in relation to their supervisory responsibilities.

5.30. The AEU told the committee that many teachers who may be involved in the project would have little experience in dealing with the issues of young unemployed people. Where teachers in schools supervise other members of staff, it is usually paid staff who have received training and who have designated duty statements and tasks to perform in the school.⁸⁹

5.31. Support staff in schools such as schools assistants and janitors have also had very little or no experience in supervising young unemployed people. The CPSU, the LHMU, the Primary Principals' Association and ACTCOSS expressed the need for support staff involved in supervising participants to be supported and offered training in supervisory skills.⁹⁰

Conclusions

5.32. The committee believes that the department has seriously underestimated the support needs of participants. Based on previous experience, the proposed provision of two full-time coordinators for up to 140 participants will be inadequate.

5.33. The committee found it unsatisfactory that details of the proposed exit certificate for participants were not known before the completion of the inquiry.

5.34. It is inevitable that there will be an additional workload for principals and staff of schools participating in the project arising from their supervisory and monitoring responsibilities and the support needs of the participants.

5.35. The implication in the department's application that participants would be able to access school counsellors for support was most concerning. The committee considers their involvement would be most inappropriate and is surprised that DEETYA did not question this aspect of the application. The department has since made it clear that counsellors will not be available to offer support to participants.

⁸⁹ Submission 4, p 4.

⁹⁰ Transcript, pp 5, 26, 37. Submission 7, p 12.

6. Insurance

6.1. The Commonwealth has agreed to purchase accident and liability insurance for participants. Sponsors are required to provide their own public liability insurance and ensure that this covers Work for the Dole participants.⁹¹ There is no requirement for sponsors to provide workers' compensation insurance for participants.

6.2. The Commonwealth's accident and liability insurance covers the following.⁹²

Public and/or products liability

This covers participants liability arising out of negligence acts that cause personal injury to third parties or damage to third parties' property to the extent of:

- general liability claims of \$10,000,000 for any one claim arising out of a single occurrence and unlimited in any one period;
- products liability claims of \$10,000,000 for any one claim arising out of a single occurrence and limited to \$10,000,000 in any one policy period.

Personal accident

This covers protection from accidental bodily injury or death sustained whilst participating in a nominated labour market program or activity, including travel to and from such activities to the extent of:

- death and other benefits up to \$100,000.

Medical expenses not covered by Medicare

This covers reimbursement for costs incurred for:

- medical expenses not covered by Medicare to a maximum of \$10,000 per participant per claim.

⁹¹ Department of Employment, Education, Training and Youth Affairs, *Work for the Dole Sponsor Handbook*, AGPS, April 1998, p 21.

⁹² *op cit*, p 36.

6.3. A number of witnesses expressed concerns about the adequacy of the insurance coverage. ACTCOSS, the Youth Coalition of the ACT and the Australian Youth Policy and Action Coalition all claimed that the insurance does not cover chronic conditions and that in the event of sustaining such an injury participants would be left to pay for their continuing medical treatment.

6.4. SoftLaw Community Projects also raised concerns about the insurance coverage for participants. SoftLaw considers that the insurance to be arranged by the Commonwealth of \$10,000,000 will be adequate to protect the Territory's interests and the interests of participants in relation to the acts of project participants.⁹³ However, it claimed that financial risks to the Territory could arise from injury to project participants as a result of negligence by DECS or coworkers.⁹⁴

6.5. In response to this concern of SoftLaw, the Chief Minister advised the committee the following.

In addition to the public liability cover, the Commonwealth will provide personal accident cover up to \$100,000 and medical benefits support not covered by Medicare up to \$10,000 while the successful applicants are participating in the project.

The Australian Capital Territory accepts the financial responsibility for any requirement to effect and have specific insurances in place in respect of this project. As the Territory is predominantly a self insurer, it does not need to arrange insurance for its liabilities but retains the right and freedom to do so from time to time. This arrangement applies where there is the potential for public liability claims arising from personal injury and the loss of or damage to another's property, if the claim, loss or damage arises from some negligent act or omission of the Territory, its employees and agents.⁹⁵

6.6. SoftLaw advised the committee that it was not satisfied by the Chief Minister's explanation that the interests of the Territory and of the project participants will be adequately protected in relation to injury to project participants as a result of negligence by DECS or co-workers.

⁹³ Director, SoftLaw Community Projects, correspondence dated 24 February 1999.

⁹⁴ Submission 9, p 1.

⁹⁵ Chief Minister, correspondence dated 4 January 1999.

6.7. SoftLaw gave the following reasons.

A The Territory's interests

Clause 14 and Item F [of the draft Work for the Dole funding contract]⁹⁶ together suggest that the Territory is required to maintain its own insurance cover against this contingency. There is provision for Commonwealth reimbursement of the costs of suitable insurance, but the Chief Minister's response suggests that this will not be included in the contract with the ACT. Rather the Territory will proceed on its usual basis as 'predominantly a self insurer'. There is no budget provision made for the possibility in this particular case that the Territory exercise its 'right and freedom to do so from time to time'.

The only protection the Territory has is a manifestly inadequate Commonwealth accident insurance policy capped at \$ 100,000. This will be sufficient for relatively minor injuries, but the Territory remains exposed to the total cost of serious injuries, which can run into millions of dollars (eg. where attendant care costs are required to be met for a lifetime).

While it is true that the ACT is predominantly a self-insurer in relation to its risks (with some insurance cover at catastrophe level), this is not the case in relation to injuries to ACT employees where liability is capped by legislation (s44, SRC Act) and Comcare accepts the underwriting risk. In my opinion, it would be prudent for the Territory to insure the risk to project participants either by including work for the dole participants in its Comcare coverage or by taking out a private public liability/workers compensation insurance policy (which would not be very expensive, given the rates currently applicable in the Territory). Reliance on self-insurance in this case could prove a very expensive cost saving for the Territory.

B Participants' interests

I do not have access to the terms of the Commonwealth accident insurance cover, however my general experience of this type of policy is that they are very inferior policies, particularly in relation to permanently disabling conditions. Depending on the quality of the Commonwealth's policy, it

⁹⁶ Department of Employment, Education, Training and Youth Affairs, *Work for the Dole Sponsor Handbook*, AGPS, April 1998, p 54, p 60.

may well be in the injured participant's interests to claim upon the policy and at the same time take action for damages against the Territory to top up the compensation.⁹⁷

6.8. In relation to injury to project participants through their own negligence or unforeseeable risks, SoftLaw confirmed that the Territory's interests should be adequately protected. In correspondence to the committee the Director stated:

The existence of the Commonwealth personal accident cover (up to \$100,000) and medical benefits support (up to \$10,000) should adequately protect the interests of the Territory in relation to this element of risk, as it has no legal liability to compensate participants (only moral and political pressure).⁹⁸

6.9. However, SoftLaw pointed out that the adequacy of protection for participants depends upon the adequacy of the Commonwealth arranged accident policy, which depends on the policy's quality.

6.10. Insurance coverage for programs such as the Work for the Dole has also been the subject of recent concerns expressed by the Commonwealth Ombudsman. The Ombudsman's most recent annual report detailed complaints about the handling of injuries suffered through the New Work Opportunities program, where insurance coverage did not provide adequate protection for injured participants (particularly in relation to coverage of medical costs and the failure to provide coverage for past and future economic loss). The Ombudsman concluded:

Although the New Work Opportunities (NOW) program has ceased, our concerns about insurance and compensation cover will continue to be relevant for people who are required to participate in the new work for the dole scheme, which operates in a similar fashion.⁹⁹

6.11. In a letter to the committee the Ombudsman pointed out that these concerns are not as significant for the current Work for the Dole program.

6.12. The Ombudsman provided a view on the insurance coverage provided to participants in the Work for the Dole program. His comments were provided against the background of the knowledge derived from investigating general insurance coverage issues for participants engaged in a variety of training and

⁹⁷ Director, SoftLaw Community Projects, correspondence dated 24 February 1999.

⁹⁸ *ibid.*

⁹⁹ Commonwealth Ombudsman, *Annual Report 1997-98*, AGPS, Canberra, 1998, p 93.

employment programs and not a specific examination of the Work for the Dole program.

6.13. In relation to personal accident and products liability coverage, the Ombudsman made the following comments.

In our view, DEWSBR's personal accident policy provides a reasonable coverage for participants. However your attention is drawn to the fact that personal accident policies by their nature do not necessarily provide substantive cover in all cases.

DEWSBR's personal accident insurance product contains specific coverage to allow the 25 per cent gap between Medicare benefits and the schedule fee where services were necessarily rendered as a private patient. The Health Insurance Act provides for such coverage. This coverage cannot be provided by other insurers.¹⁰⁰

6.14. In respect of public liability coverage, the Ombudsman advised the committee that:

DEWSBR require the provider, in this case, the ACT Government, to arrange its own coverage. DEWSBR will indicate in their contract the minimum coverage requirements.¹⁰¹

6.15. The question of workers compensation insurance for Work for the Dole participants was raised in a number of submissions. The Ombudsman provided the committee with the following information.

The Commonwealth's policy is that participants involved in Work for the Dole projects should not be considered as employees for a number of Commonwealth Government programs.

To give effect to this policy the Government has passed legislation —see section 541 E (3) of the *Social Security Act 1991*. This provides that participants are not to be considered as employees for the purposes of the *Safety, Rehabilitation and Compensation Act 1988* (ie Comcare).

I understand that the Commonwealth Government also encouraged State governments to enact their own legislation to

¹⁰⁰ Commonwealth Ombudsman, correspondence dated 16 February 1999.

¹⁰¹ *ibid*

prevent Work for the Dole participants from being considered as employees under State workers compensation schemes.

My understanding is that employees of the ACT Department of Education and Community Services are normally covered by Comcare but the relevant provisions of the *Safety, Rehabilitation and Compensation Act 1988* would mean participants in your proposed Work for the Dole scheme are not considered employees and so you would be, by virtue of the relevant legislation, prohibited from providing workers compensation coverage.

I have not at this stage formed any views as to whether it is unreasonable for the Commonwealth Government to exclude participants in Work for the Dole from workers compensation coverage and cannot advise on whether the general arrangements in place may be affected by the interaction of ACT and Commonwealth legislation.¹⁰²

Conclusions

6.16. The Ombudsman's concerns about insurance for the Work for the Dole program are not as significant as those for the now non-existent New Work Opportunities program. However there are still some concerns about the insurance coverage for participants. Evidence before the committee indicates that participants may not receive substantive cover in all cases for personal accident. The lack of workers' compensation coverage for participants and any resulting financial risks to the Territory, require further investigation.

¹⁰² Commonwealth Ombudsman, correspondence dated 16 February 1999.

7. Conclusions and recommendations

7.1. The committee is strongly supportive of programs which result in young people being placed in meaningful activities which offer accredited training, real opportunities for work, and are well supported.

7.2. During the inquiry some have claimed that the committee wished to investigate the proposed project because some Members were opposed on ideological grounds to the concept of Work for the Dole. Any ideological differences have been set aside. The committee has examined the proposed project carefully and objectively particularly in terms of its benefits to the students and staff at schools and the young unemployed people.

7.3. The committee can say that overall, evidence submitted supports the conclusion that the department's application was poorly thought out. The department has been forced to back down on a number of major aspects of the application, such as the involvement of participants in achieving learning outcomes, the involvement of participants in after school care, and participants' access to school counsellors. Details of the exit certificate had not been finalised by the completion of the inquiry and in the committee's view some of the major problems identified by the AEU with the Literacy Enhancement Officer (LEO) program had not been taken account of, particularly in relation to training and support.¹⁰³

7.4. Further, given that only 25 of the 67 primary schools indicated that they wished to take a total of 48¹⁰⁴ Work for the Dole participants, it seems unlikely that the department will be able to offer placements for 140 participants. If the 140 places are not filled it is expected that there will be adjustments to the proposed funding. The Department of Employment, Workplace Relations and Small Business advised the committee that any significant reduction in the number of placements will require a revised budget from the ACT Department of Education and Community Services and will be reviewed against the selection criteria relating to cost-effectiveness.¹⁰⁵ The committee understands that funding is on a per participant basis.¹⁰⁶

7.5. There are some aspects of the insurance coverage which need further investigation in order to ensure both participants and the Territory are fully

¹⁰³ DEETYA, correspondence dated 22 July 1998. Submission 1, p 5. Minister for Education, correspondence dated 22 December 1998. Transcript, p 94. Transcript, p 114.

¹⁰⁴ Excludes four schools which did not answer the question.

¹⁰⁵ Group Manager, Labour Market Programs and Services Group, Department of Employment, Workplace Relations and Small Business, correspondence received 8 March 1999

¹⁰⁶ Uncorrected Proof Transcript, 15 February 1999, p 10.

protected.

7.6. The committee believes that in its present form the project has the potential to be detrimental to both schools and the young unemployed participants.

7.7. Specifically, the committee has major concerns about the consultation process, the selection of participants, the training component, and the level of support intended for participants and staff. In the committee's view significant changes are needed to ensure that the project will be of benefit to schools and young people. The committee cannot support the project in its present form.

Consultation

7.8. One of the Commonwealth's stipulations for projects is that they should have the support of young people as well as their communities. The Work for the Dole Sponsor Handbook states that:

sponsors will need to liaise with their communities and with young people to ensure enthusiasm and support for projects.¹⁰⁷

7.9. The Department of Education and Community Services' (DECS) proposal does not have wide community support. It has qualified support from both parent bodies—the Council of P&Cs and the School Board Forum¹⁰⁸—and unqualified support from the ACT Chamber of Commerce and Industry. However, the Youth Coalition of the ACT, ACTCOSS, the Primary Principals' Association, the AEU, the CPSU and the LHMU are not supportive of the project in its present form.

7.10. The consultation process was inadequate and did not comply with Government's consultation protocol. Any consultation with key stakeholders before the application was submitted was within a day or two of the deadline for submission of the application. The department did not allow any time for organisations, who were contacted before the application was submitted, to consult with their constituents. The committee considers that the outcomes for the department in terms of acceptance of the project may have been much more positive if the consultation had been genuine and widespread.

7.11. Although the department maintained during the hearings that, in the time since it was advised of the success of its application, it has undertaken and continues to undertake a consultation process that complies with the

¹⁰⁷ Department of Employment, Education, Training and Youth Affairs, *Work for the Dole Sponsor Handbook*, AGPS, April 1998, p 3.

¹⁰⁸ Transcript, p 44, 45. Correspondence from the Council of P&Cs dated 30 November 1998.

Government's protocol, the committee believes that this is a 'back-to-front' way to go about consulting with the community on such a significant project and clearly in breach of the Government's consultation protocol.

Recommendation 1

7.12. The committee recommends that, in future, the Department of Education and Community Services comply with the Government's consultation protocol.

Recommendation 2

7.13. The committee recommends that compliance with the Government's consultation protocol be included as a performance measure in contracts of all senior executives.

Selection of participants

7.14. Selection of suitable participants will be critical to the success of the project. The selection process must ensure that the safety of students is not compromised.

7.15. Previous experience, especially with the LEO program, indicates that the selection process will be time consuming and that it will be difficult to fill all the places.

7.16. Determining the suitability, for work in schools, of participants is solely the responsibility of DECS—the department does not appear to understand fully Centrelink's role in selection. The information provided to the committee on the selection process, and in particular the absence of selection criteria, did not enable the committee to make a considered assessment of the selection process. The committee believes that a more detailed and comprehensive selection process must be developed in consultation with schools before the project proceeds.

Recommendation 3

7.17. The committee recommends that before proceeding with the project, the Department of Education and Community Services develop a detailed selection process.

Training

7.18. During the inquiry, the committee observed strong support for programs for young unemployed people which offer recognised training.

7.19. The Commonwealth does not specify the amount of training required for any project. It does, however, require that participants be provided with training in the area of occupational health and safety and any other essential training to undertake the duties specified in the project.

7.20. The proposed training does not lead to any accreditation or industry recognition, which would assist participants when seeking future work. The committee considers that without participation in recognised training, the outcomes for the young people involved in the project will be minimal in terms of their future employability. If the ACT Government is serious about providing opportunities for young unemployed people to improve their employability it should insist on the inclusion in the project of a recognised and Commonwealth funded training program.

7.21. The training to be offered includes a five day mandatory course covering essential issues such as occupational health and safety and working in a school environment, on-the-job training, and access to courses offered by the OIRC.

7.22. However, apart from the mandatory training, there are no plans in place for the delivery of additional, essential training.

7.23. The committee has serious concerns about the organisation of the on-the-job training. It must be targeted to the needs of the school and the participant. Unless schools are provided with resources, staff will face an additional work load in providing on-the-job training.

7.24. The committee also has serious concerns about the relevance and suitability to the needs of Work for the Dole participants of much of the training offered by the OIRC.

7.25. The committee considers that the training budget is insufficient to cover the costs of adequate training for 140 participants.

Recommendation 4

7.26. The committee recommends that:

- **the Department of Education and Community Services review the training to be offered to participants with a view to providing accredited or industry-recognised training;**
- **schools be provided with resources to provide specific on-the job training;**
- **the per capita training budget be increased significantly.**

Support for participants and staff

7.27. The level of support planned for participants is in the committee's view totally inadequate.

7.28. Experience with the LEO program demonstrated that many young unemployed people in traineeships need a high level of support. There is no evidence to indicate that Work for the Dole participants will require any less support than trainees. In fact, they will probably require more.

7.29. In addition, the Commonwealth requires significant reporting and monitoring of the project. Much of this work will need to be done at the school level.

7.30. Under the proposal the department will employ two full-time coordinators to manage and support up to 140 participants in the project. This will offer a ratio of one support person for up to 70 participants, which the committee considers totally inadequate in view of the reporting and monitoring requirements of the project and the anticipated needs of the participants.

7.31. There is very strong evidence that unless the level of central support is increased, the work load of school staff involved in the project will increase significantly due to the inadequate level of support planned for participants, and the project's administrative requirements.

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Recommendation 5

7.32. The committee recommends that the Department of Education and Community Services re-examine the level of projected support required and negotiate revised funding arrangements with the Commonwealth as appropriate.

Recommendation 6

7.33. The committee recommends that if the Department of Education and Community Services is unable to negotiate with the Commonwealth adequate funding arrangements to enable the implementation of recommendations 3, 4 and 5 it withdraw from the project.

Kerrie Tucker MLA
Chair
8 March 1999

Appendix 1 List of submissions received

- 1 Mr Russell Patterson, Assistant Secretary, Department of Employment, Work Place Relations and Small Business
- 2 Mr Lawrence Trevanion
- 3 Ms Joan Perry, Executive Director, ACTSPORT for the Sport and Recreation Industry
- 4 Ms Fiona MacGregor, Professional Officer, Australian Education Union - ACT Branch
- 5 Ms Jennifer Eccles, Branch Secretary, Community and Public Sector Union - ACT Branch
- 6 Mr Graeme Bell, Acting President, Australian Association of Career Counsellors Inc - ACT Division
- 7 Mr Adam Stankevicius, Policy Officer ACTCOSS and Ms Meredith Hunter, Executive Officer, Youth Coalition of the ACT
- 8 ACT Government
- 9 Peter Sutherland, Director, SoftLaw Community Projects

Appendix 2 List of witnesses at public hearings

Tuesday 1 December 1998

For the Australian Education Union ACT Branch

Mr Clive Haggard, President
Ms Fiona MacGregor, Professional Officer

For the Primary Principals' Association

Mr John Griffin, President
Ms Helen Cant, Secretary

For the Liquor, Hospitality and Miscellaneous Workers' Union

Mr Gil Anderson, Secretary
Mr Jack McInerney, Member

For the CPSU

Ms Jennifer Eccles, Branch Secretary
Mrs Lyn Dowrick, Industrial Organiser

For the School Board Forum

Mrs Vicki Brown, Chair
Dr John Knight, Member

For ACTCOSS and the Youth Coalition of the ACT

Mr Adam Stankevicius, Policy Officer, ACTCOSS
Ms Meredith Hunter, Executive Officer, YCACT

For the Australian Youth Policy and Action Coalition

Mr David Matthews, Executive Officer
Ms Carol Croce, Policy Officer

For the ACT Department of Education and Community Services

Minister Bill Stefaniak MLA , Minister
Ms Sandra Lambert, Executive Director, Education and Training
Mr Allan Hird, Director, School Programs

Thursday 3 December 1998

For the Australian Guidance and Counselling Association

Ms Anna Huber, Secretary
Ms Heather McLoughlin, President

For the Australian Career Counsellor's Association

Ms Narelle Milligan, National Vice President

For the ACT Sport and Recreation Industry

Mrs Joan Perry, Executive Director, ACTSPORT
Mr Rudi Schneider, CEO, Recreation Industry Training Commission
Mr Graeme Murphy, Australian Sports Commission

For the ACT and Region Chamber of Commerce and Industry

Mrs Jacqui Burke, School to Industry Liaison Officer

Appendix 3 Acronyms

ACTCOSS	ACT Council of Social Service Inc
AEU	Australian Education Union
CES	Commonwealth Employment Service
CPSU	Community and Public Sector Union
CV	curriculum vitae
DECS	Department of Education and Community Services
DEET	Department of Employment Education and Training
DEETYA	Department of Employment, Education, Training and Youth Affairs
DETYA	Department of Department of Education, Training and Youth Affairs
DEWRSB	Department of Workplace Relations and Small Business
EEO	Equal Employment Opportunity
LEOs	Literacy Enhancement Officers
LHMU	Liquor Hospitality and Miscellaneous Workers' Union
OH&S	Occupational Health and Safety
OIRC	O'Connell Information and Resource Centre
P&C	Parents and Citizens Association
PPA	Primary Principals' Association
WFD	Work for the Dole
YCACT	Youth Coalition of the ACT

Appendix 4 Dissenting report—Mr Harold Hird MLA

I wish to record my dissent from the tone, content and conclusions of the report. I dissent from the report as a whole. The report reflects the personal biases of the majority of the committee against the Work for the Dole concept, is unbalanced as it reflects the prejudices of those who appeared before the committee who were opposed to the proposal, but ignores the evidence provided by the Minister, departmental officials and other witnesses who supported the concept. The report distorts and misrepresents the views of witnesses, uses pejorative language, and is unbalanced in its conclusions.

I do not propose to address my concerns on a paragraph by paragraph basis. Instead I propose to address what I believe are the fundamental weaknesses of the report on a broad basis.

CONSULTATION

The first basic weakness of the report is that it has failed to take account of information provided by the Department and the Minister on the way in which the proposal was developed. DECS provided evidence that it makes numerous applications each year for funding under a range of Commonwealth initiatives. It is common practice to hold preliminary consultations with interested parties at the initial application stage, with detailed consultation usually scheduled to take place after the application has been successful. It would be unreasonable for DECS to undertake detailed consultation on every proposal which it might be developing when it does not know whether it will be successful. It is this point which the report has not accepted or taken into account in its criticism of the consultation process. It is unacceptable that the majority of the committee has not taken account of the departmental submissions on this issue. *I therefore reject out of hand the conclusions and recommendations of the report with regard to the consultation process.*

SELECTION PROCESS

The report makes much of the lack of specific selection criteria. However, the committee, particularly in its most recent correspondence with the Minister on 15 February 1999 to which the Minister responded on 23 February 1999, never asked for any specific selection criteria. It asked the Minister for general information on the process to be used to select participants. The Minister responded in great detail, included in the report at paragraph 3.5, but the report then belittles that response

and goes on to reject it. This is unacceptable. The majority cannot be selective, discriminatory and biased in its coverage of submissions made to it. *I reject this approach.*

TRAINING

The report at paragraph 4.1 acknowledges that the Work for the Dole scheme is not a traineeship scheme, but is a work experience scheme. It then goes on to enter into detailed discussion of training issues, predominantly based on the submissions of those opposed on an ideological basis to the scheme.

Great weight is given to evidence from the Australian Education Union (AEU) and others. Whilst paraphrasing some of the Government submission, the report disregards the thrust or intent of these latter submissions and arrives at its conclusions in a biased and one-sided way. *I reject these findings and dissent from them.*

SUPPORT FOR PARTICIPANTS AND STAFF

The committee has misconstrued and misrepresented the position of departmental officers with respect to the involvement of school counsellors in the Work for the Dole project. Paragraph 5.23 is a scurrilous attack on the integrity of public servants. Paragraph 5.28 is a similar derogatory statement which is totally uncalled for and unnecessary. It calls into question the evidence given by officers. In addition, it fails to recognise that the department advised the committee that work on developing the project further has been put on hold pending this report on the proposal. There is no draft certificate because this committee is inquiring into the scheme and no further effort has been invested into developing the proposal pending this report. The section on **Insurance** is totally from left field in both senses. It is absolutely unbelievable that, having sought the response of the Chief Minister on the submission of Softlaw, the committee would then go back to Softlaw for their reaction. Is the committee suggesting that the Chief Minister is giving false evidence or not coming completely clean? Who is Softlaw that "it was not satisfied by the Chief Minister's explanation"? The submission which the committee accepted from Softlaw and the process whereby Softlaw was asked to comment on the Chief Minister's evidence, is another example of the bias and preconceived notions which the majority of the committee has brought to the inquiry. *I reject this section in its entirety.*

CONCLUSION AND RECOMMENDATIONS

The committee has revealed its total hypocrisy and bias in its opening two paragraphs of this chapter. To piously state that the committee is

supportive of programs which provide opportunities to young people and then claim that the majority have set aside their ideological differences, is hypocrisy of the first order. To then go on to bucket this proposal and recommend that DECS withdraw the application if “adequate funding arrangements” are not put in place, is the final nail which condemns this report as one of the greatest wastes of Assembly time and resources yet. In fact I am surprised that the committee bothered to call for submissions at all; the report could have been written before any evidence was placed before the committee. It is a reflection of the narrow ideological position which the majority members brought to this inquiry.

SUMMARY

I totally reject the entire report and reject all conclusions and recommendations. Whilst I acknowledge that the report does incorporate some of my concerns, and I accept that I indicated my support for some of the report’s recommendations, the overall thrust and conclusions are unacceptable to me.

Moreover, I call on Members of the Assembly to reject the report and give consideration to establishing guidelines for the conduct of its committees, to raise the quality of treatment of information presented, to insist on more rigorous evaluation and require recommendations to be more soundly based.

The poor quality of this report is reason enough for the Assembly to demand a much higher standard.

HAROLD HIRD MLA