

REPORT ON ANNUAL AND FINANCIAL REPORTS 2011-2012

STANDING COMMITTEE ON EDUCATION, TRAINING AND YOUTH AFFAIRS

MAY 2013

REPORT 1

COMMITTEE MEMBERSHIP

Ms Mary Porter AM MLA (Australian Labor Party, Ginninderra), Chair ¹

Mr Steve Doszpot MLA (Canberra Liberals, Molonglo), Deputy Chair ²

Ms Yvette Berry MLA (Australian Labor Party, Ginninderra), Member ³

Mrs Giulia Jones MLA (Canberra Liberals, Molonglo), Member ⁴

SECRETARIAT

Mr Andrew Snedden Secretary

Ms Lydia Chung Administrative Assistant

CONTACT INFORMATION

Telephone	02 6205 0199
Facsimile	02 6205 0432
Post	GPO Box 1020, CANBERRA ACT 2601
Email	committees@parliament.act.gov.au
Website	www.parliament.act.gov.au

¹ Appointed to the Committee on 27 November 2012 and elected Chair on 4 December 2012.

² Appointed to the Committee on 27 November 2012 and elected Deputy Chair on 4 December 2012.

³ Appointed to the Committee on 27 November 2012.

⁴ Appointed to the Committee on 27 November 2012.

RESOLUTION OF APPOINTMENT

On 27 November 2012 the ACT Legislative Assembly (the Assembly) agreed by resolution to establish legislative and general purpose standing committees to inquire into and report on matters referred to them by the Assembly or matters that are considered by the committees to be of concern to the community, including:

(e) a Standing Committee on Education Training and Youth Affairs to examine matters related to early childhood education and care, primary, secondary, post secondary and tertiary education, non-government education, youth services, technology, arts and culture. .

The Assembly agreed that each committee shall have power to consider and make use of the evidence and records of the relevant standing committees appointed during the previous Assembly.⁵

TERMS OF REFERENCE

On 14 February 2013, the Assembly referred the annual and financial reports for the calendar year 2012 and the financial year 2011–2012 to Assembly committees for inquiry and report by 16 May 2013, in accordance with a schedule. The reports had been presented to the Assembly pursuant to the Annual Reports (Government Agencies) Act 2004.

The reports and parts of reports examined by the Standing Committee on Education, Training and Youth Affairs were:

- ACT Building and Construction Industry Training Fund Authority
- Canberra Institute of Technology (CIT)
- Community Services Directorate (Arts Policy, Advice and Programs; including Arts ACT)
- Community Services Directorate (Children Youth and Family Services - youth services)
- Cultural Facilities Corporation
- University of Canberra

⁵ Legislative Assembly for the ACT, Minutes of Proceedings No. 2, 27 November 2012, pp. 24-27, accessible at <http://www.parliament.act.gov.au/downloads/minutes-of-proceedings/MoP%202.pdf>

ACRONYMS

ACT	Australian Capital Territory
ACTPS	ACT Public Service
ATSI	Aboriginal and Torres Strait Islander
CSD	Community Services Directorate
ETD	Education and Training Directorate
NAPLAN	National Assessment Program – Literacy and Numeracy. NAPLAN commenced in Australian schools in 2008. Every year, all students in Years 3, 5, 7 and 9 are assessed on the same days using national tests in Reading, Writing, Language Conventions (Spelling, Grammar and Punctuation) and Numeracy.
NESB	Non-English speaking background
QToN	Question taken on notice at one of the Committee’s hearings. Questions, including the name of the Member asking the question, together with answers provided to the questions are attached as Appendix C to this report
The Committee	Legislative Assembly Standing Committee on Education, Training and Youth Affairs
The Authority	ACT Building and Construction Industry Training Fund Authority
CIT	Canberra Institute of Technology
TQI	Teacher Quality Institute

TABLE OF CONTENTS

Committee membership	i
Resolution of appointment.....	ii
Terms of reference	ii
Acronyms.....	iii
RECOMMENDATIONS.....	VII
1 INTRODUCTION	1
Agency Reporting Requirements.....	1
Timing And Presentation Of Annual Reports	2
Conduct Of The Inquiry.....	2
Acknowledgements.....	3
2 ACT BUILDING AND CONSTRUCTION INDUSTRY TRAINING FUND	
AUTHORITY	5
Support for employers of indigenous workforce members	5
Promotion and training contribution on OH &S issues in the ACT building and construction industry	6
3 CANBERRA INSTITUTE OF TECHNOLOGY (CIT)	7
Principal Issues.....	7
Progress and performance of the CIT 'Smarter Schools' program with ACT schools and colleges	7
CIT and the activities of its subsidiary, CIT Solutions Pty Limited (CITSol)	8
Matters arising for CIT staff and generally from the proposed merger of CIT and the University of Canberra	8
Teaching staff qualifications at CIT.....	9
Other Issues	10
4 EDUCATION AND TRAINING DIRECTORATE	11
Principal Issues.....	11
The Teacher Quality Institute (TQI) and its programs	11
Provision of adequately qualified staff for early childhood centres	12
Operation of the Aboriginal and Torres Strait Islander education matters strategic plan....	13

Possible training for early childhood education in areas of autism and other services to provide for need	15
Professional development processes, including annual review of professional achievement.....	16
School youth nurse program in schools dealing with children with disabilities	17
ACT Safe Schools Task Force program—Florey Primary School	18
Other Issues	19
5 COMMUNITY SERVICES DIRECTORATE	21
Community Services Directorate (CSD) – Children, Youth And Family Services	21
Change management and improvement of security at the Bimberi Centre	21
Youth Justice case management	22
Progress on implementation of recommendations of the Human Rights Commission Review of Youth Justice	23
Blueprint for Youth Justice	23
Other Issues	24
6 ARTS POLICY, ADVICE AND PROGRAMS	27
Principal Issues.....	27
Strathnairn Homestead Venue.....	27
Kingston Arts Precinct And Plans For Its Future	28
Other Issues	29
7 CULTURAL FACILITIES CORPORATION	31
Issues	31
APPENDIX A WITNESSES	33
APPENDIX B QUESTIONS TAKEN ON NOTICE AT HEARINGS	35
APPENDIX C SUPPLEMENTARY QUESTIONS.....	37
APPENDIX D ACT GUIDELINES FOR TEACHER AND PRINCIPAL SUPERVISOR DISCUSSION	39

RECOMMENDATIONS

RECOMMENDATION 1

- 2.7** The Committee recommends that, in addition to emphasising and illustrating the achievements and future directions of the expected demands and performance requirements of the ACT Building and Construction Industry Training Fund Authority, that the Authority give an updated account in its next annual report of the challenges facing its client industries, particularly in a time of changing market conditions.

RECOMMENDATION 2

- 3.8** That the Education and Training Directorate examine more closely the issues affecting teacher qualifications at CIT and the use of higher duties allowances in teaching appointments.

RECOMMENDATION 3

- 3.11** The Committee recommends that CIT provide in its next and following annual reports a detailed account of its role in vocational education in the ACT, and matters related to internal administrative issues in CIT under review and subject to oversight by the Minister for Education and Training.

RECOMMENDATION 4

- 4.11** The Committee recommends that ETD annual report provides detail of current and planned programs and services to students requiring special support and assistance, including Aboriginal and Torres Strait islander students and students with special needs.

RECOMMENDATION 5

- 4.15** The Committee recommends that ETD annual reports detailed annual reviews of the outcomes of its professional development and career planning for teachers in the ACT, in particular the results of more recent planning and professional development and career planning changes affecting pre-school teachers.

RECOMMENDATION 6

- 4.19** That the ETD work to improve the communications between ETD and the disability related services area of ACT Health in order to deliver more integrated service for special needs students in all special needs schools in the ACT.

RECOMMENDATION 7

- 4.20 The Committee recommends that fulltime nursing care be provided on an equal and permanent basis across all the special schools in the ACT**

RECOMMENDATION 8

- 4.23 That ETD work more closely with Territory and Municipal Services (TAMS) and ACT Policing through the Safe Schools Taskforce on issues affecting students' safety at and around ACT schools and report more detail on its work in its next and following annual reports**

RECOMMENDATION 9

- 5.11 The Committee recommends that CSD annual reports provides full and updated detail of outcomes on the administration of youth justice services, and provide updated advise on implementation of the recommendations of the Human Rights Commission Review of Youth Justice and the progress made by the Youth Justice Implementation Taskforce.**

1 INTRODUCTION

AGENCY REPORTING REQUIREMENTS

- 1.1 Agency reporting requirements for the 2011-2012 financial year are set out in the Chief Minister's *Annual Report Directions* (the Directions), which are issued in accordance with section 9 of the *Annual Reports (Government Agencies) Act 2004*.⁶
- 1.2 Agencies account for management performance through Ministers to the Legislative Assembly and the wider community. Annual reports, which are tabled in the Legislative Assembly, form part of the historical record of government and public administration decisions, actions and outcomes, and are available for use by stakeholders, including educational and research institutions, the media and the public. Annual reports are also key reference documents for internal management.⁷
- 1.3 As specified in the Directions, annual reports should be 'an objective account, primarily to the Legislative Assembly, of how the entity has performed during the reporting year.'⁸
- 1.4 The Directions also specify that an effective annual report will:
- provide a clear picture of the agency's purpose, priorities, outputs and achievements;
 - focus on results and outcomes – communicate the success or otherwise, including shortfalls, of the agency's activities in achieving government policy outcomes in the reporting year, while accounting for the resources used in the process;
 - discuss results against expectations - provide sufficient information and analysis for the Assembly and community to make a fully informed judgement on agency performance;
 - clearly identify any changes to structures or functions of the agency in the reporting period and explain changes in performance over time;
 - report on agency financial and operational performance and clearly link with budgeted priorities and financial projections as set out in annual Budget Estimate Papers and the agency Statement of Intent and Corporate Plan;
 - provide performance information that is complete and informative, linking costs and results to provide evidence of value for money;

⁶ Annual Reports (Government Agencies) Notice 2012 (No 1) Notifiable Instrument NI2012-293, effective from 7 June 2012. A copy of the instrument is available by accessing the ACT Legislation Register at <http://www.legislation.act.gov.au>.

⁷ Annual Reports (Government Agencies) Notice 2012 (No 1) Notifiable Instrument NI2012-293, p. 6.

⁸ Annual Reports (Government Agencies) Notice 2012 (No 1) Notifiable Instrument NI2012-293, p. 9.

- 1.5 Comply with the *Annual Reports (Government Agencies) Act 2004* and the Chief Minister's Annual Report Directions.⁹

TIMING AND PRESENTATION OF ANNUAL REPORTS

- 1.6 Under section 9 of the *Annual Reports (Government Agencies) Act 2004* (the Act), a direction about annual reports must be issued and may include a requirement that annual reports be provided to a stated person by a stated day.
- 1.7 The direction for 2011-2012 annual reports required annual reports to be presented to the responsible Minister before the close of business on Monday 24 September 2012, and, unless an extension was granted under section 14 of the Act, to the office of the Speaker of the Legislative Assembly by the close of business on Friday 28 September 2012.¹⁰
- 1.8 All reports examined by the Committee were presented to the Speaker by the required date.

CONDUCT OF THE INQUIRY

- 1.9 The Committee held two public hearings on 22 February, and 14 March 2013. The Committee heard from a total of 24 witnesses. For details, see Appendix A. Transcripts of the Committee's hearings are accessible at:
<http://www.hansard.act.gov.au/hansard/2013/comms/default.htm#education>
- 1.10 For this inquiry, the Committee did not call the University of Canberra
- 1.11 Responses to 9 questions taken on notice at the hearings were received. A list of these responses is provided as Appendix B. Following the hearings, 2 supplementary questions were forwarded to the Minister. A list of these questions is provided as Appendix C. The Committee received responses to all questions.
- 1.12 The transcripts of the public hearings, as well as answers to questions taken on notice and supplementary questions received can be accessed via the Inquiry webpage.

⁹ Annual Reports (Government Agencies) Notice 2012 (No 1) Notifiable Instrument NI2012-293, p. 8.

¹⁰ Annual Reports (Government Agencies) Notice 2012 (No 1) Notifiable Instrument NI2012-293, p. 7.

ACKNOWLEDGEMENTS

- 1.13 The Committee thanks the Minister and accompanying directorate officials for providing their time and expertise as witnesses at its hearings.

REPORT OVERVIEW

- 1.14 This report provides an overview of some of the issues discussed during the public hearing and subsequently raised in supplementary questions. This chapter sets out the details about the conduct of the inquiry. Chapter 3 deals with the ACT Building and Construction Industry Training Fund Authority. Chapter 4 deals with the Canberra Institute of Technology (CIT). Chapter 5 deals with the Education and Training Directorate (ETD). Chapter 6 deals with youth affairs issues managed by the Community Services Directorate (CSD). Chapter 7 deals with the arts and culture issues managed by CSD, and Chapter 8 deals with the Cultural Facilities Corporation (CFC).

2 ACT BUILDING AND CONSTRUCTION INDUSTRY TRAINING FUND AUTHORITY

- 2.1 The ACT Building and Construction Industry Training Authority (the Authority) provides funding for the training of eligible workers and for the development of skills identified as being in short supply in the building and construction industry. It aims to improve the culture, level and access to training and to support the entry of new people into the building a construction industry.
- 2.2 During discussion with the Authority at its hearing on 22 February 2013, the Committee raised a number of issues arising from the Authority's annual report for 2011-12. These are considered below.

SUPPORT FOR EMPLOYERS OF INDIGENOUS WORKFORCE MEMBERS

- 2.3 In evidence to the Committee, the Authority Chairman, told the Committee that support for employers of indigenous workers was funded as follows :
- ... we fund training for disadvantaged and Indigenous persons through the access and equity program. And, since inception, it has been the program that—and I said this to the committee, I think, on every occasion I have appeared—it still remains the most difficult program for us to grow numbers. We have had some success in the past years. And the support is provided largely through a couple of areas: firstly, through the registered training organisations and the group training companies; secondly, we fund a number of field officers who not only look at the training that is being done but actually look at the individuals; and, thirdly, it is about the quantum of funds you can provide and the reasons you can find through that funding to keep them in the training.¹¹
- 2.4 The Authority CEO added:
- For the indigenous section, we provide \$4,000 for any employer who takes on a first-year apprentice in the indigenous area, paid after the first three months is \$2,000 and \$2,000 paid after the 12-month period. Funding was—we do not fund a lot, probably five to 10 a year probably in that particular area. We get our statistics from the

¹¹ Evidence, 22 February 2013, p. 3.

Department of Education and Training and then we go and visit the individual employers and work out their funding for them and give them their funding.¹²

PROMOTION AND TRAINING CONTRIBUTION ON OH &S ISSUES IN THE ACT BUILDING AND CONSTRUCTION INDUSTRY

- 2.5 In relation to the Authority's role in safety and OH&S training, the Committee was advised that:

...between 2010-11 and 2011-12, we had a 20 per cent increase in funding in the existing worker program, and I think that is partly reflective of the degree of interest and recognition of safety in the industry, although I would say that, on many occasions, the growth in interest in safety is quite often driven by a particular incident. If you go back to when the hangar collapsed at the airport, there was a huge growth in demand for height safety training. When we have seen unfortunate accidents on building sites, we have had increases in training for scaffolding, but all those things are really demand driven, if I could put it that way. And the report that has been produced talks about training needs.¹³

- 2.6 The Committee notes the ACT Building and Construction Industry Training Fund Authority annual report deals appropriately and comprehensively with the Authority's current program and objectives. The Committee considers that current and arising issues will continue to require the Authority reporting in detail, in its annual report, on changes and challenges which confront industry training and vocational education bodies in the next several years.

Recommendation 1

- 2.7 The Committee recommends that, in addition to emphasising and illustrating the achievements and future directions of the expected demands and performance requirements of the ACT Building and Construction Industry Training Fund Authority, that the Authority give an updated account in its next annual report of the challenges facing its client industries, particularly in a time of changing market conditions.**

¹² Evidence, 22 February 2013, p. 5.

¹³ Evidence, 22 February 2013, p. 6.

3 CANBERRA INSTITUTE OF TECHNOLOGY (CIT)

- 3.1 As CIT reports on its activities by calendar year, the Committee has examined the CIT annual report for calendar year 2011. The Committee held hearings with CIT on 14 March 2013.
- 3.2 CIT is a statutory authority which operates under the Canberra Institute of Technology Act 1987. The CIT Chief Executive is responsible to the ACT Minister for Education and Training. The CIT's role and activities subject of the Committee's inquiry are set out in detail in its annual report.¹⁴

PRINCIPAL ISSUES

- 3.3 The Committee dealt with a number of principal issues arising from the CIT annual report. These are considered below.

PROGRESS AND PERFORMANCE OF THE CIT 'SMARTER SCHOOLS' PROGRAM WITH ACT SCHOOLS AND COLLEGES

- 3.4 The Committee was told by the acting CEO of CIT that:

The smarter schools project in 2011 was a very significant program. We were working with schools identified in the socioeconomic status area of needing support. This program works as much with the students as it does with the community. They are community-based programs. They are about the parents. They are about supporting the enabling of parents to support children. It is a whole-of-community approach.

One of these particular schools—the Richardson school—went further than the smarter schools program and invested out of their own funds in additional training through our learning options program and purchased through CIT Vocational College additional training to support the parents, as they were so pleased with the way that the approach works.

Our careers counsellors are the ones who drive the smarter schools program. They are out with those schools all the time. We have also had some of the primary school children come to CIT. We are an adult learning environment, so the noise level suddenly goes up when a whole lot of primary school children come in. But it has been a really important partnership. It is part of the total vision of our partnership with

¹⁴ CIT, Annual Report 2011, Section A, pp. 10-110.

schools that embraces every stage of that opportunity for schools to be engaged with CIT in some capacity. This one is fundamental, because it is about socioeconomic disadvantage and how we can make a difference very early in the partnership process.¹⁵

CIT AND THE ACTIVITIES OF ITS SUBSIDIARY, CIT SOLUTIONS PTY LIMITED (CITSOL)

- 3.5 The Committee was told by CIT's Acting Deputy CEO that current CITSol programs were different to CIT programs:

The distinction is that CIT Solutions is a wholly owned company of CIT. It is actually incorporated under the Corporations Act. It is a nationally recognised private company that CIT owns, but the details are that the shares in the company are held by our chief executive on behalf of CIT. So it is a government business enterprise, if you like, working for CIT. It has got its own board of directors, it has got its own general manager, and it has its own chief executive, so it is a private company.

The training they do is on a commercial basis. They will go out and do things like language training for some of the large commonwealth departments, and they will do it all completely on a commercial basis. They will do a lot of program offerings that we do not do where there is a commercial market operating. So that is the distinction, if you like. It is pretty rare that there is any crossover between the two organisations in terms of a program offering. It does happen sometimes, but generally not.¹⁶

MATTERS ARISING FOR CIT STAFF AND GENERALLY FROM THE PROPOSED MERGER OF CIT AND THE UNIVERSITY OF CANBERRA

- 3.6 The Committee raised the matter of the decision to not proceed with the proposal for merger of CIT and University of Canberra and the effect on CIT staff. The Committee was advised by the CIT's Acting CEO that:

Your question, I understand, is about the impact on staff. 2011 was an important year in terms of CIT establishing a very clear vision for vocational education and training. And that has been a clear message to all the people who work within our organisations

¹⁵ Evidence, 14 March 2013, p. 40.

¹⁶ Evidence, 14 March 2013, p. 48.

and to our student base. We have established our place in a very competitive environment. To quote John Mitchell, who is a significant researcher in this space nationally, if there was a group of eight in vocational education and training, CIT would be in that group of eight. So our staff understands that positioning. They are with us in that vision to be the premier vocational education and training provider.

During 2012 we reaffirmed what our program offerings were and were very clear in our vocational education. We strengthened our program offerings in some areas such as in certificate III, in that entry level environment, for our Canberra-based population and also where we might be earning commercial income more widely than our Canberra-based population. We strengthened where we were placed in that arena as a vocational education and training provider. And I think that that understanding, and coming with CIT on that vision and mission, is well understood by staff.¹⁷

TEACHING STAFF QUALIFICATIONS AT CIT

- 3.7 The Committee raised this matter at its hearings with CIT, and was advised that the introduction of standards established by the Australian Skills Quality Authority (ASQA) require national standards apply to staff. The Acting CEO of CIT told the Committee:

It is not just important now because CIT says it is important; it is important now because the Australian Skills Quality Authority requires it to be important. It is part of the national regulation standards.

All CIT staff that are teaching and assessing will have a certificate IV in teaching and assessing, and that has to be—and it is the important word here—current. It is not okay any longer for that qualification to be quite dated. We have to have a program that keeps our teaching staff current. If they do not have that qualification then we are required to have a supervised assessment process in place for all assessment. That requirement is for every registered training organisation that is regulated through ASQA. It is an important part of what we do, though, that we actually equip our teachers in the best possible capacity to be the best possible teachers they can. So that is the minimum requirement we look for.

We also have an incentive program that encourages our teachers to move through and gain higher level qualifications in the advanced diploma in vocational education and training. That incentive program is a salary increment that is rewarded to them if they acquire that qualification.¹⁸

¹⁷ Evidence, 14 March 2013, p. 49.

¹⁸ Evidence, 14 March 2013, pp. 40-41.

Recommendation 2

- 3.8 That the Education and Training Directorate examine more closely the issues affecting teacher qualifications at CIT and the use of higher duties allowances in teaching appointments.**

OTHER ISSUES

- 3.9 4.4 The Committee also examined other issues arising from CIT's annual report, namely:
- CIT marketing of recruitment of international students;¹⁹
 - Assistance provided in English skills to students requiring improvement in skills²⁰ CIT and early childhood education;²¹ and
 - Governance issues for CIT under the Australian Skills Quality Authority (ASQA).²²
- 3.10 The Committee considers that current and arising issues will require that the CIT continues to report in detail, in its annual report on changes and challenges which confront it.

Recommendation 3

- 3.11 The Committee recommends that CIT provide in its next and following annual reports a detailed account of its role in vocational education in the ACT, and matters related to internal administrative issues in CIT under review and subject to oversight by the Minister for Education and Training.**

¹⁹ Evidence, 14 March 2013, pp. 42-44.

²⁰ Evidence, 14 March 2013, pp. 44-45.

²¹ Evidence, 14 March 2013, p. 47.

²² Evidence, 14 March 2013, p. 51.

4 EDUCATION AND TRAINING DIRECTORATE

- 4.1 The Education and Training Directorate (ETD) is responsible for education services to children and young people both directly through public schools and indirectly through regulation of non-government schools and home education, and to people of all ages through planning and coordination of vocational education and training (VET). The current Director-General of Education is Ms Diane Joseph.
- 4.2 ETD is structured around four divisions, namely:
- Learning
 - Teaching and student engagement
 - Strategy and Coordination
 - Tertiary Education and Performance, and
 - Corporate Services.

PRINCIPAL ISSUES

- 4.3 The Committee raised a number of issues arising from its examination of the ETD annual report during the hearing, including the following matters.

THE TEACHER QUALITY INSTITUTE (TQI) AND ITS PROGRAMS

23

- 4.4 The current Chief Executive of the TQI advised the Committee that:

We currently have 7,931 teachers registered with the institute.

At this very moment we have got 7,798 renewing their registration. But the keyhole of the institute, as well as the professional regulatory framework, is professional standards and teacher quality. So a good deal of our work has been to work with the profession around how we recognise the importance of ongoing professional development and learning. A really important thing for the ACT is that we have actually led a number of national pilots around the importance of professional standards and how that can actually assist schools and teachers to increase teacher quality and the recognition of the profession. And this work is actually going to be noted at a

²³ Evidence, 22 February 2013, pp. 13-14.

ministerial principal conversation national group in the next couple of weeks around how we integrate the importance of professional development for teachers.

So, at the moment, we are working right across the career span of beginning teachers, teachers at the university before they come into schools and experienced teachers around promoting the profession, professional learning, professional development is key and it needs to reflect the needs of employers and the schools. But what we need to do, I suppose, with the teachers is get it so that they recognise it as part of their being a professional.

So we are currently working with—in fact, today we have got a group of teachers from across all sectors working at TQI around the importance of professional learning and how, in fact, that can assist beginning teachers who are coming in and how it also can assist the experienced teachers who work with them.

PROVISION OF ADEQUATELY QUALIFIED STAFF FOR EARLY CHILDHOOD CENTRES

- 4.5 In evidence, the Executive Director, Learning, Teaching and Student Engagement with ETD advised the Committee that, in relation to qualifications required of early childhood education teachers in the ACT:

...This is more broadly about the improvement within early childhood education that we are looking for across the country, and the ACT has made a strong commitment to making sure that we are a part of that improved qualifications as well as the other elements of the national quality framework.

So this has been a partnership, really, with the Community Services Directorate on how we do that, because we have had the services in different areas. As Minister Burch mentioned, we have actually moved some of that work now into education and training so we can build on that already strong partnership with them.

So for our preschools, of course, they come under the national quality framework because of the age of the children—the year before school. Therefore, they need the qualifications that are part of that requirement in terms of the standards. So we have known about this for a quite a while as well. Also within the quality framework and the standard regulation there is recognition that we would need to transition to having all of those people skilled and qualified in delivering that service.

Again, I just want to emphasise that that is about improving the quality of service, not just about people getting a ticket. So the work that we have been doing is to make sure that is a priority for us in terms of expenditure on professional learning for people in that environment so that we are ensuring that our people that are working with those really young kids, which we know makes the biggest difference for their lives, are appropriately qualified.

So there has been a number of scholarships awarded for teachers in that area, and also for our support assistance at work in there. So there are the two. There is in our preschools, as you would all be aware, a teacher in there, a qualified teacher, plus a support assistant. Under the new standards, we are moving towards the need to both have those early childhood qualifications. That has been the connection between community services and us as well, because the qualifications we are after are the same for what we want in childcare situations as well.²⁴

OPERATION OF THE ABORIGINAL AND TORRES STRAIT ISLANDER EDUCATION MATTERS STRATEGIC PLAN

- 4.6 The Committee requested up-to-date detail on the progress of the Aboriginal and Torres Strait Islander education strategic plan, and the achievement of its goals
- 4.7 The Committee was told by the Executive Director, Learning, Teaching and Student Engagement with ETD that the program is implemented as follows:

.....So if I start from in terms of the strategic plan, the importance of that is about making sure we have a clear strategy about what we are doing for those Aboriginal and Torres Strait Islander young people and children as well. But that is what a whole heap of different elements that include from what is the cultural competency of all of our staff, so that we are setting up the environment for those young people to walk in the door and feel confident and comfortable as well as their families to interact, because we know the importance of families, not only with Aboriginal and Torres Strait Islander students but also all other students. So there is that component of it right the way through to any of our Aboriginal and Torres Strait Islander kids who are falling behind or struggling.

One of the things, I guess, I would start off by talking about is what we also do with kids that are performing really well, so we have our aspirations program, which you may have heard of, which is specifically targeting those kids in years 5 to 12 who are performing well and who we can continue to help them with their pathways and their transitions through to whatever achievements they want out of their schooling. And so for a number of them that can be tertiary education. It could also be vocational education and training work based on their—whatever their sort of wills are.

The other parts, I guess, are around what we are doing for all students—and that also includes those kids. So all of the programs that are in schools are to help all children. Of course, Aboriginal and Torres Strait Islander kids are part of that. However, we do

²⁴ Evidence, 22 February 2013, pp. 33-38.

know that they are a group that is particularly at risk, which is recognised across, again, the country. So, therefore, there are some specific programs that we do for Aboriginal and Torres Strait Islander young people and children. They include having Aboriginal and Torres Strait Islander officers and workers in particular schools which have higher proportions of staff—sorry, of Aboriginal and Torres Strait Islander students, to work directly with those young people and their families and with teachers around making sure that they meet the needs of those young people.²⁵

4.8 Further evidence to the Committee from ETD's Director, Planning and Performance, emphasised the progress in the program for older students.

....we are seeing increased rates of Aboriginal and Torres Strait Islander students in vocational education and training. For example, in 2011 we had 729 Aboriginal and Torres Strait Islander students enrolled in vocational education and training. The previous year we had 205 students enrolled. In 2009 we had 534 students, and in 2008, 439 students.

So as students in vocational education and training had increased by 66 per cent over that four-year period. And because those numbers are going up, the participation rate is also increasing, so the proportion of Aboriginal and Torres Strait Islander people who are engaged in vocational education and training have also been going up. And so in 2008 the participation rate was 9.8 per cent of the population. By 2011 that had increased to 15.1 per cent of Aboriginal and Torres Strait Islander people who were enrolled in vocational education and training courses. And, likewise, we have seen the number of completions of training also increase over the period.²⁶

4.9 In terms of educational performance of indigenous students, the Committee was advised further by ETD's Director, Planning and Performance :

....But you will know about there were—and we talk about it in the annual report—that the performance of Aboriginal and Torres Strait Islander students in the ACT are higher than their peer group—Aboriginal and Torres Strait Islander students elsewhere in Australia. And, in fact, they are really equivalent with the top performing students in New South Wales and Victoria. So our students are performing quite highly in that respect.

However, there still is a gap between the performance of our Aboriginal and Torres Strait Islander students here in the ACT and our other students here in the ACT. And, to a certain extent, that gap is not closing. Part of the reason for that is we continue to see improvements across the board. So we need to recognise that we are seeing improvements in the outcomes for Aboriginal and Torres Strait Islander students here

²⁵ Evidence, 22 February 2013, pp. 32-33.

²⁶ Evidence, 22 February 2013, p. 34.

in the ACT in NAPLAN testing, however, we are also seeing improvements in the performance of our other students as well. And so that improvement has been consistent across all of the groups of students in the ACT.

So that is a great outcome that our students are improving, however, it means that it is making it harder to close that gap between the groups of students.²⁷

POSSIBLE TRAINING FOR EARLY CHILDHOOD EDUCATION IN AREAS OF AUTISM AND OTHER SERVICES TO PROVIDE FOR NEED

- 4.10 In answer to Committee queries regarding specialist support and training for specialist teachers for children on the autism spectrum, ETD's Executive Director, Learning, Teaching and Student Engagement noted that:

.....we have a number of services which children with autism can attend in the early childhood areas, you would be aware. So there is different needs for those children. I think I spoke last year about this as well around the autism diagnosis does not necessarily mean that, you know, they all need the same things. And so our response is obviously, as you would be aware, Mrs Jones is that it depends on what the needs are, the adjustments required. And so we do have a number of different programs depending on the needs of those kids. And that also flows through into our school environment, where we have an integration support program for children that their parents have decided that they would like them in mainstream settings but with support to make those adjustments for those children.

We also have units based in those schools, learning support units. We also have learning support units that are specifically dedicated to students with autism. As well as that we also have our special schools, of course. So there is a number of options, I guess, for those parents, depending on the needs of their children.

In terms of the training that you were talking about as well, that is an ongoing process, again, for the teachers that are in those particular units or in those schools, a number of which are very well qualified, in I can put it that way, to work with those children every day and do a fantastic job in our schools. Others is around Ms Goleby's comments around the training available for assistance to work in that space as well. So there's a lot of opportunity for people to do specific training around those areas, and that is something, again, that we support through our building the capacity of all of our

²⁷ Evidence, 22 February 2013, p. 36.

staff through school-based decisions that we have talked about and also at the directorate level.²⁸

Recommendation 4

- 4.11 The Committee recommends that ETD annual report provides detail of current and planned programs and services to students requiring special support and assistance, including Aboriginal and Torres Strait islander students and students with special needs.**

PROFESSIONAL DEVELOPMENT PROCESSES, INCLUDING ANNUAL REVIEW OF PROFESSIONAL ACHIEVEMENT

- 4.12 The Committee sought detail on current issues arising from teaching staff professional development, and the process followed by ETD. The Committee asked about the means and process employed to determine teacher's chosen career path, (and specifically in the early childhood area) and how expectations on both sides of teaching are managed: The Director, Human Resources with ETD, advised:

...You are pertaining to the recent enterprise agreement that was ratified by teachers in April 2012. If my memory serves me correctly, 1,475 teachers voted, and 1,445 teachers voted yes to the procedures that were embedded in that enterprise agreement, of which a regular conversation—not a one off, it should be seen as an ongoing conversation with your workforce within individual school sites—should be occurring to actually plan that period of placement within that school so that the teachers can actually build their skills, have a number of different experiences and then transfer through schools more empowered and actually seeking greater opportunities. So it is embedded in our enterprise agreement, those procedures.

And I will say, if I may, it was the first time that schools applied the annual professional discussion last year, and they did a very good job with it, but we do provide ongoing training to principals around how to apply that conversation more and more considered each year.²⁹

- 4.13 The Guidelines for the professional discussion between teachers and principals/supervisors is attached as **Attachment C** to this report.

²⁸ Evidence, 22 February 2013, p. 27-28.

²⁹ Evidence, 22 February 2013, pp. 30-31.

- 4.14 In this context, the Committee emphasises that its questions during the hearing with ETD were directed particularly to the position of ACT pre-school teachers, who are now within the primary school teacher category of ACT teachers.

Recommendation 5

- 4.15 The Committee recommends that ETD annual reports detailed annual reviews of the outcomes of its professional development and career planning for teachers in the ACT, in particular the results of more recent planning and professional development and career planning changes affecting pre-school teachers.**

SCHOOL YOUTH NURSE PROGRAM IN SCHOOLS DEALING WITH CHILDREN WITH DISABILITIES

- 4.16 The Committee asked about the level and continuity of nurse care provided at ACT special schools providing for children with special needs, who require additional nursing assistance. The Committee was advised by the Executive Director, Learning, Teaching and Student Engagement , in response to a question from the Committee Deputy Chair, Mr Doszpot MLA that:

.....there are two different programs where nurses are in schools. And so just to clarify, one is around nurses in high schools, in mainstream settings, four of those nurses. They work with our student support teams around health issues for young people in high school, providing expert health advice that is part of a cross-purpose team that offer those support services. So that might include counselling, information around their educational attainment. When it comes to health, then we want a health professional there providing that advice. So that is, I think, the school health nurse program you are talking about.

Then there are nurses within special school settings, which is what the minister was referring to as well, which, within the recognised or identified specialist school settings at the moment, each have at least one registered nurse.³⁰

- 4.17 The schools with special needs, and which are Black Mountain School, Woden School, Malkarra and Cranleigh School.³¹
- 4.18 In answer to a question taken on notice from Mr Doszpot MLA at this hearing, the Committee was advised by the Minister:
-

³⁰ Evidence, 22 February 2013, p.9. 40-1.

³¹ Evidence, 22 February 2013, p. 41.

ACT Health provides nursing care in specialist school. When the regular nurse is unable to attend work at a specialist school, the nurse notifies ACT Health, as their employer. ACT Health makes every effort to identify another nurse to attend the school. In the rare circumstances when there was to be no alternative nurse available, ACT Health then would contact the family directly to inform them of the situation and would then contact the school to notify them that the nurse would not be attending.³²

Recommendation 6

- 4.19 That the ETD work to improve the communications between ETD and the disability related services area of ACT Health in order to deliver more integrated service for special needs students in all special needs schools in the ACT.**

Recommendation 7

- 4.20 The Committee recommends that fulltime nursing care be provided on an equal and permanent basis across all the special schools in the ACT**

ACT SAFE SCHOOLS TASK FORCE PROGRAM—FLOREY PRIMARY SCHOOL

- 4.21 The Committee addressed a number of issues arising from safety in school zones arising from speed and other results of traffic activity. The ETD Director, School Capital Works told the Committee:

I am not familiar with the details of the Florey school, but, in principle, our sort of formal responsibility ends at the boundary of our land in terms of our traffic management. But when issues arise that occur on the adjoining streets or access into the school, we usually represent the school in discussions with Territory and Municipal Services on trying to work through issues and solutions to do with that.³³

- 4.22 In answer to a question taken on notice from Mr Doszpot MLA at this hearing, the Committee was advised by the Minister that, in relation to how ETD works with Territory and Municipal Services (TAMS) area on such matters, that:

The ETD will work closely with TAMS Directorate, the school, the school community and other relevant stakeholders to investigate the issue and implement solutions.

³² QToN 3, 22 February 2013, see Appendix B of this Report.

³³ Evidence, 22 February 2013, p. 17.

In regard to schools in general, there is an ongoing program of school traffic management and safety works including review of traffic safety and parking at ACT school sites. If a particular concern is brought to the attention of ETD regarding traffic safety at a school, the Directorate works closely with the school, school community, TAMS and other stakeholders to address the identified concerns.³⁴

Recommendation 8

- 4.23 That ETD work more closely with Territory and Municipal Services (TAMS) and ACT Policing through the Safe Schools Taskforce on issues affecting students' safety at and around ACT schools and report more detail on its work in its next and following annual reports**

OTHER ISSUES

- 4.24 The Committee also considered a number of other issues arising from the ETD annual report:

- Implementation of the Australian curriculum, including languages curriculum³⁵
- ETD financial statements and asset treatment³⁶
- ICT assets and acquisition for current year³⁷
- Self-management and development in ACT schools³⁸
- Programs for children with disabilities and measures of achievements for the programs.³⁹

³⁴ QToN 4, 22 February 2013, see Appendix B of this Report.

³⁵ Evidence, 22 February 2013, p. 10-12.

³⁶ Evidence, 22 February 2013, pp. 18-19; 23-24.

³⁷ Evidence, 22 February 2013, pp. 19-20.

³⁸ Evidence, 22 February 2013, pp. 21-22.

³⁹ Evidence, 22 February 2013, pp. 39-40.

5 COMMUNITY SERVICES DIRECTORATE

COMMUNITY SERVICES DIRECTORATE (CSD) – CHILDREN, YOUTH AND FAMILY SERVICES

- 5.1 The Children, Youth and Family Services area of the CSD is responsible for two areas: Youth Services and children care and protection services. Youth Services is responsible for the provision of youth services including targeted programs for vulnerable and at risk young people, whole of Government youth policy and youth justice policy, youth engagement services including the Government youth participation strategy Youth InterACT, Community Youth Justice and the Bimberi Youth Justice Centre.

PRINCIPAL ISSUES

- 5.2 In its examination of CSD Youth Services annual report, the Committee discussed a number of principal issues arising from the CSD annual report, as follows.

CHANGE MANAGEMENT AND IMPROVEMENT OF SECURITY AT THE BIMBERI CENTRE

- 5.3 The Committee asked about security upgrades at the Bimberi Youth Justice Centre (Bimberi). In its hearings, the Committee was advised by the Minister that, following consideration, security services at Bimberi had been improved:

The upgrades at Bimberi have been quite significant. We have completed some building modifications. As I think has been mentioned here before, there were some problems with accessing the roof. So we have made some modifications and rectified that. We have also done some modifications within the cabins themselves.

- 5.4 The Director of Youth Services in the Office of for Children, Youth and Family Services in CSD added that

...the modifications to Bimberi include security modifications internally to the cabins. Some of that includes things like access to a television cabinet and so forth being positioned better and in a more secure place. As the minister alluded to, a significant

proportion of the modifications related to access to roof and design issues around access to roof. That is being completed.⁴⁰

5.5 In relation to change management at Bimberi, the Director of Youth Service also advised that:

I think the change management process in Bimberi has been particularly successful. There is a number of arms to that change management process, the most significant of which is actually the investment in staff in terms of quality of staff and training of staff. We have recently had significant feedback from our oversight bodies that one of the key findings that they have found in the last 12 months is the improvement in the relationship and quality of interaction between staff and the young people.

I cannot underscore how significant that is. Underlying that is the integrated management system, which actually has systematically gone through every procedure and process within the centre and formalised them. We have made that the central part of the training of new staff. As part of the solution to our staffing issues—because, as you would appreciate, it is not like running, perhaps, a school where there is a relief pool of people who are trained and work ready to move into the environment—we have adopted a recruitment strategy which allows us to have a casualised pool of staff who we train to the same level as everyone else and provide them with significant experience within our centre. This allows us, from time to time when there are unplanned absences or a need for particular skills training, which has been quite demanding over the last 12 months, to be able to ensure that the centre is staffed by qualified, trained and safe practitioners.⁴¹

YOUTH JUSTICE CASE MANAGEMENT

5.6 The Committee asked a number of further questions in relation to Youth Justice Case Management of CSD officials at the Committee's hearing, and followed these up with a request. (Details on matters dealt with under the program. details are published as an answer to a question taken on notice by the Minister.). The Committee was told by the Director, Youth Services, Office for Children, Youth and Family Support that:

...Each report would be pertaining to one young person. There are a number of stages in the process, including pre-sentencing, which would be requiring a report. But each of those reports would be pertaining to one young person. The range of offences would vary from property crime to violent crime. There would be aggravated burglary and those sorts of crimes right through in that period of time to very serious attempted murder crimes.

⁴⁰ Evidence, 14 March 2013, p. 53-54.

⁴¹ Evidence, Dr Collis, CSD, 14 March 2013, p. 55.

.....We prepare reports to [age] 18—the age which the young person was at the time of committing the offence. There is some discretion around 18-year-olds about whether justice and corrections take over the responsibility for preparing reports, depending on the likely outcome of the sentence. So there is a bit of a grey area in that, which is actually managed through a protocol between the two directors-general, the Director-General of Community Services and the Director-General of Justice and Community Safety.⁴²

PROGRESS ON IMPLEMENTATION OF RECOMMENDATIONS OF THE HUMAN RIGHTS COMMISSION REVIEW OF YOUTH JUSTICE

- 5.7 At its hearings, the Committee was provided with the current position regarding the response to and implementation of the July 2011 Review of Youth Justice by the Human Rights Commission:

I think I made mention in the opening statements that very good progress has been made. There were 220-odd recommendations, of which 185 have been completed; another 34 have been commenced and progress is well underway. So the bulk of the recommendations have been achieved or there is substantive work in play. Also, I think it has been reflected in the oversight group, with the Public Advocate, the children's commissioner and the Official Visitor also having carriage through the education policy committee around reporting back to the community about the progress. From what I am hearing, they are saying that it has been very positive progress and good work has been achieved.

- 5.8 The Executive Director, Office for Children, Youth and Family Support, CSD also advised:

Education and training has been a really important area to strengthen for the young people. I am really glad to say that the Education and Training Directorate have been absolutely fabulous in assisting us. They run a very high quality education and training program on site. They employed two transition staff to help the young people transition either into continuing their education or into jobs following their departure from Bimberi Youth Justice Centre.⁴³

BLUEPRINT FOR YOUTH JUSTICE

- 5.9 The introduction of a Blueprint for Youth Justice in the ACT, released in July 2011, was seen as
-

⁴² Evidence, Dr Collis, CSD, 14 March 2013, p. 56.

⁴³ Evidence, Minister Burch and Ms Nolan of CSD, 14 March 2013, p. 63,

a coordinated approach to programs for achieving a best model for youth requiring assistance and support. The Committee was told by the Director, Policy Data and Research, Office for Children Youth and Family Support, CSD that :

The blueprint provides an approved approach through an enhanced focus on any intervention and diversion for young people who are at risk of entering the youth justice system. And it is promoting a long-term, 10-year shift of policies and programs over that time to address significantly the underlying causes of crime, the cause of offending by children and young people rather than the consequences of youth crime. So it is working at that front end of that very strategic whole-of-government approach. There has been a lot of workaround some of those programs like the after-hours bail service and the Youth Drug and Alcohol Court. But the blueprint for youth justice is looking really significantly around early intervention and prevention and diversion. One of the key things that we are working on at the moment is the framework to identify children and young people who are at risk, and that is working with agencies such as the department of education and Mental Health Services and things like that, to look at where young people are at risk of entering the youth justice system and working very significantly and quite pointedly with them.

There has been a lot of work commenced around participation and family engagement, and one of the things that the blueprint implementation group is looking at is the development of a family engagement plan and the principles about the family-centred approach. ...So there are lots of things that are happening more at that very strategic and cultural change level through the blueprint.⁴⁴

OTHER ISSUES

5.10 In its examination of CSD Youth Services annual report, the Committee also discussed a number of other issues with the Minister and officials from CSD:

- Comparison of numbers of young people under case management in detention and in the community.⁴⁵
- Youth Drug and Alcohol Court.⁴⁶
- Examination of cases by the Children and Young People Commissioner.⁴⁷
- Turnaround Program and coordinated case plans for young people with intensive support needs.⁴⁸

⁴⁴ Evidence, Ms Power, CSD, 14 March 2013, p. 65.

⁴⁵ Evidence, 14 March 2013, pp. 58-60.

⁴⁶ Evidence, 14 March 2013, p. 60.

⁴⁷ Evidence, 14 March 2013, pp. 61-63.

⁴⁸ Evidence, 14 March 2013, p. 53.

Recommendation 9

- 5.11 The Committee recommends that CSD annual reports provides full and updated detail of outcomes on the administration of youth justice services, and provide updated advise on implementation of the recommendations of the Human Rights Commission Review of Youth Justice and the progress made by the Youth Justice Implementation Taskforce.**

6 ARTS POLICY, ADVICE AND PROGRAMS

- 6.1 The Arts Policy, Advice and Programs area of CSD is responsible for development of the arts in the ACT and supporting and encouraging community participation in the arts

PRINCIPAL ISSUES

- 6.2 In its examination of CSD Arts responsibilities the Committee raised a number of principal issues arising from the CSD annual report, as follows.

SOCIAL INCLUSION THROUGH ARTS

- 6.3 The Committee sought details of this program and was advised by artsACT that:

Through our arts fund we are supporting individual applications that individuals make to that arts fund, but we have changed the delivery of our community arts program to now move those officers into the regions. There are now three officers based at the Belconnen Arts Centre and three at the Tuggeranong Arts Centre. We have retitled and re-identified their tasks. They are now called community cultural inclusion officers. Their work is to engage with the community, particularly those people who are most vulnerable, to engage them in arts activity with a particular focus on the areas of disability, Indigenous and multicultural affairs.

The officers work across all of those disciplines and, indeed, anyone that is looking for some inclusion program through our participation as part of one of the key tenets of our key arts strategy. The arts policy framework that was released last year has participation as a key element. Certainly engaging with the disability community is something that we are very strong on at a policy level and that we implement with officers at those two arts centres, who have a territory-wide brief. So they can work not just in Belconnen and Tuggeranong but across the rest of the territory.⁴⁹

STRATHNAIRN HOMESTEAD VENUE

- 6.4 The Committee sought some detail on activities at the Strathnairn homestead venue, from the Director, artsACT and was told:

.....developments at Strathnairn have given the Strathnairn Arts Association, who

⁴⁹ Evidence, 14 March 2013, p. 69.

provide the activities there, new studio spaces. There are two new studios that have just been completed. Also, in the homestead itself, as their caretaker lived in part of that building, there was always a restriction to the gallery, which is obviously a source of income not only for the people who have studios there but also for others as well. There was a real pressure to actually expand the gallery program, which also acts as a retail sales area.

By being able to rework a little part of the homestead, while keeping its heritage elements in place, or the feel of the heritage, an external, new residence has been constructed for the caretaker to live in, which means that within the homestead can now be created another space for exhibitions and sales. The office for the Strathnairn Arts Association can now move out of the very small office space that it was in. It has a larger room—two rooms to work from.

They are also looking at expanding their artists in residence capability. Currently there is a very small bedsit which is available for artists to come and stay and work there. They will now be looking at turning the new place that we have created for them into that second capacity as well. So they will be able to expand the artists in residence capability at Strathnairn.

The two new studios that I mentioned were particularly informed by the master plan that we did. There is in fact height in the studios. A lot of the studios are quite low in height and painters in particular need perspective and need to get back and look at their work. So these two new studios have a sense of height about the construction.⁵⁰

KINGSTON ARTS PRECINCT AND PLANS FOR ITS FUTURE

- 6.5 The Committee sought up-to-date advice on progress following the decision to provide a venue for the Megalo Print Studio and to develop plans for the whole arts precinct at Kingston. The Committee was advised by the Minister that:

We are working with Megalo to provide them with a relocation—what we are describing as a temporary space down at the old LDA buildings on Wentworth Avenue. It is my understanding...that we are looking to that relocation at around Easter-time or shortly thereafter; certainly in the first half of this year, depending on the work that needs to be done there in accommodating particularly their heavy machinery. That decision was made by Megalo board. They remain disappointed at the inability to move and locate into Fitters Workshop, but they need to get on. They have had serious disruptions to their programming while there has been a question mark over this. So they have made the decision to accommodate themselves temporarily, and then we will go on and build a purpose-built building for them at Kingston, as we move, over

⁵⁰ Evidence, 14 March 2013, pp. 69-70.

the medium to long-term future, the other infrastructure that will go into that Kingston arts precinct.⁵¹

OTHER ISSUES

6.6 In its examination of CSD Arts responsibilities the Committee also raised a number of other issues as follows:

- Public art works.⁵²
- Community outreach program.⁵³
- School of Music.⁵⁴
- Canberra Symphony Orchestra.⁵⁵
- School of Art.⁵⁶
- 2XX Local 'n' live music program.⁵⁷

⁵¹ Evidence, Minister Burch, 14 March 2013, p. 71.

⁵² Evidence, 14 March 2013, pp. 72-73.

⁵³ Evidence, 14 March 2013, pp. 73-74.

⁵⁴ Evidence, 14 March 2013, pp. 78-79.

⁵⁵ Evidence, 14 March 2013, pp. 78-79.

⁵⁶ Evidence, 14 March 2013, p. 79.

⁵⁷ Evidence, 14 March 2013, pp. 79-80.

7 CULTURAL FACILITIES CORPORATION

7.1 The Cultural Facilities Corporation (CFC) is established under the Cultural Facilities Corporation Act 1997. The CFC's functions are to:

- make, develop, present co-ordinate and promote cultural activities at designated locations and other places in the ACT
- establish and research collections
- conserve and exhibit collections in the possession or under the control of the CFC
- undertake activities, in cooperation with other people if appropriate, to exercise its other functions, and
- exercise other functions given to the CFC.

7.2 The CFC is responsible for:

- The Canberra Theatre Centre
- The Canberra Museum and Gallery (CMAG)
- The Nolan Collection Gallery @ CMAG; and
- Three historic places: Lanyon, Calthorpes' House and Mugga Mugga.⁵⁸

ISSUES

7.3 In considering the CFC annual report, principal issues examined by the Committee included:

- Possible locations for a Bushfire Museum.⁵⁹
- Status of Lanyon gallery.⁶⁰
- Sponsorship and philanthropy benefits for CFC.⁶¹

Mary Porter AM MLA
Chair
15 May 2013

⁵⁸ CFC annual report 2011-12., p. 9.

⁵⁹ Evidence, 14 March 2013, pp. 76-77.

⁶⁰ Evidence, 14 March 2013, pp. 77-78.

⁶¹ Evidence, 14 March 2013, pp.81-82.

Appendix A WITNESSES

Friday, 22 February 2013

Burch, Ms Joy, Minister for Education and Training, Minister for Disability, Children and Young People, Minister for the Arts, Minister for Women, Minister for Multicultural Affairs and Minister for Racing and Gaming

ACT Building and Construction Industry Training Fund Authority

- Service, Mr James, Chairman
- Guy, Mr Gary, Chief Executive Officer

Education and Training Directorate

- Joseph, Ms Diane, Director-General
- Gniel, Mr Stephen, Executive Director, Learning, Teaching and Student Engagement
- Hine, Mr Martin, Director, Learning and Teaching
- Ellis, Ms Anne, Chief Executive Officer, Teacher Quality Institute
- Bray, Mr Rodney, Director, Schools Capital Works
- Whybrow, Mr Mark, Executive Director, Corporate Services
- Sharma, Ms Sushila, Director, Finance and Corporate Services
- Huxley, Mr Mark, Chief Information Officer, Information and Knowledge Services
- Goleby, Ms Ann, Director, Training and Tertiary Education
- McAlister, Ms Coralie, Director, Human Resources
- Stewart, Ms Tracey, Director, Planning and Performance

Thursday, 14 March 2013

Burch, Ms Joy, Minister for Education and Training, Minister for Disability, Children and Young People, Minister for the Arts, Minister for Women, Minister for Multicultural Affairs and Minister for Racing and Gaming

Canberra Institute of Technology

- Dodd, Ms Jenny, Acting Chief Executive
- Kay, Mr Shane, Acting Deputy Chief Executive, Operations
- Stenlake, Dr Nicole, Executive Director, Governance and Executive Services

Community Services Directorate

- Howson, Ms Natalie, Director-General
- Collett, Mr David, Senior Director, Housing and Community Services ACT
- Whitney, Mr David, Director, artsACT

- Nolan, Ms Christine, Executive Director, Office for Children, Youth and Family Support
- Collis, Dr Mark, Director, Youth Services, Office for Children, Youth and Family Support
- Power, Ms Leanne, Director, Policy Data and Research, Office for Children, Youth and Family Support

Cultural Facilities Corporation

- Elvin, Ms Harriet, Chief Executive Officer

Appendix B QUESTIONS TAKEN ON NOTICE AT HEARINGS

Friday, 22 February 2013

Asked By	Directorate	Subject	Answer received	Proof Transcript page no
Mr Doszpot	ETD	ICT	18 /3/2013	19-20
Mrs Jones	ETD	Children in disability education programs	13/3/2013	27-28
Mrs Jones	ETD	Guidelines for annual professional discussions	13/3/2013	31
Mr Doszpot	ETD	Florey Primary School traffic safety	13/3/2013	36
Mr Doszpot	ETD	Provision of nurses at specialist schools	6/4/2013	43

Thursday, 14 March 2013

Asked By	Directorate	Subject	Answer received	Proof Transcript page no
Mr Doszpot	CIT	Staff employed at CIT on higher duties	6/4/2013	42
Mr Doszpot	CSD	Case numbers for Youth Case management team	6/4/2013	56
Mrs Jones	Arts Policy - CSD	Kinetic arts pieces - dimensions	28/3/2013	72

Appendix C SUPPLEMENTARY QUESTIONS

No	Hearing Date	Asked By	Directorate/ Agency	Subject	Answer received
1	22/2/2013	Ms Berry MLA	ETD	What are the results of the review of the trial rollout of program for 'empowered' schools? (pp, 24, 51 and 93 of the ETD AR refers.)	Unanswered
2	22/2/2013	Ms Berry MLA	ETD	Benefits accruing from installation of solar panels in public schools. How will the benefits accruing be apportioned?	9/5/2013
3	14/3/2013	Ms Berry MLA	CIT	Please advise the application of the Code of professional practice; teaching loads at CIT.	3/5/2013

Appendix D ACT GUIDELINES FOR TEACHER AND PRINCIPAL SUPERVISOR DISCUSSION

Annual professional discussion guidelines – 2012

Annual professional discussion guidelines

Introduction

The annual professional discussion between individual classroom teacher and principal and/or supervisor affirms and draws together practices that support and recognise teacher development and promote a capable and sustainable teaching workforce. These practices include:

- Professional Pathways
- career planning by teachers
- teacher transfer
- classroom teacher incremental progression.

At a convenient time during terms one or two each year, individual classroom teachers have a professional discussion with their principal and/or supervisor focusing on the teacher's performance, career plans and, where applicable, transfer options and incremental progression. This discussion may be continued at further points during the year, as required.

These guidelines are designed to assist principals, supervisors and teachers to conduct the professional discussions. They should be read in conjunction with clauses R6 and O8 and Section S of the *ACTPS Education and Training Directorate (Teaching Staff) Enterprise Agreement 2011-2014*.

Purpose of the annual professional discussion

Teaching excellence develops with experience, opportunities and support. The annual professional discussion is a forum for each classroom teacher and their principal and/or supervisor to reflect on and discuss the teacher's current performance and professional responsibilities at the school and to plan opportunities for continuing improvement and professional growth.

The annual professional discussion enables the principal and/or supervisor to give the teacher supportive feedback on achievements and areas for development and, where appropriate, work through any performance issues. Opportunities are explored for the teacher to undertake professional roles and responsibilities within the school in accordance with their Professional Pathways and career plans.

The principal plans with the teacher the optimum time for them to use transfer, with regard to the teacher's career plans and the needs of the school to sustain and renew educational programs. Incremental progression, where applicable, is discussed in relation to expectations of performance and professional responsibilities outlined in clause R6 in the Agreement (and in Attachment A to these guidelines). An overview of the process is at Attachment B to these guidelines.

Guiding principles

The annual professional discussion will:

- promote a dynamic public education system, which develops skilled and resilient teaching staff
- support classroom teachers to continually improve their performance
- be linked to the provision of professional development and support
- promote the professional empowerment of all teaching staff in career planning and development

- value individuals and their capacity to positively contribute to schools and the ACT public education system
- promote workforce planning at the school level by principals in discussion with staff to sustain and renew schools' educational programs.

Definitions

<i>Agreement</i>	<i>ACTPS Education and Training Directorate (Teaching Staff) Enterprise Agreement 2011-2014.</i>
<i>Annual professional discussion</i>	A professional discussion taking place at least annually between individual classroom teachers and their principal and/or supervisor, focusing on the teacher's performance, career plans, transfer options and incremental progression, in accordance with clauses R6 and O8 and Section 5 of the Agreement.
<i>Career plans</i>	Any planning for career development or advancement undertaken by a classroom teacher, for example, as part of their Professional Pathways plan.
<i>Classroom teacher</i>	A permanent or long term temporary teacher employed in the Classroom Teacher classification, in accordance with clauses N1, N2, R4, R6, 148 and Annex A2 in the Agreement.
<i>Expectations of performance</i>	Expectations of classroom teacher performance in the three stages of New Educator, Experienced Teacher 1 and Experienced Teacher 2 specified in clause R6 in the Agreement (and in Attachment to these guidelines).
<i>Expectations of professional responsibilities</i>	Expectations of classroom teacher professional responsibilities in the three stages of New Educator, Experienced Teacher 1 and Experienced Teacher 2 specified in clauses R61 and Q1 in the Agreement (and attached to these guidelines).
<i>Incremental progression</i>	Increments are annual salary steps within the Classroom Teacher classification. In accordance with clause N1 in the Agreement, teachers are placed on the classroom teacher increment scale based on recognition of qualifications and prior experience. Movement through the increment scale is based on performance and is in recognition of competence, developing expertise and the assumption by the teacher of broader professional responsibilities, as detailed in clauses O8 and R6 in the Agreement (and in Attachment A to these guidelines).
<i>Pathways to Improvement</i>	An early intervention program to assist permanent school based teachers improve their professional practice and work performance in a positive, constructive and non-threatening climate and manner, in accordance with clauses R12-R14 in the Agreement.
<i>Placement end date</i>	The final date of a teacher's placement in a school or central office position (26 January following the final year of placement) at which the teacher will take up a new placement either in the same position or in another position through transfer.
<i>Professional Pathways</i>	A dynamic, forward planning tool aimed at providing teachers with feedback and advice on their performance and development in a supportive and confidential environment, in accordance with

clauses R9-R11 in the Agreement.

Transfer

Provisions applying to all teaching classifications for transfer between schools, as specified in clause S3 in the Agreement and in the *Procedures for filling classroom teacher vacancies* agreed between the directorate and the AEU.

Underperformance action

Actions that may be undertaken by Director Human Resources, in accordance with clause R15 in the Agreement, following assessment of the work performance of a teacher as unsatisfactory at the end of a Pathways to Improvement period and recommendation by the principal/manager.

References

ACTPS Education and Training Directorate (Teaching Staff) Enterprise Agreement 2011-2014, in particular, clauses

O8	Classroom teacher incremental progression
Q1	Individual workloads and professional responsibilities
R3	Annual professional discussion
R4	Developing classroom teachers
R5	New Educator support
R6	Expectations of performance and professional responsibilities
R7	Professional learning
R8	Personal and career development
R9-R11	Professional Pathways
R12-R14	Pathways to Improvement
R15-R16	Under-performance action
S3	Teacher transfer
V8	Managing employee absences

Assessment of Contract Teachers and Probationary Teachers Handbook

Mandatory procedures for managing employee absences

Pathways to Improvement Guidelines for ACT public school teachers

Procedures for filling classroom teacher vacancies

Professional Pathways Guidelines for ACT public school teachers

Public Sector Management Standards 2006, Section 281

Procedures

1. Participants

Each individual staff member employed in the Classroom Teacher classification at the school, other than short term temporary and casual teachers, must be given the opportunity to participate in an annual professional discussion with the principal and/or supervisor.

The principal should participate in the annual professional discussions as far as possible. In circumstances where this is not practicable due to the large number of staff, a deputy principal or supervising executive teacher may delegate for the principal, as required.

In particular, the principal should participate in the annual professional discussion when planning a teacher's transfer or when concerns about a teacher's performance or fulfilment of professional responsibilities will be discussed.

The principal or classroom teacher may ask the teacher's supervisor to participate in the discussion with them, as appropriate. The teacher may request that a colleague accompany them at the discussion.

2. Scheduling

Principals should aim to schedule annual professional discussions with classroom teachers during the first semester (terms 1 and 2) where possible. This is to ensure that:

- the decision concerning teachers' continuation of placement or transfer is communicated to the teacher before the end of term 2 prior to the transfer process commencing in term 3
- there is time to address any performance issues identified, with appropriate support, e.g. through a Pathways to Improvement Plan.

An annual professional discussion may be scheduled in second semester when:

- the teacher is on extended leave during first semester
- the teacher is appointed to the school in second semester.

Annual professional discussions should be scheduled at a convenient time for all participants and allow time for extended conversation.

Principals/supervisors and teachers may wish to conduct a follow-up from an earlier professional discussion, for example, to review the teacher's progress towards agreed professional goals at any stage during the year.

3. Professional focus

The annual professional discussion is a forum for the participants to discuss *professional* matters concerning the teacher's performance, career plans, transfer options and incremental progression.

The climate for discussion should be open and collegial, involving exploration of issues and evidence to reach mutual understanding and sound professional judgements.

Discipline issues or personal matters should not be raised except when these are clearly relevant to the professional matters being discussed.

Keep a record of any decisions and agreed actions arising from the discussion (see Attachment C to these guidelines) and attach this to the teacher's Professional Pathways Plan.

4. Four elements of the discussion

Teaching performance and professional responsibilities

Expectations of classroom teacher performance and professional responsibilities in the three stages of New Educator, Experienced Teacher 1 and Experienced Teacher 2 are specified in clauses R6 in the Agreement (and in Attachment A to these guidelines).

The discussion should focus on how well the classroom teacher is currently meeting these expectations at the appropriate stage in their teaching career.

Evidence for meeting expectations can be drawn from a range of sources including, but not limited to:

- the teacher's own reflections
- teaching plans and records
- recent and current Professional Pathways Plans
- probation and contract assessments
- observations by principal, supervisor and colleagues
- records of students' learning achievements.

Principals and supervisors should use the discussion as an opportunity to provide teachers with evidence-based and supportive feedback on their professional growth, achievements and contributions.

Within this context, any concerns about performance and/or fulfilment of professional responsibilities should be explored with the teacher, with a view to jointly planning actions and support needed to address them, e.g. through the teacher's Professional Pathways Plan or a Pathways to Improvement Plan. A record of issues and actions should be made to assist implementation and future review. This record should be attached to the teacher's Professional Pathways Plan.

The outcomes of this discussion will inform judgements by the principal concerning planning of transfer and incremental progression (see below).

Career plans

Career planning by teachers is included in Professional Pathways because of its benefits for the individual teacher and for schools and the system in developing a capable and sustainable teaching workforce.

The annual professional discussion provides a forum for a classroom teacher to discuss their career plans with their principal and/or supervisor.

The discussion should explore opportunities within the school for the teacher to take on professional roles and responsibilities that will assist in gaining experience and skills to support their career development.

The teacher's career plans will also be an important consideration in planning transfer options (see below). By transferring to new settings regularly throughout their careers, teachers gain a broad experience and contribute to the renewal of school communities through incorporation of new perspectives.

Transfer

The annual professional discussion is a key process for achieving the objectives of teacher transfer, in particular:

- the professional empowerment of all teaching staff in career planning and development
- workforce planning at the school level to sustain and renew educational programs.

Principals plan the optimal placement time of individual teaching staff through the annual professional discussions with reference to the teacher's Professional Pathways and career plans and the needs of the school to sustain and renew educational programs. Decisions about when the teacher will apply for transfer should be based on these discussions.

Transfer must not be used to solve performance issues. Teachers who are experiencing performance issues will not be permitted to transfer until they have undertaken sufficient development with principal and colleague support (see above).

All placements of teachers are for a maximum of five years. The placement end date is 26 January, after the final year of placement. Generally, a teacher's or school leader's first placement in a school or central office position will be for five years. Graduate teachers are initially placed for five years, including any period of temporary position placement or contract at the school to which they are appointed. Subsequent placements for all teachers are for periods up to five years. There is no limit on the number of times a teacher's placement at a school can be continued for periods of up to five years.

The principal will review a teacher's placement end date through the annual professional discussion early in the year prior to its effect. This review will determine whether the teacher:

- (a) will continue their placement at the school for another period of up to five years, or
- (b) must apply for transfer, to take effect from 27 January in the following year.

The principal will give due consideration to a teacher's personal circumstances and needs in making decisions concerning teacher transfer or continuation of placement. The principal will advise the teacher in writing of the decision concerning their placement end date following the annual professional discussion and no later than the end of term 2.

A teacher may seek to have the grounds for the decision concerning their placement end date reconsidered by informing their principal (or school network leader) within 14 days of receipt of the decision. The reconsideration will be undertaken by a panel comprising a school network leader, a principal from another school and an AEU nominee. Attachment D to these guidelines outlines the process for placement end date dispute resolution.

Please refer to Section S in the Agreement and the *Procedures for filling classroom teacher vacancies* for further details of placement, transfer and provisions for exceptional circumstances.

Incremental progression

Movement through the classroom teacher increment scale is based on performance and is in recognition of competence, developing expertise and the assumption by the teacher of broader professional responsibilities.

Expectations of classroom teacher performance and professional responsibilities in the three stages of New Educator, Experienced Teacher 1 and Experienced Teacher 2 are specified in clauses R6 and Q1 in the Agreement (and in Attachment A to these guidelines).

On the basis of discussion of the teacher's fulfilment of these expectations at the relevant stage (see above), principals, where applicable, should discuss their incremental progression.

This discussion is not applicable to classroom teachers at the top increment level (3.2).

Classroom teachers on increments 1.1-3.1 who meet these expectations at the relevant stage should progress to the next increment level on 27 January the following year (teachers' common increment date). This will be the case for the majority of classroom teachers.

Where a teacher on an increment 1.1-3.1 is failing to meet expectations of performance and/or professional responsibilities, despite clear direction, supervision and support being

put in place for an appropriate period of time (see above), the principal should form a judgement, in discussion with the teacher, about whether or not to recommend deferral of salary payment of the next increment.

The delegation exists under the *Public Sector Management Standards* to defer incremental advancement based on the teacher's '*diligence, efficiency or attendance for duty or if disciplinary procedures have been commenced*'.

With respect to this focus of the annual professional discussion, the principal may recommend to Director Human Resources that salary payment of a teacher's next increment be deferred for a specified period of time in certain circumstances. These may include non-fulfilment of professional responsibilities (which may also be a discipline matter), such as:

- a pattern of non-attendance without submitting the required leave documentation (unauthorised leave), in contravention of clause V8 in the Agreement and the *Mandatory procedures for managing employee absences*
- non-participation in Professional Pathways or Pathways to Improvement, in contravention of clauses R9-R14 in the Agreement
- non-attendance at required professional learning days, in contravention of clause R7 in the Agreement.

When a principal decides to recommend deferral of salary payment of an increment, they should document the reasons for the decision, including the outcomes of the discussion with the teacher, and give notice in writing to the teacher.

The teacher has the right under clause G2 of the Agreement to appeal the principal's decision to defer salary payment of an increment.

5. Confidentiality

Matters discussed in the annual professional discussion should remain confidential to the participants, except as otherwise agreed by the participants or disclosure to a relevant Directorate officer is required.

Attachment D: Placement end date dispute resolution

Placement end date planning

Principals and managers plan the optimum placement end date of individual teachers, and subsequent transfer, through the annual professional discussions, with reference to the teacher's career plans, personal circumstances and needs and school workforce planning requirements to sustain and renew educational programs. Planning for a principal's placement end date will be done in discussion with their school network leader. Such discussions will be conducted in accordance with:

- *ACTPS Education and Training Directorate (Teaching Staff) Enterprise Agreement 2011-2014, Section S – Workforce planning, and*
- *Annual professional discussion guidelines* agreed between the Directorate and the AEU and listed at clause M2 of the enterprise agreement.

A teacher may seek to have the grounds for the decision concerning their placement end date reconsidered by informing their principal within 14 days of receipt of the decision. The principal will then contact their school network leader to convene a dispute resolution panel. Similarly, a principal may seek reconsideration of a school network leader's decision concerning their placement end date.

Dispute resolution

For a teacher disputing a principal's decision concerning their placement end date, the dispute resolution panel will comprise:

- a school network leader (chair)
- a principal from another school
- an AEU nominee.

Depending on operational requirements, a panel may be established to resolve disputes across the system or in a network or for an individual case.

For a principal disputing a school network leader's decision concerning their placement end date, the dispute resolution panel will comprise:

- Director Office for Schools (chair)
- another school network leader
- an AEU nominee.

Panel considerations

The panel will consider evidence that the correct procedures were followed:

- The review of the teacher's placement end date occurred during the annual professional discussion early in the year prior to its effect.
- The principal advised the teacher of the decision concerning their placement end date following the annual professional discussion and no later than the end of term 2 in the year prior to its effect.

The panel will reconsider the reasonableness of the grounds for the principal's decision concerning placement end date, including:

- the teacher's perspective, career plans, personal circumstances and needs.
- the school's workforce planning requirements to sustain and renew educational programs.

Outcome

The chair of the dispute resolution panel will communicate in writing the outcome of their reconsideration of the grounds for the decision concerning placement end date to both parties involved. The attached template may be used for this written communication.

Placement end date dispute resolution report

Date: _____

School:

Principal 1:

Teacher:

Procedures used

The review of the teacher's placement end date occurred during the annual professional discussion early in the year prior to its effect.

YES / NO

The principal advised the teacher of the decision concerning their placement end date following the annual professional discussion and no later than the end of term 2 in the year prior to its effect.

YES / NO

Notes on panel's consideration:

Grounds for the decision

Due consideration was given to the teacher's perspective, career plans, personal circumstances and needs.

YES / NO

The decision was reasonable on the basis of the school's workforce planning requirements to sustain and renew educational programs.

YES / NO

Notes on panel's consideration:

Outcome

In reconsidering the grounds for the principal's decision concerning the teacher's placement end date, the dispute resolution panel accepts the principal's decision on the basis that correct procedures were undertaken and the grounds for the decision were reasonable in that _____

OR (delete whichever is not applicable)

In reconsidering the grounds for the principal's decision concerning the teacher's placement end date, the dispute resolution panel does not accept the principal's decision on the basis that _____

Dispute resolution panel

	Name	Signature
School network leader (chair):		
Principal 2:		
AEU nominee:		

Chair to retain and forward copies to: Principal 1, Teacher, Director Human Resources.

Placement end date dispute resolution report

Date: _____

Network:

School network leader 1:

Principal:

Procedures used

The review of the principal's placement end date occurred during the annual professional discussion early in the year prior to its effect. YES / NO

The school network leader advised the principal of the decision concerning their placement end date following the annual professional discussion and no later than the end of term 2 in the year prior to its effect. YES / NO

Notes on panel's consideration:

Grounds for the decision

Due consideration was given to the principal's perspective, career plans, personal circumstances and needs. YES / NO

The decision was reasonable on the basis of the network's workforce planning requirements to sustain and renew educational programs. YES / NO

Notes on panel's consideration:

Outcome

In reconsidering the grounds for the school network leader's decision concerning the principal's placement end date, the dispute resolution panel accepts the school network leader's decision on the basis that correct procedures were undertaken and the grounds for the decision were reasonable in that

OR (delete whichever is not applicable)

In reconsidering the grounds for the school network leader's decision concerning the principal's placement end date, the dispute resolution panel does not accept the principal's decision on the basis that

Dispute resolution panel

	Name	Signature
Director Office for Schools (chair):		
School network leader 2:		
AEU nominee:		

Chair to retain and forward copies to: School network leader 1, Principal, Director Human Resources.