

Caveat Brief

To: Minister for Education and Youth Affairs

Subject: Improvement noticed issued to Kingsford Smith School 18 May 2022

Date: 18 May 2022

- An Improvement Notice (Information Notice number N-0000004166, at *Attachment A*) was issued to EDU/Kingsford Smith School on 17 May 2022 following the attendance of WorkSafe Inspectors on site. This Notice was issued under section 191 of the *Work Health and Safety Act 2011*.
- The date to remedy the contravention or likely contravention is 3 June 2022.
- On 7 April 2022 at 11.15am, WorkSafe Inspectors attended Kingsford Smith School.
- Following the visit WorkSafe formed a reasonable belief that the ACT Education Directorate has contravened a provision of Section 19(3)(f) the Work Health and Safety Act 2011 and a breach of the Work Health and Safety Regulations 2011, Regulation 39(2).
- Section 19(3)(f) is the provision of any information, training, instruction, or supervision that is necessary to protect all persons from risks to their health and safety arising from work carried out as part of the conduct of the business or undertaking.
- Regulation 39(2) states, the person must ensure that information, training and instruction provided to a worker is suitable and adequate having regard to the nature of the work carried out by the worker; and the nature of the risks associated with the work at the time the information, training or instruction is provided; and the control measures implemented.
- WorkSafe identified that the induction process is not standardised, meaning the workforce receives different standards of induction, and that the school does not have a checklist or template for site tours for new staff.
- ESO will work with the school to develop a standardised induction process to ensure consistency in the delivery of site tours for new staff, and training for relevant staff to know and understand the induction process.
- ESO will inform WorkSafe following development of the induction process and staff training; and provide necessary evidence to demonstrate that EDU has completed action in this notice.

Signatory

Kate McMahon

Name:

Title

Executive Group Manger,
Education Directorate

Date

18 May 2022

Caveat Brief

To: Minister for Education and Youth Affairs
Subject: Improvement Notice issued to Calwell High School 17 May 2022
Date: 18 May 2022

- Improvement Notices N-0000004146 and N-0000004148 (attached) were issued to EDU/Calwell High School on 18 May 2022 following the attendance of WorkSafe Inspectors on site at Calwell High School on 12 May 2022. These Improvement Notices was issued under section 191 of the *Work Health and Safety Act 2011*.
- The date to remedy the contravention or likely contravention is 27 May 2022.
- A separate caveat brief was prepared for your information for Improvement Notice N-0000004149 ([FILE2022/5248](#)).

N-0000004146

- WorkSafe holds a reasonable belief that the ACT Education Directorate has contravened a provision of the Work Health and Safety Act 2011 – Section 19 (primary duty of care).
- WorkSafe identified the information available in the ‘School Emergency Management Plan’ is not consistent with information available in the ‘Calwell High School handbook 2022’ (page 15).

N-0000004148

- WorkSafe holds a reasonable belief that the ACT Education Directorate has contravened a provision of the Work Health and Safety Act 2011, and Work Health and Safety Regulations 2011, namely Section 19(1) of the Act, and regulation 34 of the Regulations.
- WorkSafe identified the actual location of first aid kits at this school, was not consistent with information available in the ‘Calwell High School handbook 2022’.
- WorkSafe also identified some first aid kit supplies were expired, and some kits were not accessible as they were in rooms that were locked.
- ESO will work with Calwell High School to complete the actions the school needs to undertake to discharge the PIN.
- Following these steps, ESO will inform WorkSafe and provide necessary evidence to show EDU has completed all actions associated with this notice.

Signatory Name: Kate McMahon
Title: Executive Group Manager,
Safe@Schools
Date: 18 May 2022

Caveat Brief

To: Minister for Education and Youth Affairs
Subject: Improvement noticed issued to Calwell High School
Date: 18 May 2022

- Information Notice number N-0000004149 was issued to EDU/Calwell High School yesterday, 17 May 2022 following the attendance of WorkSafe Inspectors on site. This Improvement Notice was issued under section 191 of the *Work Health and Safety Act 2011*.
- The date to remedy the contravention or likely contravention is 27 May 2022.
- On 12 May 2022 at 9.42am, WorkSafe Inspectors attended Calwell High School.
- Following the visit WorkSafe formed a reasonable belief that the ACT Education Directorate has contravened a provision of the Work Health and Safety Act 2011, Section 19(3)(f) the provision of any information, training, instruction, or supervision that is necessary to protect all persons from risks to their health and safety arising from work carried out as part of the conduct of the business or undertaking.
- Six processes at this school were reviewed, developed or improved, in term 2 of 2022, with a week-long training/consultation program being implemented with workers at the school in Week 1 of term 2.
- The Improvement noticed issued outlines concerns some worker/s are at risk of psychological and physical injury related to the inadequacy of Calwell High School's current system for providing information and instruction to workers in relation to changed processes at the school.
- A random check identified one worker who was not present at the week 1 training had not been provided any catch-up training or information in relation to these changes.
- A member of ESO has spoken to the school and confirmed staff who missed the training were going to receive training today, 18 May 2022 to remedy this issue.
- ESO will inform WorkSafe following the staff training session and provide necessary evidence to show EDU has completed with this notice.

Signatory Name: Kate McMahan
Title Executive Group Manager,
Safe@School
Date 18 May 2022

Caveat Brief for School

To: Minister for Education and Youth Affairs
Subject: Incident at Ngunnawal Primary School
Date: 18 May 2022

On [redacted] 2022, a [redacted] student became heightened, verbally threatening staff and students and physically assaulting the principal.

Incident details

- A group of [redacted] students reported to staff they had witnessed a [redacted] student [redacted] the previous day.
- When approached to discuss the incident by a staff member, the [redacted] student became heightened, threatening the group of students.
- Another staff member moved the students to safety in the library.
- The student continued to escalate in the front office area, verbally threatening staff.
- The student proceeded to seek out the group of students [redacted] had threatened, and staff maintained their safety.
- [redacted]
- [redacted]
- Staff contacted the student's [redacted] who attended onsite.

Context

- [redacted]

Next Steps

- The student was suspended for [redacted] days.
- [redacted]
- The principal [redacted] remained at school following the incident.

Signatory Name: Mark Huxley

Title: Executive Group Manager School Improvement

Date: 18 May 2022

Caveat Brief fo

To: Minister for Education and Youth Affairs
Subject: Incident involving an Erindale College Student at Gorman House
Date: 18 May 2022

On [REDACTED] a [REDACTED] student behaved inappropriately at Gorman House. The student was part of a student group participating in a workshop as part of their drama assessment.

Incident details

- The [REDACTED] student became heightened when [REDACTED]
- The student verbally abused the workshop presenter.
- Two teachers asked the student to leave the space which resulted in a further escalation by the student and a significant impact on the learning other students.
- One staff member supervised the student outside the studio which impacted her ability to observe the students as part of their assessment.
- The student threatened to kill the Deputy Principal after he advised [REDACTED] that [REDACTED] would be suspended.

Context

- [REDACTED]

Follow Up Actions

- The student was suspended for [REDACTED] days for consistent non-compliance.
- Staff impacted were debriefed and have lodged Riskman reports.
- Staff impacted raised concerns for the impact on assessment for other students.
- A debriefing session for impacted students was held on 16 May 2022.
- Students were reassured the incident would not impact their academic results.

Signatory Name: Mark Huxley
Title: Executive Group Manager, School Improvement
Date: 18 May 2022

This record is not released in accordance with section 16 of the

Freedom of Information Act 2016

Outside of scope

Caveat Brief

To: Minister for Education and Youth Affairs

Subject: Term 2 Week 3, First 3 days all students o

Date: 19 May 2022

- Following the lifting of the Worksafe Prohibition Notice at Calwe 7s and 8s returned to the site on Monday 16 May 2022.

School Data – from SAS, as at 13:00 18/05/2022

	Incidents	Suspensions	Staffing Absence	No. of collapsed/ split classes
Monday	<ul style="list-style-type: none"> <input type="checkbox"/> x Truancy and absconding <input type="checkbox"/> x physical aggression <input type="checkbox"/> x disruption <input type="checkbox"/> x smoking 	<ul style="list-style-type: none"> <input type="checkbox"/> x behaviour that impacted someone at the school's safety or wellbeing <input type="checkbox"/> x being violent 	<input type="checkbox"/> teaching staff absent	0
Tuesday	13 <ul style="list-style-type: none"> <input type="checkbox"/> x truancy and absconding <input type="checkbox"/> x defiance <input type="checkbox"/> x physical aggression <input type="checkbox"/> x drugs <input type="checkbox"/> x disruption <input type="checkbox"/> x harassment 	0	<input type="checkbox"/> teaching staff absent	0
Wednesday	<ul style="list-style-type: none"> <input type="checkbox"/> x abusive language <input type="checkbox"/> x defiance 	0	<input type="checkbox"/> teaching staff absent	1 class combined to total 29 (within class size limit)

WHS Risk mitigation plan and action plan update:

- The eight immediate actions identified by the risk assessment have been reviewed by the school. The action plan is being mapped against the Improvement Notices and support resources to be provided from the Education Support Office.
- It has been identified that procedures are required for:
 - documenting and reviewing risk assessments for children demonstrating high risk behaviours.
 - reviewing excursion plans that include children demonstrating high risk behaviours.
- School Operations will support Calwell High School to develop new procedures and relationships with identified stakeholders (such as ACT Property Group) to meet the requirements of the WHS Risk Mitigation Action Plan.
- School Operations to support information gathering and relationship building between school and ACT Property Group to ensure the school is meeting its due diligence responsibilities around the safety of its buildings, including fire safety plans.

Enrolment appeals

- School Operations considered [redacted] enrolment appeals for students in PEA for Calwell High School:
 - [redacted]
- [redacted] appeals have been upheld and the students referred back to Calwell High School for enrolment and supports.

Incident involving a [redacted]

- On 16 May 2022 a student was identified as having a [redacted] in their possession on the school grounds.
- School operations was informed on 18 May 2022.
- A [redacted] at the school saw a [redacted] in the possession of a student.
- The [redacted] informed a member of the senior executive team, who isolated the child in a safe area and removed the [redacted] from their possession.
- The child involved was suspended for [redacted] days (included in SAS data above).
- Senior Executive spoke with the [redacted] to confirm they were okay following the incident. The teacher expressed they felt fine.
- Incident reported to police, no further action to be taken by police who were satisfied with the school's response.
- Child will undergo reentry to the school with a deputy principal on 19 May 2022.

New WorkSafe notices

- On 17 May 2022 the Education Directorate was issued a new WorkSafe Improvement Notice N-0000004149 (Attachment A):
 - This notice relates to breaches regarding staff not being provided opportunities to catch up on training missed during Week 1 Term 2 and the risk of psychological or physical injury posed to them due to not accessing this training.
 - A response to the breaches outlined in this Improvement Notice is required on or by 27 May 2022.
- On the 18 May 2022 the ACT Education Directorate was issued a new WorkSafe Improvement Notice N-0000004146 (Attachment B):

- This notice relates to breaches regarding the location of fire safety folders in staff rooms, placement and description of folders matching the written procedure and the psychological impact this will have on staff.
- A response to the breaches outlined in this Improvement Notice is required on or by 27 May 2022.
- On the 18 May 2022 the ACT Education Directorate was issued a new WorkSafe Improvement Notice N-0000004148 (Attachment C):
 - This notice relates to breaches regarding the location of first aid kits not matching the locations they are described as being in, in the “Calwell High School Handbook 2022”.
 - A response to the breaches outlined in this Improvement Notice is required on or by 27 May 2022.

Name: Mark Huxley

Title: Executive Group Manager, School Improvement

Date: 19 May 2022

Attachments

Attachment	Title
Attachment A	WorkSafe Improvement Notice N-0000004149
Attachment B	WorkSafe Improvement Notice N-0000004146
Attachment C	WorkSafe Improvement Notice N-0000004148

Caveat Brief

To: Minister for Education and Youth Affairs
Subject: Incident at Gold Creek School on 1 March 2022
Date: 19 May 2022

- Student A (victim) is a [redacted] student at Gold Creek School
- Student B, C and D (perpetrators) are [redacted] students at Gold Creek School
- Student E ([redacted]) is a [redacted] student at Gold Creek School
- On Tuesday 1 March 2022, [redacted] emailed Gold Creek School Principal, former DDG Education Directorate, Director School Improvement, your office and CMTEDD Corporate to advise of a violent assault on [redacted]

Incident details

- On 1 March 2022 student A was assaulted by three other students at Gold Creek School. The following is a sequence of events:
 - After being alerted to the assault a staff immediately attended the area where the assault was occurring
 - Student A was lying on the ground covering [redacted] head with [redacted] arms
 - School staff provided support to student A and moved [redacted] to the first aid room where [redacted] was assessed by the first aid officers
 - Student A's [redacted] was contacted, and [redacted] attended the school
- [redacted]
- Student B, C and D were sent home following the incident and were suspended for [redacted] days.
- The incident was filmed (person unknown). It is unknown if the video was shared on social media and Digital Strategy, Services and Transformation attempted to trace the video on social media and were unable to locate it.
- A video of the incident was provided to student E who forwarded it to [redacted]
- Police attended onsite (2 March) and the school engaged with them in regards to the details of the incident.

Context

- Earlier that week the school was investigating allegations of harassment made against student A.
- The school were actively working with students to resolve the issue.
- At the same time a sexually explicit story that was written by a group of students (possibly including student A) resurfaced, this inflamed the situation.

Update 12 April 2022

- [REDACTED]
- The school attempted to make contact with the [REDACTED] prior to the end of term, however, was unsuccessful. The principal continued to attempt contact over the standdown period with the view to offer support from the Exemptions and Community liaison Officer in Student Engagement.

Update 29 April 2022

- Principal of Gold Creek was not able to contact the family and sent a follow up email 27 April 2022.
- The [REDACTED] replied to the email 28 April 2022. In the email [REDACTED] stated that [REDACTED]
- Principal replied to the [REDACTED] offering further supports for the students and family 29 April 2022. The email from the [REDACTED] has also been provided to legal liaison team.
- School Operations contacted the principal and informed Feedback & Complaints team.
- A referral was made to the Student Attendance Team and Community Liaison for follow up with the family with the view to provide supports and re-engage the students in education.

Additional Information Requested**How the incident occurred (including its filming), supervision of students.**

- The incident occurred on the playground during a break time. As soon as a staff member was alerted to the assault, they attended the area immediately. The incident was filmed (person unknown) using their own phone. It is unknown if the video was shared on social media and Digital Strategy, Services and Transformation attempted to trace the video on social media and have been unable to locate it.

The process that was followed by the school at the time of the incident/engagement of health services.

- School staff provided support to student A and moved [REDACTED] to the first aid room where [REDACTED] was assessed by the first aid officers.

- [REDACTED]
- [REDACTED]

Engagement with police

- The principal has reported that following the initial visit from the AFP they have not requested any further information. The AFP are yet to report any outcome of the investigation.

Strategies and supports in place for students involved preventing issues arising again.

- Two students returned from suspension through a successful re-entry process and were supported by parents. Both parties agreed and signed explicit safety plans before returning to normal routine. Both students have re-engaged and there have been no further reports of concerning behaviour.

- One other student returned to school following the suspension period and was supported by [REDACTED]
[REDACTED]
This student has since returned to school following [REDACTED] and there has been no further reports of this behaviour. The school continues to work with [REDACTED] to engage in [REDACTED] for this student.
- The principal has again responded to the victim's [REDACTED] offering support. [REDACTED] is yet to respond.
- ESO community liaison has connected with the victim's [REDACTED] and had a meeting scheduled for 17 May 2022 although the [REDACTED] has postponed the meeting [REDACTED] and the meeting has been rescheduled for Monday 23 May 2022.

Signatory Name: Mark Huxley

Title Executive Group Manager, School Improvement

Date 18 May 2022

Caveat Brief

To: Minister for Education and Youth Affairs
Subject: Mould at Hughes Primary School
Date: 12 May 2022

Note the information contained in this brief.

		Noted / Please discuss
	Yvette Berry, MLA /...../.....
Minister's Office Feedback		

- On 8 April 2022, Hughes Primary School identified what appeared to be mould forming adjacent to a heater in room B22.
- The school undertook cleaning of the carpet on 11 April 2022 and the area was again cleaned on 13 April as part of the whole of school holiday clean.
- A qualified assessor was engaged on 28 April to ensure the cleaning had been effective in removing the mould.
- The assessor's report was received on 5 May and confirmed the treatment of the original location of mould growth had been effective. However, elevated levels of mould and differing species of mould were detected when compared to an external air sample.
- As per the assessor's recommendations, the classroom space was isolated on 5 May and students relocated to the library.
- EDU media prepared correspondence for the school to issue to the parents of students in the affected room on the evening of 5 May.
- Air scrubbers were installed on 5 May and further precautionary treatment was undertaken to the carpet on 6 May.
- Further air samples were taken on 6 May at the completion of the work for the purposes of clearing the space.
- A clearance certificate was received on 10 May and the school has been advised the room can be re-opened.

Signatory Name: Andrew Parkinson
Title: Executive Branch Manager, Infrastructure and Capital Works
Date: 12 May 2022

Caveat Brief

To: Minister for Education and Youth Affairs
Subject: Improvement notice N-0000004242 issued to ACT Education Directorate
Date: 26 May 2022

- An Improvement Notice (Information Notice number N-0000004242), at Attachment A, was issued to the ACT Education Directorate on 24 May 2022 following the attendance of a WorkSafe Inspector on site. This Notice was issued under section 191 of the *Work Health and Safety Act 2011* (the Act).
- The date to remedy the contravention or likely contravention is 8 July 2022.
- On 20 May 2022 at 12.30pm a WorkSafe Inspector attended the Education Support Office at 220 London Circuit.
- Following the visit WorkSafe believes that the ACT Education Directorate has contravened Section 47 of the Act.
- Section 47 states “The person conducting a business or undertaking must, so far as is reasonably practicable, consult, in accordance with this division and the regulation, with workers who carry out work for the business or undertaking who are, or are likely to be, directly affected by a matter relating to work health or safety.
- The notice states “Through inadequate consultation, workers and others are exposed to an increased risk of injury (both psychological and physical) through the COVID-19 Planning for staff shortages Matrix, which allows variation in exceptional circumstances to the ACT Education Class Size Policy.”
- The WorkSafe notice outlines that the workplace visit was not able to establish or confirm that an agreed method for consultation was in place for the Education Directorate; and that the Education Directorate was unable to confirm the nature or process of the consultation method utilised by the Australia Education Union on for the COVID-19 Planning for staff shortages Matrix.
- The Directorate will commit to undertaking adequate consultation with workers and their representatives on the COVID-19 Planning for staff shortages Matrix, and ensure consultation complies with the *Work Health and Safety Act 2011* to comply with this notice.

Signatory Name: Kate McMahon
Title: Executive Group Manager, Education Directorate
Date: 26 May 2022

Caveat Brief

To: Minister for Education and Youth Affairs
Subject: Term 2 Week 5 WorkSafe at Calwell High School
Date: 26 May 2022

Summary of the Week

- New staff commenced at school including: SLB, SLC and SLC Inclusion.
- [REDACTED]
- 16 Major Negative Incidents occurred in Week 5 as of 26 May:
 - x Bullying
 - x Defiance
 - x Disruption
 - x Drugs
 - x Serious Threatening Behaviour
 - x Physical Aggression
 - x Harassment
 - x Abusive Language
 - x Property Damage
- One Suspension was issued as of 26 May:
 - [REDACTED] was suspended for [REDACTED] days following abusive language and threatening behaviour. Student due to return on [REDACTED]

Flex Ed Offsite Program

- Attendance at the program has been strong, with most students attending most days when able.
- [REDACTED]
- School engaged the family [REDACTED] following some heightened behaviour on the [REDACTED]
- As students are settling into the program some higher risk behaviours are being identified within the student cohort, these are being closely managed.
- Phase 2 planning for student reengagement in school underway:
 - Complex Case Management has offered support.
 - Current plan will include maintaining Flex Ed program while students are staggered in a return to school at Calwell High School campus, one or two students returning at a time.
 - Timing for initiating Phase 2 is being considered.

Open Night on 24 May

- Approx. 120 attended the information night.
- 93 students are identified in feeder schools with Calwell High School as their PEA school.
- All parent questions focused on school for their child/ren next year. No questions regarding WorkSafe or media reporting were noted.

- Staff from Theodore Primary School attended and took welcome packs for students who were unable to attend the information day.
- Three Calwell High School students spoke about their experiences (two Year 7 students and one Year 10 student). This was very well received by the attendees.

SPR Plan for Week 6

- The Calwell High School Special Purpose Review will be conducted at the school from 31 May to 3 June 2022.
- This will involve a panel of reviewers conducting a range of activities including consulting with teachers, school leadership, students and others in the school community, considering processes, procedures and documentations in place at the school and observing teaching practices.
- The reviewers represent educational expertise from multiple Australian jurisdictions.
- This work will result in a Special Purpose Review Report being provided to the school in early June – this will provide a framework for activities to address any identified opportunities for school improvement.

Update on WorkSafe Notice response

- School Operations have collaborated with Safe at School Taskforce to develop responses to the three WorkSafe notices issued on the 18 May 2022:
 - Improvement Notice N-0000004146: Emergency evacuation and lockdown procedures
 - Improvement Notice N-0000004148: First Aid Kits
 - Improvement Notice N-0000004149: All Staff Training .
- 4146 – Safe at School team finalising the response letter to WorkSafe. A caveat brief was provided to MO 19 May 2022 ([SUB22/9440](#)).
- 4148 – formal response letter to WorkSafe is with DDG for clearance. A caveat brief was provided to MO 19 May 2022 ([SUB22/9440](#)).
- 4149 – formal response letter to WorkSafe is with DDG for clearance. A caveat brief was provided to MO 18 May 2022 ([FILE2022/5248](#)).
- Inconsistency identified in review of Emergency Evacuation and lockdown procedures resolved in consultation with school.
- Emergency Management Plan made to align with Staff Handbook 2022 and signage in schools.
- Responses to all three notices progressed to DDG for approval on 25 May 2022:
 - Notice - 4146 response in TRIM SUB22/9593
 - Notice - 4148 response in TRIM SUB22/9594
 - Notice - 4149 response in TRIM SUB22/9577.

Signatory Name: Mark Huxley, Executive Group
Manager, School Improvement

26 May 2022

Trim No.

Caveat Brief

UNCLASSIFIED

To: Yvette Berry MLA, Minister for Education

From: EBM, ECRS, Education Directorate

Subject: Complaint by [REDACTED] RE: CECA enquiry related to [REDACTED]

That you note the complaint received relating to CECA's performance of Regulatory functions and work underway to respond.

Noted / Please discuss

[REDACTED]
Yvette Berry MLA. [REDACTED] /...../...../.....

Summary

A [REDACTED] is complaining to CECA that CECA failed to address allegations of inadequate supervision and risk to children at [REDACTED] in January 2021. [REDACTED] raised allegations that inadequate supervision had resulted in [REDACTED] to [REDACTED] by [REDACTED]

[REDACTED] wrote that [REDACTED] "was instructed" by the ACT Ombudsman to complain directly to CECA regarding this matter.

[REDACTED] is demanding a response and advised that [REDACTED] also intends to escalate this matter externally and publicly, as [REDACTED] advocates there are very serious public interest dimensions to what has occurred.

For incidents of harm where a child has caused the harm to another child, CECA's role is to ensure the service has, and is, undertaking best practice steps to protect and support both children. Where a child is exhibiting sexualised behaviour that is not consistent with usual child exploration and development, there is also a protective role for the service towards that child.

[REDACTED] also raised this matter with the Human Rights Commission (HRC) earlier in 2022. CECA has corresponded with the HRC on this issue and advised the HRC that CECA will cooperate fully with any investigation they undertake on the issue.

Mr Moysey is formally reviewing CECA's response to [REDACTED] matter and has advised [REDACTED] in writing of the review.

Background

CECA were aware of [REDACTED] concerns in January 2021. At the time [REDACTED] advised that [REDACTED] did not wish to make a formal complaint. [REDACTED] said [REDACTED] was liaising with the service and just wanted advice from CECA regarding how to protect [REDACTED]

At the time CECA explained its role in an email to [REDACTED] and provided access to the complaint form.

The approved provider of the service notified CECA of [REDACTED] complaint to the service on 19 January 2021.

CECA maintained oversight of the Provider's management of the issue. CECA supported the provider to proactively manage the safety of the children in question and any other children. Emails shared with CECA between the provider and [REDACTED] suggest that [REDACTED] concerns were addressed.

No further correspondence or contact was had with [REDACTED] until February 2022, when a complaint was lodged directly to CECA about the same issues identified in January 2021. The lodgement of a complaint at this time appeared to be in the context of [REDACTED] being informed by [REDACTED] of a similar instance of [REDACTED] that occurred with [REDACTED] in 2021.

Authorised Officers conducted additional enquiries with the approved provider and reached out to the [REDACTED] identified in [REDACTED] complaint when provided contact details. [REDACTED] told CECA that they had [REDACTED].

CECA wrote to [REDACTED] advising the outcome [REDACTED] complaint.

CECA's considerations

At the time the issue was first reported to CECA, CECA was satisfied that the provider was managing the issue appropriately. The provider applied protective supervision for the children involved and CYPs provided advice in this regard to the service as well.

CECA enquiries with the provider did not establish any incident observed by staff members. CECA was satisfied that the provider and service had appropriately analysed the timing and location of the children in question based on [REDACTED] information to [REDACTED]

Following [REDACTED] direct complaint on 24 February 2022, [REDACTED] provided the names of [REDACTED] who [REDACTED] said had relevant information relating to the 2021 complaint. The [REDACTED] did not have information relevant to [REDACTED] experience. This [REDACTED] was concerned about supervision in the first half of 2021 in general but

declined to lodge a formal complaint or provide evidence despite a number of conversations and correspondence with the investigating officer.

The [REDACTED] had information that [REDACTED] experienced a similar incident to [REDACTED] in the first half of 2021. However, the information did not suggest the harm was instigated by [REDACTED] who harmed [REDACTED] in the first half of 2021. Again, despite a number of conversations and correspondence with the investigating officer the [REDACTED] declined to lodge a complaint or provide evidence.

[REDACTED] clearly and consistently expressed a preference not to pursue providing evidence for reasons of privacy. Consequently, CECA determined there was no information, evidence or leads that could be relied upon to pursue any further investigation, let alone prove that supervision was inadequate.

Next steps

Mr Moysey will review and respond to [REDACTED] directly.

CECA is about to commence a three month Risk Assessment and Management campaign, including targeted auditing of providers, with three focus areas:

- Play equipment and supervision.
- Child allergies and medical conditions.
- Interactions between children that may pose a risk to child safety, health, and wellbeing. For example, challenging behaviours and body exploration between children, children touching other children's genitals etc

Attention on these focus areas as part of the usual auditing program commenced two weeks ago.

Contact Officer:
Sean Moysey

Contact Number:
[REDACTED]

Date:
27 May 2022

This record is not released in accordance with section 16 of the
Freedom of Information Act 2016
Outside of scope

Choose a Directorate:

To: Minister for Education and Youth Affairs Tracking No.: FILE2022/2802

Date: 02/06/2022

CC:

From: Executive Group Manager, Service Design and Delivery

Subject: Meeting with [redacted] (ACARA [redacted]) (ACARA [redacted]) and [redacted] (ACARA [redacted]).

Critical Date: 07/06/2022

Critical Reason: Meeting on 14 June 2022

Recommendation

That you note the information contained in this brief to support your meeting with representatives from the Australian Curriculum Assessment and Reporting Authority (ACARA) on 14 June 2022.

Noted / Please Discuss

Yvette Berry MLA/...../.....

Minister's Office Feedback

Background

Reforms to the National Assessment Program (including NAPLAN)

1. Currently, NAPLAN testing is conducted in term 2. In November 2021, Education Ministers gave final approval to conduct NAPLAN in term 1 from 2023 onwards. The test window was from Wednesday 15 March to Monday 27 March 2023. All results,

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except for writing, will be returned to jurisdictional Test Administration authorities (TAAs) within weeks.

2. From 2023, the existing triennial sample assessments for years 6 and 10 in Science, Civics and Citizenship, and Digital Literacy will move from October to term 2.
3. Opt-in assessments in Science, Civics & Citizenship and Digital Literacy for Year 6 and Year 10 students will be available to any school or system. They will be phased in over three years, starting with Science in 2024, Civics and Citizenship added in 2025 and Digital Literacy added in 2026.
4. Results of these opt-in assessments will be available to participating schools and systems to support their teaching and learning programs, and will not be reported publicly by ACARA.

Australian Curriculum Review

1. The ACT participated in all aspects of the Australian Curriculum Review between 2020 and 2022. The review process involved all eight learning areas, the general capabilities (excluding Literacy and Numeracy), and cross-curriculum priorities.
2. [REDACTED]
3. [REDACTED]
4. ACARA is undertaking further work in Health and Physical Education (HPE) and Languages.
5. ACARA are working to incorporate curriculum related to mental health for young Australians in HPE.
6. ACARA have completed their initial review of German, Indonesian, Korean, Modern Greek and Spanish regarding Languages. These languages will be released for public consultation before final revisions are made.

Issues

Implementation of Version 9.0 of the Australian Curriculum

1. In 2022, schools in the ACT will continue to use the Australian Curriculum Version 8.4; and this will remain accessible on the Australian Curriculum website during 2022. ACT schools will implement the updated Australian Curriculum Version 9.0 in its entirety from 2023.
2. A component of the implementation involves working with other areas within the Directorate to update academic reporting systems for ACT public schools to reflect the achievement standards of Version 9.0. Planning for this has already commenced.

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3. The Education Directorate will use the remainder of 2022 to support schools with familiarisation and professional learning, ahead of implementing the updated Australian Curriculum in 2023.
4. The ACT would appreciate ACARA playing an active role in the development of resources and professional learning that will aid ACT schools to transition from Version 8.4 to Version 9.0 of the Australian Curriculum.

Matters the Minister wishes to raise in relation to ACARA's work

5. It is anticipated ACARA will raise the proposed work around mental health to further develop the mental health curriculum and develop resources to support the implementation. It is likely the ACT will be involved in the consultation process through the HPE Curriculum Reference Group, Teacher Reference Groups and the F-12 Curriculum Reference Group. It appears these changes may not require EMM approval to address.
6. The ACT supports the work on Mental Health within HPE returning to Ministers for consideration when completed given the importance of Mental Health being highlighted during the pandemic. This decision could also be delegated to AESOC for approval if Ministers were comfortable, given it is a subset of one learning area, and not the whole curriculum.

Consent Education

7. Consent education, in the context of comprehensive sexuality and relationship education, is a critical measure in the prevention of gender-based violence. This will be enhanced by ACARA enshrining consent education across all year levels in the Australian Curriculum.
8. The Education Directorate (the Directorate) provides support to ACT public schools in the delivery of relationships and sexuality education through promotion of relevant resources and access to professional learning to increase their skills and confidence. The Directorate also maintains effective partnerships with community organisations that provide additional professional learning and related resources.
9. In the 2021-22 Budget, the ACT Government funded the recruitment of a team of gender equality coaches. The Education Directorate has recruited these coaches to support a whole of school approach to gender equality and inclusion. The coaches provide resources and professional learning to support continuous improvement of the way respectful relationships, sexuality, and consent education is taught.
10. In July 2021, the Directorate welcomed representatives from ACT public schools, Catholic and Independent schools, the Youth Advisory Council, TQI, University of Canberra, ACT Policing and parents to a roundtable event to discuss respectful relationships, sexuality and consent education. The roundtable provided an

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opportunity for participants to share their expertise and highlighted the collective commitment to address this community wide challenge.

11. The Acting Federal Education Minister, the Hon Stuart Robert MP, wrote to the ACT Minister for Education and Youth Affairs seeking support to implement a national survey of Australian secondary school students in the latter half of 2022. The survey has been developed by the Australian Human Rights Commission in partnership with Chanel Contos, Teach Us Consent founder, and seeks to better understand young people's experiences and attitudes on consent education.

Financial Implications

12. Resources will need to be allocated within the Education Directorate to support schools with the transition from the Australian Curriculum Version 8.4 to Version 9.0.
13. Schools will also need to allocate resources to curriculum planning and staff professional learning, which will be supported by the Education Support Office in the Directorate.

ConsultationInternal

14. Wellbeing and Inclusive Policy and Service Design were consulted in the development of this brief.

Cross Directorate

15. Analytics and Evaluation were consulted about reforms to the National Assessment Program.

External

16. Nil.

Work Health and Safety

17. Nil.

Benefits/Sensitivities

18. The Version 9.0 of the Australian Curriculum will provide a more dynamic curriculum for ACT schools. The increased focus on general capabilities aligns with the Education Directorate's Future of Education strategy.
19. The strengthening of consent education from Foundation to year 10 in Version 9.0 aligns with the Directorate's Future of Education Strategy. The revisions support other ACT Government priorities expressed in the ACT Women's Plan, the ACT Capital of Equality Strategy, Set up for Success Early Childhood Strategy, the Safer Families reforms and the ACT Aboriginal and Torres Strait Islander Agreement. The inclusion of consent education is likely to receive positive community feedback in the context of the national discourse relating to gender-based violence.

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20. Earlier administration of NAPLAN will result in more usable data for schools. Schools and teachers will be able to use NAPLAN to inform teaching.

Communications, media and engagement implications

21. Nil.

Signatory Name: Sam Seton

Phone: 59205

Action Officer: Jan Herold

Phone: 58528

Caveat Brief

o: Minister for Education and Youth Affairs

Subject: ACT Public Witness – Disability Royal Commission Public Hearing 24

Date: 3 June 2022

- The Disability Royal Commission is holding public hearings in Canberra from 6-10 June on the topic of the experiences of children and young people with disability across different school settings, including special education settings. The particular focus is on Western Australia and South Australia with witnesses appearing from those jurisdictions' education departments.
- The Directorate has been made aware that an ACT Public School student and [redacted] will also be appearing. While the student has not been named, the details provided from the Commission indicate it is likely to be [redacted]. These witnesses will be presenting at the public hearing on Wednesday 8 June 2022.
- [redacted]
- [redacted]
- [redacted]
- [redacted]
- The Directorate will be monitoring the hearings next week and has prepared for any media enquiries that may arise.

BACKGROUND

- [redacted]
- You have met with [redacted] to discuss the inclusion of children with a physical disability in ACT Public Schools.
- [redacted] concerns include the level of training provided to EDU staff supporting students with disability, particularly students with physical disability - [redacted]

- [Redacted]
- [Redacted]
- [Redacted] Primary School, Network Student Engagement Team (NSET) and other Education Support Office staff worked to respond to [Redacted] requests to ensure [Redacted] had the supports and reasonable adjustments [Redacted] required.
- [Redacted]
- Infrastructure and Capital Works completed a range of projects to support [Redacted] access [Redacted]
- NSET and other ESO staff also worked with [Redacted] leadership to strengthen the school's culture of inclusion.
- At times demands on [Redacted] Primary School staff caused communications to be strained with [Redacted]; resulting in staff completing Riskman reports and high staff turnover. In late 2017 a communication pathway was established to manage [Redacted] requests.
- In April 2021 a Directorate led Case Management Team commenced at [Redacted] Primary School and has been successful in supporting [Redacted] Primary School and transitioning [Redacted].

Signatory Name: Nicole Moore
Title Executive Branch Manager, Strategic Policy
Date 3 June 2022

These records are not released in accordance with section 16
of the *Freedom of Information Act 2016*
Outside of scope

Caveat Brief
FOR OFFICIAL USE ONLY

To: Yvette Berry MLA, Minister for Education

From: EBM, ECRS, Education Directorate

Subject: Early Childhood Educator charged with common assault and acts of indecency against children

That you note the response of the Children’s Education and Care Assurance (CECA) in response to information received from ACT Policing, Sexual Assault & Child Abuse Team (SACAT).

Noted / Please discuss

[Redacted signature block]

Summary

On the afternoon of Friday 27 May 2022 CECA issued a prohibition notice to [Redacted] on the basis of verbal information provided to CECA from ACT Policing’s Sexual Assault and Child Abuse Team (SACAT).

CECA has liaised with WWVP Unit, Access Canberra, and proactively shared details of the Prohibition with them. CECA has proactively shared all available evidence obtained from the provider with SACAT via Reportable Conduct information sharing provisions under *Children and Young People Act 2008*.

On 29 May 2022, ACT Policing laid two charges of acts of indecency to a child, and one count of common assault against [Redacted]. Media alerts of the charges were issued on ACT Policing website and via RIOTACT. The Canberra Times and ABC News also reported the charges.

Summary

[Redacted summary content]



Next steps

CECA's investigation continues and is awaiting a full statement of facts and any other information from SACAT under the information sharing provisions.

Contact Officer:
Sean Moysey

Contact Number:



Date:
31 May 2022



MINISTERIAL BRIEF

UNCLASSIFIED

To: Minister for Education and Early Childhood Development TRIM No: FILE2022/5094

CC:

From: Director-General

Date: 20/05/2022

Subject: Mid-year update of 2022 Report on Government Services

Critical Date: Prior to release date on 7 June 2022

Critical Reason: The Productivity Commission will release the mid-year update of 2022 Report on Government Services on 7 June 2022.

Purpose

To brief you on the new content included in the mid-year update of Chapter 3: Early childhood education and care, and Chapter 4: School education of the *Report on Government Services (RoGS) 2022*.

Recommendations

That you:

- note** the briefings on Chapter 3: Early childhood education and care (Attachment A) and Chapter 4: School education (Attachment B) and that both chapters are within Part B, scheduled for release on 7 June 2022;

Noted / Please Discuss

- note** the chapter briefings have also been forwarded to the ACT Report on Government Services Steering Committee member for inclusion in preparations for chapter releases and a briefing to the Chief Minister prepared by the Chief Minister, Treasury and Economic Development Directorate.

Noted / Please Discuss

Yvette Berry ML



... .. /

UNCLASSIFIED

TRIM No:

Minister's Office Feedback

Background

1. From 2022 onwards, the Productivity Commission will release a mid-year update of the Report on Government Services. The mid-2022 release of RoGS, will include updates for (up to) sixteen performance indicators data across five areas: ECEC (section 3), School education (section 4), VET (section 5), Police services (section 6) and Housing (section 18).
2. This mid-year release includes updated data for
 - ECEC participation, parent costs for ECEC services, and ECEC outcomes.
 - School student enrolments, attendance and retention.
3. The briefings for the first release of RoGS 2022 Volume B on 1 February 2022 are in FILE2021/5147.
4. Each chapter includes a set of performance indicators, consistent with the principles set out in the Intergovernmental Agreement on Federal Financial Relations; with an emphasis on time series reporting for continual improvement.

Issues

5. The process for release is similar to the annual release process, with the key dates being:
 - 11am, Tuesday 31 May – Embargoed electronic access to a secure website (sections 3, 4, 5, 6 and 18) one week prior to public release.
 - 9am, Monday 6 June – Advance embargo access to media
 - 12.15am, Tuesday 7 June – Public release.
6. The embargoed updated RoGS 2022 chapters and data are accessible at:
<https://www.pc.gov.au/embargo/rogs202206>
 - Username:
 - Password

Chapter 3 - Early childhood education and care: ACT performance (Attachment A)

7. Based on 50 hours of care, the ACT had the highest median weekly cost of centre-based care and family day care in 2021, at \$610 and \$582 per week respectively (Table 3A.22). These costs were respectively \$67 and \$52 above the Australian median costs

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TRIM No:

UNCLASSIFIED

for these services.

8. The median weekly cost of centre-based day care in the ACT in 2021 increased by \$6 (1.0%) from 2020, while nationally the increase was \$10 (1.9%). For family day care, the median cost in the ACT decreased by \$26 (-4.3%), while nationally there was an increase of \$8 (1.5%).
9. In 2021, 59 percent of ACT children aged 0 to 5 years attended an Australian Government Child Care Subsidy (CCS) approved childcare service, a small increase from 57 percent in 2020 and representing the highest rate in Australia.
10. In 2021, 102 percent of ACT children in the Year before Full-time Schooling cohort were enrolled in a preschool program, with 139 percent of Aboriginal and Torres Strait Islander children enrolled.
11. These data can exceed 100 percent due to the denominator being an estimate of resident population compared with the actual count of enrolments in the numerator.

Chapter 4 - School education: ACT performance (Attachment B)

12. Attendance rates for year 1 to 10 students fell across most jurisdictions between 2019 and 2021. Nationally, the change for all schools and students was from 91.4 percent in 2019 to 90.9 percent in 2021.
13. In the ACT, the attendance rate for year 1 to 10 students in Semester One improved from 91.1 percent in 2019 to 91.6 percent in 2021 (Table 4A.20).
14. An increase was also observed for ACT public school attendance rates for years 1 to 10 2019 (90.1%) compared with 2021 (91.0%) (Table 4A.18)
15. The 2021 attendance rate for ACT Aboriginal and Torres Strait Islander students in Semester One across years 1 to 6 (85.8%) was seven percentage points lower than that of non-Indigenous students (93.0%).
16. For ACT Aboriginal and Torres Strait Islander students the attendance for years 7 to 10 (78.9%) was 11 percentage points lower than that of non-Indigenous students (90.2%).

Financial Implications

17. Nil

Consultation

Cross Directorate

18. The chapter briefings have been developed in consultation with policy areas across the Education Directorate.

External

19. Each State and Territory participates in the working group to review and develop agreed performance indicators, identify appropriate data sources, and edit each

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chapter with particular attention to ensuring that all jurisdictional data is accurate.

Media Implications

20. The talking points included with the chapter briefs will be used as important sources for the CMO and CMTEDD Communications to respond to media inquiries
21. The talking points at Attachment C cover the content of Chapters 3 and 4 not just the mid-year release.

Katy Haire
Director-General

Executive Branch Manager: Robert Gotts	Phone:	620 76197
Senior Director: Simon Tiller	Phone:	620 59317

Attachments

Attachment	Title
Attachment A	Brief RoGS 2022 Chap 3 Early childhood education and care
Attachment B	Brief RoGS 2022 Chap 4 School education
Attachment C	Potential social media and talking points for Chapters 3 & 4

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TRIM No:



MINISTERIAL BRIEF

UNCLASSIFIED

To: Minister for Education and Early Childhood Development

CC:

From: Director-General

Date: 20/05/2022

Subject: Mid-year update of 2022 Report on Government Services

Critical Date: Prior to release date on 7 June 2022

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TRIM No: FILE2022/5094

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Noted / Please Discuss

- note** the chapter briefings have also been forwarded to the ACT Report on Government Services Steering Committee member for inclusion in preparations for chapter releases and a briefing to the Chief Minister prepared by the Chief Minister, Treasury and Economic Development Directorate.

Noted / Please Discuss

Yvette Berry ML



...../...../.....

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TRIM No:

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Financial Implications

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Consultation

Cross Directorate

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External

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TRIM No:

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Katy Haire
Director-General

Executive Branch Manager: Robert Gotts	Phone:	620 76197
Senior Director: Simon Tiller	Phone:	620 59317

Attachments

Attachment	Title
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Attachment B	Brief RoGS 2022 Chap 4 School education
Attachment C	Potential social media and talking points for Chapters 3 & 4

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TRIM No:

These records are not released in accordance with section 16
of the *Freedom of Information Act 2016*
Outside of scope

Caveat Brief

To: Minister for Education and Youth Affairs
Subject: Calwell High School, WorkSafe Notice 3618
Date: 9 June 2022

- Following attendance by Inspectors on site at Calwell High School on 31 March 2022 WorkSafe issued an improvement notice under section 191 of the *Work Health and Safety Act 2011*.
- The Notice requested the Education Directorate (the Directorate) “Review and revise the current safe system for controlling the risk of Occupational Violence in the workplace.”
- The Directorate provided WorkSafe with evidence in response to this Notice and WorkSafe has been reviewing this information.
- Representatives from the Directorate met with WorkSafe on 8 June 2022 to clarify follow up questions from WorkSafe.
- WorkSafe have now considered all supplied information, including the responses to clarifying questions, and are satisfied that Improvement Notice N-000003618 has been complied with. Therefore



28/06/2022

Signatory Name: Kate McMahan
Title Executive Group Manager,
Safe at School
Date 9 June 2022

Education Directorate

To: Minister for Early Childhood Development
Minister for Education and Youth Affairs

Tracking No.: **FILE2022/16**

Date: 12 May 2022

From: Director-General

Subject: Minister's Weekly Brief

Recommendation

That you note the information in this brief and attachments

Noted / Please Discuss

Yvette Berry MLA

...../...../.....

Minister's Office Feedback

Key Topics/Emerging Issues

1. 2023 Enrolments - Update

As at midnight **29 April** 3652 enrolment applications for the 2023 school year had been received. This is 1014 (22%) fewer than the same period last year.

Preschool and kindergarten enrolments are both lower than the same period last year, Preschool applications from 2441 to 1850 (-24%) and Kindergarten from 394 to 198 (-33%).

Year 7 enrolments are down 107 from 827 to 720 (-13%), and Year 11 enrolments are down 119 from 679 to 560 (-18%).

The lower number of enrolments may reflect the community's increased understanding that they have until early June to submit applications to be considered in the bulk round. It may also reflect the slowed enrolment growth noted in the 2022 census figures. No significant issues have been experienced to date with the online enrolment form and supporting systems.

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Renewed social media messaging about the opening of enrolments has been put in place this week. Schools will process applications after the close of the bulk round at midnight on 3 June 2022 and offers will be sent out from 25 July.

Infrastructure and Capital Works Projects

2. Capital Upgrades

Evatt Primary School

Upgrade of the main hall heating and cooling system has been completed with a new 100% electric reverse cycle split system providing a reduction in overall gas consumption. The system technology has been incorporated with the building management system to provide live data on the system performance and energy use.

3. Repairs and Maintenance

Hughes Primary School

A classroom was closed for two days as unexpected mould levels were detected in the air following cleaning of an isolated mould growth. The school relocated the class to the library while remediation works were underway.

Mt Stromlo High School

A fire hydrant main ruptured on the afternoon of 6 May 2022. Contractors were on site that day and isolated the leak. The local fire brigade was informed about the isolation of the service and repairs were completed on 11 May 2022.

4. Major Projects

East Gungahlin High School (EGHS)

High level design option studies for the Harrison and Kenny stormwater connection through the school site into the nature reserve, as well as the school's swale and batter interaction in the nature reserve were received on 27 April 2022. Design options were presented by the project team to the Conservator's Office and ACT Parks and Conservation Services at a meeting on 27 April 2022. At the meeting, 4 options were considered, and a decision on the way forward was not reached, with additional information requested by the Conservator's Office and ACT Parks and Conservation Office.

Further discussion took place at the EGHS Senior Executive Governance Group meeting on 28 April 2022. The group agreed to pursue Option 4, which is the school's development application for a head wall, which was approved by the Conservator's Office (with conditions) previously. Further design works for the Harrison and Kenny stormwater connection through the nature reserve will be ongoing between the Territory's working group which includes, Directorate officials from MPC, SLA, EPSDD, TCCS and Education.

Redesign works are currently being completed within the current program, however given a decision was not made and additional information has been requested there is significant risk for program impacts. Icon SI will be providing advice on when a decision needs to be made before program and construction is impacted.


TCCS and their civil contractor are continuing with road works on the Albatross Crescent intersection and Well Station Drive. Ongoing works on these roads will result in changed traffic conditions as staged works progress.

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Margaret Hendry School Expansion and North Gungahlin High School

Building approval has been received for the new two storey learning community for Margaret Hendry School, the community room and additional carpark. Excavation works commenced on 3 May 2022 in preparation for inground services, structure, and retaining walls.

The business case requesting top-up funding to deliver the full high school design has been submitted to Treasury

Throsby Primary School

The multiple purpose hall and associated landscaping works received a Certificate of Occupancy and Use on 29 April 2022; these spaces were handed over to the school on 2 May 2022. Remaining landscaping works are being handed over progressively to allow staff and students to use these areas during class and break times.

Garran Primary School modernisation

Purdon Planning will be providing a consolidated report with the results of the drop-in session and on-line consultation once it closes. This report will also form part of the overall Territory Plan Variation submission.

CK Architecture presented their masterplan options to the project team on 4 May 2022, as well as issuing their masterplan report. As part of the report initial cost plans were also provided. The project team and Garran Primary School executives will provide a response on the preferred option to develop to preliminary sketch plans.

New primary school in Strathnairn

Initial high-level masterplans were presented to the project team on 6 May 2022 for review and comment. The Directorate is working with the Ginninderry developers to assist with finalising the Estate Development Plan for the school block and surrounding road infrastructure.

Zero Emissions Schools - Chemistry Laboratories

To support ACT public schools on the pathway to zero emissions, Major Projects is investigating how to remove gas infrastructure from chemistry laboratories. Science teachers at ACT public schools currently rely on equipment such as gas bunsen burners to heat their experiments. To learn about alternative approaches, representatives from the Directorate visited the ANU's Research School of Chemistry on 28 April 2022. A tour of the facilities highlighted how the school has successfully transitioned its state-of-the-art science teaching building to use electric heating equipment, allowing for gas supply lines to be closed off. The information gathered during this visit will help to transition to fossil gas free new ACT public schools.

FOR NOTING**5. Secondary Student Chromebook Refresh**

The Directorate has finalised the delivery of the new student Chromebooks to schools for the three-year refresh cycle of these devices. This refresh mainly affects Year 10 students who were given a Chromebook at the commencement of Year 7 in 2019. In total 3,107 devices have been delivered as part of this device refresh.

6. eSafety

As part of the Directorate's ongoing eSafety program the termly eSafety reminder pop up was deployed and will be displayed on a separate tab next to Students' Digital Backpack login screen for the first five weeks of Term 2 or until the student clicks 'agree'. This initiative began in Term 1 2020 and has occurred every term since.

Term 2's theme is "A better internet starts with me" which is intended to highlight the students right and responsibilities whilst using the internet. The Pop Up is designed to allow students to either complete on their own or to be a tool for the teachers to lead their classes through a discussion and learning moment structured around the eSafety principles and themes promoted.

7. Survey Results from the School Youth Support Worker Community Information Forum

Prior to the community information forum you attended on 12 April, a pre-survey was sent out to all participants. The survey contained some demographic questions and looked at potential gaps in linkages to services, links to other youth support workers, and training needs. 32 staff responded to the survey. Key information from the survey includes:

- 38% responded 'somewhat' that they felt they had the correct skills to manage the challenges in their role.
- 47% had no linkages to other Youth Support Workers.
- 47% were working in Primary schools.
- Professional learning in responding to trauma/complex trauma, anxiety, depression, suicidal ideation, and working with primary school students was identified as an area of need.

The Youth Coalition is currently drafting a Youth Support Workers Code of ethical practice which will include training outlining how to embed ethical conduct into practice, supervision, policies and recruitment.

8. CIT Reform – review of CIT course offerings

As part of the significant reform activity currently being undertaken by CIT, and to support its commitments to Cabinet to analyse current CIT course offerings, CIT is providing opportunities for the Directorate to provide input and feedback on its course offerings.

On 28 March 2022, Directorate representatives met with CIT to explore qualifications identified as eligible discontinuation and a range of those eligible for reconfiguration.

Discussion focused on the impact any recommendations about these qualifications may have on current and future student to industry VET programs. CIT is committed to continue consultation with the Directorate on course offerings and has agreed to share insights and outcomes of its industry consultation process.

9. Waruga Yardhura On Country

Waruga Yardhura has developed a Boys On Country program aimed at engaging Aboriginal and Torres Strait Islander students while extending their social connections to youth services, community and country. The eight week program includes cultural connections, curriculum links and wellbeing elements. On Country sessions will be run by Yurbay fortnightly, with alternate days spent at Gungahlin Youth Centre and Real FITT in Mitchell.

10. Update on Head Start Pilot Program

An initial information session about Head Start was held for school staff on 6 April 2022. Information sheets for schools, students and employers has been published on the Service Portal and Education Directorate websites. The Directorate is continuing to consult with schools in Term 2 to inform the development of the Head Start delivery guide and employer induction materials.

The Head Start Industry Coordinator started on 26 April and has commenced industry engagement activities to secure employers for the program. Target industries for the first Head Start cohort will include flooring, hospitality, early childhood education and care and automotive refinishing (panel and paint). Recruitment for the remaining Head Start positions is in progress – recruitment for the Career Coach is in the final stages and the Social Worker position will be re-advertised in the coming weeks as no applications were received in the initial recruitment round.

The first cohort of Head Start places will be advertised from week 6 in Term 2, for commencement from Term 3. Head Start students will complete their pre-vocational training in Term 3 or 4 and commence employment by the end of 2022 or in early 2023, depending on the needs of students and employers.

11. Florey Oval engagement

On 10 May, Directorate representatives attended Florey Primary School's School Board meeting and Parents and Citizens Association meeting. The team supported the Principal to present the preliminary oval design concepts based on the ideas and feedback received from the students and school community groups. The desired outcome is to develop a portion of the Florey Oval to provide a suitable open space for the students at Florey Primary School and improve recreation facilities.

In recognition of the considerable crossover of ideas and suggestions to develop the Florey Oval, the Principal will also reach out to the Florey Oval community group representatives to invite their input and share future planned activities. The project was paused when the ACT entered a COVID-19 lockdown and restrictions were placed on visitors entering school sites. Funds have been identified in capital upgrade program to develop a portion of the oval in the next financial year.

Signatory Name: Katy Haire

Action Officer: Caitlin McGarvey

Attachments

Attachment	Title
Attachment A	Freedom of Information requests
Attachment B	EDU Cabinet Forecast
Attachment C	EDU Legislative Assembly Forecast
Attachment D	COVID-19 Report

Education Directorate

To: Minister for Early Childhood Development
Minister for Education and Youth Affairs

Tracking No.: **FILE2022/16**

Date: 3 June 2022

From: Director-General

Subject: Minister's Weekly Brief

Recommendation

That you note the information in this brief and attachments

Yvette Berry MLA



Please Discuss

...../...../.....

Minister's Office Feedback

Key Topics/Emerging Issues

1. CECA Risk Assessment and Management process

In response to a rise in notifications of serious incidents involving risks of harm to children, CECA will commence a targeted Risk Assessment and Management process in the coming weeks.

A keystone to risk management is ensuring the safety and wellbeing of staff. CECA will focus on areas of risk associated with:

- playground equipment;
- child allergies and medical conditions; and
- problematic, harmful or challenging sexualised behaviours.

CECA will engage providers and service leaders in auditing processes, resources and tools that unpack effective and balanced risk assessment and management strategies in early childhood education and care (ECEC) settings. These tools and resources aim to improve providers' capacity to undertake risk assessment and management for the safety and wellbeing of staff and children, including ensuring providers are equipped to meet their work health and safety obligations.

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CECA will share these resources and tools through existing channels. CECA is also planning a Risk Management forum, where participants will hear from risk assessment and subject matter experts, and can engage with, and apply practical risk assessment and management resources and tools.

During June, ECEC providers can expect increased CECA focus on potential risks, harm, and hazards in the context of playground equipment, child allergies, medical conditions, and interactions between children. During August and September, providers can expect audits of providers' risk assessment and management processes. Feedback will be provided on audit findings to support self-assessment and continuous improvement.

2. Delay in NQF Decision Regulatory Impact Statement (DRIS) release date.

In the previous MWB (23 – 29 May 2022), you were advised that the NQF DRIS would be published to the Australian Public on Thursday 26 May 2022.

The Federal Government has requested a delayed release date of 8 June 2022 to allow time for a new Federal Minister to be briefed. It is understood by ECPG members that this delayed date will not compromise Victoria's legislative timeframes.

3. Procurement for the Review of the Model of Delivery of School Sport in the ACT

The Directorate has finalised the Request for Quote (RFQ) to advance the review of the delivery model of school sport in the ACT. Three potential vendors have been identified. The RFQ was issued to these vendors in the week of 31 May 2022. School Sport ACT has been advised of the current status of the review.

Director General/Minister's Office Requested Updates

4. Canberra Theatre Centre Meeting

On 6 May 2022 [REDACTED] of the Canberra Theatre Centre (CTC), requested you meet an Arts Education Specialist, [REDACTED] has been commissioned by the CTC to have discussions with a range of stakeholders in the ACT and advise on ways to promote their offerings (FILE2022/4944).

A meeting between Directorate and CTC representatives occurred on 19 May 2022 with a focus on what CTC could do to make their offerings more relevant and appealing to ACT public schools, in relation to live performances and targeted education programs. The group also discussed ideas for how CTC could support ACT schools with delivering the *Australian Curriculum: The Arts* and opportunities to extend learning experiences into other related areas of the curriculum such as the English and Technologies learning areas.

The Directorate representatives have offered support by communicating CTC's events and activities via official communication channels. Information about which education associations could be involved in developing an effective strategy for wider engagement of CTC resources was also shared with CTC representatives.

Infrastructure and Capital Works Projects

5. Repairs and Maintenance

Suspected mould was reported in 'Pod 3' at Palmerston Primary School on 20 May 2022.

A consultant was engaged to undertake testing and confirmation was received on 26 May 2022. The confirmation of mould coincided with students in this area being moved to remote learning due to workforce pressures. Remediation of the mould occurred on 28 May 2022 and a clearance certificate

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issued on that day. However, further issues have been discovered in the hall and the admin area. The extent of mould and any required space closures are continuing to be investigated.

6. Major Projects

East Gungahlin High School

Construction of the haulage road has commenced. This road will allow site access as works are progressing on Wells Station Drive and the Albatross Crescent extension. Major Projects Canberra has written to the Conservator's Office seeking to close out the DA conditions relating to stormwater and nature reserve interface.

Margaret Hendry School Expansion and North Gungahlin High School

Excavation works are nearing completion for Margaret Hendry School with the detailed excavation underway for inground services. Building footings have been excavated and concrete pours commenced on 26 May 2022.

On 24 May 2022 a student entered the Margaret Hendry School construction site through an unsecured gate. The gate was locked by the head contractor however it was not latched correctly. The head contractor's site safety plan was implemented as soon as the student was identified onsite, with school staff collecting the student and returning [REDACTED] safely to school. The head contractor and Project Team have since reviewed the site safety plan to identify any shortcomings. Any identified issues have been rectified and implemented into a revised site safety plan.

A Q&A session was held between the K-2 students, the project delivery team and representatives from the head contractor. The viewing windows through the site fence have been well received by the students with lots of interest in the construction activities.

Garran Primary School Modernisation

CK Architecture and the Project Team have commenced the Preliminary Sketch Plans based on the preferred Masterplan. The first draft of the Preliminary Sketch Plans was presented to the Project Team on 1 June 2022. Purdon Planning are compiling the draft Territory Plan Variation report for review by the Project Team prior to being submitted to the Environment, Planning and Sustainable Development Directorate.

New primary school in Strathnairn

CK Architecture delivered their Masterplan presentation, cost plans and report to the Project Team on 31 May 2022. The Directorate is working with the Ginninderry developers to assist with finalising the Estate Development Plan (EDP) for the school block and surrounding road infrastructure. The developers have advised the EDP is on program to be lodged by early June 2022.

7. New Chromebook Warranty Portal

Over the past fortnight, 3,661 Chromebooks have been delivered to high schools and colleges supporting Year 7 and new secondary students participating in the Digital Access & Equity program.

As part of the support for Chromebooks provided to schools, the Directorate has facilitated a new Chromebook warranty portal for schools. This portal will provide school staff a simple, single process for logging warranty jobs for student Chromebooks. This process will save time, effort and ensures that Chromebook stocks are replenished in schools in a quicker and more efficient way.

8. Internet Support SIMs

As part of the ongoing commitment of providing 250 internet support for secondary students that do not have access to the internet at home, the Directorate has worked with schools on the current need to support students through any remote learning periods. Currently, the need for internet

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support has been reduced from over 900 in Term 3 2021, to just over 500 internet support services. The Directorate continues to work closely with the schools to support their students' needs.

9. Primary School Device Refresh

The Directorate has finalised Chromebook device numbers for the four-year refresh cycle for ACT public primary schools. The purchase of these devices is dependent upon the new contract, that is expected to be signed by early June 2022.

The expected delivery of these devices to primary schools will occur following the contract agreement.

10. Computers for Teachers and Computers for Administration Staff – Refresh Delays Continue

The Computers for Teachers and Computers for Administration Staff program provides school staff with 1 device per 1 full time FTE teacher, and 1 device per 1 FTE school administration staff member. Each year the Directorate supports Digital, Data and Technology Solutions (DDTS) in CMTEEDD to refresh devices that are over four years old, and to top up laptop numbers based on this ratio.

Due to worldwide hardware component shortages caused by COVID-19, DDTS' suppliers have not been able to complete orders that have been outstanding for over 24 months. DDTS are not able to advise of the next delivery.

The Directorate and DDTS have engaged with schools to prioritise laptops that require immediate replacement and to support school staff with appropriate alternative options until laptop orders are fulfilled, including Chromebooks or desktop computers. Staff laptops are starting to fail, placing pressure on school staff.

Updates are being provided to school ITOs and through School Bulletins to keep schools informed of the challenge.

11. School Administration System (SAS) – Parent Portal

As part of the SAS ongoing enhancement plans, the Directorate has planned to onboard schools to use the Parent Portal to facilitate online centralised communications commencing Semester 2. This process has been delayed due to workforce priorities. The Directorate has engaged an external security specialist (Cyconsol) to perform a Penetration Test. The findings of test have been received and actioned by Sentral.

The Parent Portal will initially onboard the remaining families at the Belconnen High School pilot, then rollout by region. The functionality for the Parent Portal will be incrementally released. The first release includes absence reasons; student timetable; academic reports; and link to ACT Feedback and Complaints. The second release will include excursion permissions and making payments. The third release will include deployment of the Mobile App.

FOR NOTING**12. ACT Civil and Administrative Tribunal – Suspension Appeal**

On 28 April 2022, the Directorate was served an Application for Review of a Decision through the ACT Civil and Administrative Tribunal. The applicant appealed the Directorate's decision dated 24 March 2022 to uphold a decision to suspend [REDACTED] for a period of 1 day in November 2021.

After further consideration of the matter, the Directorate decided to agree to have its 24 March 2022 decision set aside. The administrative effect of this process is that the suspension no longer

stands, and the student's record will be amended accordingly to reflect an explained absence instead of a suspension.

13. The Academy of Future Skills

On 19 May 2022, The Academy of Future Skills welcomed three personnel from Engineers Australia to tour the STEM Centre at Mungga-iri Jingee. They were seeking advice from the Academy on a proposed project that will involve refurbishing their Braddon head office space to accommodate a STEM outreach facility.

14. Royal Commonwealth Society International Queen's Essay Competition

On 28 March 2022, [REDACTED] from the ACT Royal Commonwealth Society, wrote to you requesting a meeting to discuss the Royal Commonwealth Society International Queen's Essay Competition (FILE2022/3375). A Directorate representative contacted [REDACTED] on your behalf to discuss how the Directorate could promote this competition. Information about the competition was included in the Schools Bulletin distributed to all ACT public schools on 31 May 2022.

15. Gender Equality in Schools Initiative

Recruitment of the Gender Equality in Schools team has been finalised. The team is developing an approach to gender equality in ACT schools. The approach will leverage existing frameworks and support to embed an intersectional gender lens and assist schools in working towards gender transformative practice. Meanwhile, the team is identifying opportunities to connect with schools and support inclusive practice.

Early in 2022, the Gender Equality Team was invited to attend the University of Canberra Health and Physical Education lecture that was delivered by SHFPACT and addressed gender inclusion in HPE and sport. Following this, the team supported connection between SHFPACT and Health and Physical Education Executive teachers across ACT public schools, including representatives from the Safe and Inclusive Schools (SAIS) Initiative. On 18 May, the information presented at UC was delivered by SHFPACT and SAIS partners to HPE Executive Teachers.

With gender diversity and participation in sports being highlighted in recent media, SAIS partners shared important information about participation of gender diverse and female students, encouraging HPE Executives to consider inclusive practice for physical movement education. This was also an opportunity to introduce the Gender Equality team and promote further professional learning available through SAIS.

16. Draft report: Understanding 'the Missing Middle': Children and Young People with Moderate to Severe Mental Health Concerns who experience difficulties accessing services.

The Directorate has received and is currently undertaking a review of the draft report *Understanding 'the Missing Middle': Children and Young People with Moderate to Severe Mental Health Concerns who experience difficulties accessing services*.

This report was a partnership between the Office for Mental Health and Wellbeing, the Youth Coalition of the ACT and Capital Health Network that aimed to better understand why some children and young people experience difficulties accessing mental health supports in the ACT. The project engaged with service providers across the community, government and private sectors to research what mental health services are provided and to whom; as well as to hear practitioners' perspectives about the 'missing middle'.

17. School Psychology Service Update

Dr Nadia Butler recently presented with Professor Laura Shannonhouse, PhD (Georgia University) at the Australian Psychological Society Clinical Psychologist Conference in Brisbane.

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The aim of the 2.5-hour workshop was to raise awareness of LivingWorks ASIST (Applied Suicide Intervention Skills Training) as a research-proven effective approach in improving skills for managing suicide intervention for clinicians.

Dr Butler was able to share how the Directorate developed a leading response to suicide intervention, which NSW and other jurisdictions are now following. Audience members were provided a demonstration of a suicide intervention, space to reflect on their practice, and had an in-depth overview of the research from Dr Shannonhouse.

18. ABC News – Education Remote Learning Digital Tools and Student Data Profiling

In an article published on the ABC news website, the global advocacy group, Human Rights Watch (HRW), reports that they have tested several educational digital platforms and identified data profiling/tracking enabled by some of these applications. This review also suggested these organisations were sharing gathered student profile data with advertising companies.

The Directorate's device level Chromebook internet filter system blocks student information from being sent to trackers. The Directorate's subscription service with ContentKeeper keeps this protection up to date as new tracking services are discovered worldwide. Google, Microsoft, Education Perfect and Seesaw, who were named in the report have denied the claims and are working with HRW to understand the findings and assessment methodology.

The Canberra Times media response was provided on 27 May 2022, summarising the protections in place and that the Directorate has commenced an immediate review of the findings.

Signatory Name: Katy Haire

Action Officer: Caitlin McGarvey

Attachments

Attachment	Title
Attachment A	Freedom of Information requests
Attachment B	EDU Cabinet Forecast
Attachment C	EDU Legislative Assembly Forecast
Attachment D	COVID-19 Report

Education Directorate

To: Minister for Early Childhood Development
Minister for Education and Youth Affairs

Tracking No.: **FILE2022/16**

Date: 10 June 2022

From: Director-General

Subject: Minister's Weekly Brief

Recommendation

That you note the information in this brief and attachments

Noted / Please Discuss

Yvette Berry MLA

...../...../.....

Minister's Office Feedback

Key Topics/Emerging Issues

1. Home Education Registrations

As at 31 May 2022, there are 462 children and young people registered for home education in the ACT. This figure represents a 12 per cent increase in registrations since the February 2022 census but is a similar level to 2021 and includes eight children and young people who are currently trialling a return to school.

Since the beginning of the year 134 children and young people were approved to commence home education registration. Of these 129 were new registrations and five were children and young people who had returned to home education within 12 months of leaving home education and returning to a school.

Of the 129 new registrations, 40 children and young people (30%) were described by their parents as having special needs (predominantly autism, anxiety, and multiple diagnoses).

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111 meetings were held between Home Education staff and parents of new or returning children and young people. During this time 90 children and young people left home education with:

- 44 moving to ACT public schools;
- 14 moving to ACT non-government schools;
- 19 moving interstate or overseas;
- 11 turning 17 years-old leaving home education;
- 1 moving to vocational education; and
- 1 being exempted from the education participation requirement.

2. 2023 Bulk Round Enrolments Update

The 2023 enrolment bulk round closed on 3 June. Offers for applications received in the bulk round will be made from 25 July 2022. Overall, enrolments submitted in the bulk round are 9.7 per cent lower than in the same period as last year, with 9473 applications submitted for 2023. This compares with 10,486 applications for 2022 received at the same point last year (midnight 4 June 2021) which is 1013 more enrolments.

Year level	2022	2023	Difference (No.)	Difference (%)
Preschool	3644	3090	-554	-15.2%
Kindergarten	1214	847	-367	-30.2%
Year 7	2246	2178	-68	-3.0%
Year 11	2989	3023	34	1.1%
Other	393	335	-58	-14.8%
Total	10486	9473	-1013	-9.7%

For 2022 enrolments, some preschools were categorised as ‘high-demand’, resulting in more students being allocated to the preschool at their PEA school in 2022 than in previous years, and therefore fewer applicants needed to submit a new application for kindergarten for 2023. This is likely to have impacted the number of kindergarten enrolments although the extent of this is not yet known.

Any impact of the Estimated Residential Population (ERP) for pre-schoolers (as occurred for 2022 enrolments) won't be able to be identified until the release by the Australian Bureau of Statistics of the ERP, usually in March the following year – March 2023.

321 applicants (3.4 per cent of total to date) have indicated they are eligible for inclusion support due to disability. A breakdown of these is below:

- Inclusion support - 194
- Disability Education Program (Small Group) - 136
- Inclusion Support Program plus Disability Education Program (Small Group) - 94

Training was conducted with school-based enrolment officers between 1-3 June to support schools to conduct enrolment assessment process fairly and transparently, according to policy settings. Further training on specific issues will be provided throughout June.

Infrastructure and Capital Works Projects

3. Capital Upgrades

Melba Copland College

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The existing Melba Copland College gym was too small for students taking PE as a core subject. A new gym has been constructed to provide 150 m² of floor area, including kitchenette area upgrades for gym users and increased storage for large exercise equipment.

Latham Primary School

Upgrades to the front entrance and a reconfiguration of internal administration space have been completed and handed over to the school. Upgrades include a new compliant access ramp with handrails, air lock with automatic sliding doors, staff toilet block and air conditioning with mechanical ventilation.

4. Repairs and MaintenanceCalwell High School

A student accessed the school roof on 31 May 2022. A Riskman incident report was submitted by the school on 1 June 2022. The climbing point was identified, and an internal fence was removed on 2 June 2022.

Farrer Primary School

The school was subject to vandalism over the 28-30 May 2022 long weekend resulting in two smashed windows and a small amount of graffiti. Works are underway to rectify the damage and submission of an incident report is pending.

Aranda Primary School

The school was subject to vandalism on 1 June 2022. Minor graffiti was found and has since been removed. Submission of an incident report is pending.

Palmerston Primary School

Mould remediation works are ongoing. Clearance has been received for 'Pod 3' which will enable the space to be substantially reoccupied. A section of carpet was replaced on 9 June 2022 and some classes were relocated while this was completed.

5. Major ProjectsEast Gungahlin High School

The haulage road was finished in the week commencing 6 June 2022. This road will now allow site access, as works are progressing on Wells Station Drive and the Albatross Crescent extension. Major Projects Canberra wrote to the Conservator's Office on 26 May 2022 seeking to close out the DA conditions relating to stormwater and nature reserve interface. A decision will need to be made by the Conservator's Office by 17 June 2022 to avoid construction program impacts. A decision after this date will cause time delays and possible cost impacts.

Margaret Hendry School Expansion and North Gungahlin High School

Excavation works continue for Margaret Hendry School with the detailed excavation underway for inground services. Building footings have been excavated and concrete pours continue. As part of the Development Application (DA) process for the North Gungahlin high school, community consultation has commenced.

A website for the school was launched on 31 May 2022 that provides information on the school, rendered images and plans. A postcard has been published by Hindmarsh and their town planner which has been letterboxed inviting Taylor residents to attend an online information session. The online information session is scheduled for 15 June 2022 to discuss the DA proposal and process as well as view building plans and rendered images of the proposed school. A presentation was also made to the Gungahlin Community Council on 8 June 2022 providing an update on the project and encouraging members to attend the information session.

New primary school in Strathnairn

CK Architecture delivered their Masterplan presentation, cost plans and report to the Project Team on 31 May 2022. The Project Team is reviewing both Masterplan options and associated reports, with a preferred option to be selected to progress to preliminary sketch plans in the week commencing 6 June 2022.

The Education Directorate (the Directorate) is working with the Ginninderry developers to assist with finalising the Estate Development Plan (EDP) for the school block and surrounding road infrastructure. The developers have advised the EDP is on program to be lodged by early June 2022.

Key Meetings and Engagement Activities

6. Preschool Reform Agreement

The national Preschool Reform Agreement Implementation Committee (PRIAC) met on 25 March 2022. A policy working group and technical working group have also been meeting regularly to progress the significant body of work required to prepare States and Territories for implementation requirements from 2023.

Issues related to the outcomes measure include:

- the need for clarification on the purpose of the outcomes measure and whether it should include a formative assessment aimed at improving educational outcomes for individual children or high-quality data to help inform systems improvement overtime;
- the role of a national dataset and whether jurisdictions would support preschool outcomes being collated at the national level;
- the practicality of delivering the outcomes measure within the timeframes set in the PRA, with trials to commence in 2023;
- the role of national consistency and whether varied assessments across jurisdictions could be translated into a common scale, or if jurisdictions should adopt a suitable existing assessment more broadly; and
- the focus of outcomes measurement and whether it should start with a narrow set of measures, such as executive functioning and oral literacy, before expanding into other measurement areas.

Issues related to the attendance measure include:

- the need to map existing attendance collection approaches in each jurisdiction to inform minimum requirements for national consistency, including defining how operationally unavailable hours will be managed (e.g. public holidays and temporary service closures);
- the need to confirm data definitions, including what would be considered a reasonable proportion of 600 hours, and that the denominator for attendance should be enrolled children rather than the entire population of children in the year before formal schooling; and
- the importance of developing an interim solution for 2023, noting the broader work required to move to full implementation over the course of the preschool reform agreement.

Key issues for the ACT include:

- the need to access data from the Commonwealth on centre-based services to enable identification of children in non-school based settings;
- the importance of minimising workload burden on the ECEC sector; and
- the challenges of measuring enrolment and attendance of children experiencing disadvantaged based on SEIFA data.

The Directorate will continue to work collaboratively with all jurisdictions to identify proposed solutions to the above issues ahead of their consideration by Education Ministers in September 2022.

REPORTS

7. 3 Year-Old Initiative – Monthly Data Report

The data provided at **Attachment E** is intended to be provided on a monthly basis to provide you visibility on the progress of the 3 year old initiative. The data shows almost 500 children have been referred to the initiative with 192 children currently engaged in an active placement, and 42 children pending placements.

The initiative continues to receive around 30 new referrals every month. In Jan 2022, 114 children transitioned from the initiative into 4 year-old preschool.

FOR NOTING

8. Update on Engaging Parents in Career Conversations (EPICC) workshops during National Careers Week 16-20 May 2022

Directorate officials worked with the Canberra Institute of Technology (CIT) and two career practitioner champions from Hawker and Erindale Colleges to present three EPICC workshops during National Skills Week. CIT hosted two evening workshops at CIT Bruce and CIT Tuggeranong on 17 and 19 May, and a lunchtime webinar on 20 May.

The workshops, designed for parents and carers of young people in high schools and colleges, focused on supporting parents to help young people prepare for the challenges ahead in the new economies and equipping parents to help young people develop and build their preferred career futures, feel less worried about the future, and build a supportive network to assist them. Feedback from participants has been extremely positive. The Directorate has received requests for additional workshops and is working with the Transition and Careers officers in colleges to determine how further workshops can be made available.

9. WhoG Initiative - ACT Digital Account - Education Enrolment and Parent Permission

Digital, Data and Technology Solutions (DDTS) has engaged the Directorate to commence the education enrolment and parent permission detailed design which was approved by Minister Steel to go to ERC. The detailed design of the enrolment application and parental address validation process will help streamline and digitise identification validation and enrolments processing. DDTS has engaged the Directorate to confirm and agree the outcome that will be achieved by this initiative over the next 12 months.

10. Positive Behaviour for Learning Dashboard

The Positive Behaviour for Learning program (PBL) is an international evidence-based approach for creating safe and supportive schools. Since the beginning of 2016, the Directorate has had a PBL implementation team to support schools. The PBL program is established in 75 per cent of ACT Public Schools.

To support this initiative the PBL Dashboard was co-designed to provide PBL schools with secure, up to date analysis and insight into the wellbeing data captured from within the School Administration System (SAS). This includes negative and positive incident data to identify trends or gaps that will

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allow targeted support. The PBL dashboard will save significant amounts of time and workload for school staff, by removing the need to manually extract and visualise their wellbeing data.

The PBL Dashboard was published in May with professional learning delivered to provide guidance on the use and interpretation of the information. Data security and reinforcement of professional standards were also provided during these sessions. Schools must undertake the professional learning prior to gaining access to their Dashboard. Professional learning is ongoing and supported by the PBL coaches.

Early feedback from one school, highlighted the dashboard helped identify a higher instance of fractional truancy. Based on this information, staff developed a plan to reduce instances of fractional truancy. They will now monitor their data to see if their plan has made a positive difference.

Signatory Name: Katy Haire

Action Officer: Caitlin McGarvey

Attachments

Attachment	Title
Attachment A	Freedom of Information requests
Attachment B	EDU Cabinet Forecast
Attachment C	EDU Legislative Assembly Forecast
Attachment D	COVID-19 Report
Attachment E	3 year old initiative monthly data report

Caveat Brief

To: Minister for Education and Youth Affairs
Subject: Section 155s issued to Education Directorate
Date: 31 May 2022

- Following recent attendance by Inspectors on site at Calwell High School and Kingsford Smith School last month, WorkSafe issued a number of improvement notices under section 191 of the *Work Health and Safety Act 2011*.
- You received caveat briefs advising you of these notices at the time they were received by the Education Directorate (the Directorate).
- I can now confirm the Directorate has responded to notice N-0000004166(induction processes) for Kingsford Smith School and notices N-0000004146 (emergency signage), N-0000004148 (first aid kits), N-0000004149 (training records) and N-0000004311 (first aid kit notifications) for Calwell High School.
- WorkSafe has advised they have reviewed the information supplied by the Directorate and they satisfied that the above notices have been complied with, and no further action is required in relation to these notices.
- The Directorate is working to gather the evidence for notice N-0000004242 (staff consultation – staffing shortage matrix) and Workplace Visit Report 122334, in addition to the information requested in the four s155's received on 27 May 2022 (see caveat brief provided under [SUB22/10425](#)).
- Representatives from the Directorate were due to meet with WorkSafe on Friday 3 June 2022 prior to an upcoming Inspector visit Kingsford Smith School, however this meeting was rescheduled to Friday 10 June 2022 at WorkSafe's request.
- The Directorate continues to work with WorkSafe to provide information as requested and respond to all enquiries relating to these requests.

Signatory Name: Kate McMahon

Title Executive Group Manger, Education
Directorate

Date 7 June 2022

28/06/2022

Caveat Brief

To: Minister for Education and Youth Affairs

Subject: Privacy breach – Email sent to the wrong parent containing an attachment with personal information

Date: 12 May 2022

That you note the information contained in this brief:

	Noted / Please Discuss
/...../.....
Minister's Office Feedback	Yvette Berry MLA

- On 6 May 2022 a Florey Primary School staff member attempted to email an attendance letter to the parent (parent A) of a student (student A) using the Student Administration System (SAS). The email failed to send, so the staff member deleted the email address and letter attached.
- Whilst undertaking the same process for another parent (parent B) for their child (student B), the staff member entered parent B's email address and attached student B's attendance letter to the email. When the email was sent, a notification was received that the email had been sent to both parent A and parent B. Consequently, parent A received the attendance letter relating to student B.
- The staff member contacted the SAS team; however the email could not be recalled.
- The staff member telephoned both parents to advise them of the privacy breach with apology. Both parents verbally confirmed they deleted the email and its attachment.
- The Principal has been provided a draft apology letter to send to Parent B.
- Investigation into the cause of the disclosure is underway.

Signatory Name: Vanessa Attridge
 Title: Acting Executive Group Manager, Business Services
 Date: 13/05/2022

Caveat Brief

To: Minister for Education and Youth Affairs
Subject: Mould at Palmerston Primary School
Date: 02 June 2022

Note the information contained in this brief.

Yvette Berry		Noted / Please discuss /...../.....
Minister's Office Feedback		

- On 20 May 2022, Palmerston Primary School identified what appeared to be mould forming in a Pod 3 classroom.
- On 24 May 2022, a qualified assessor attended site to conduct a mould assessment and determine if any mould growth or airborne spores were present inside the affected room.
- The assessor's report was received on 26 May 2022 and confirmed mould growth with elevated moisture readings in the affected areas.
- As per the assessor's recommendations, the classroom closed on 26 May 2022 and will remain closed until the remediation is complete. Further to this Palmerston Primary School has been affected by staff shortages due to COVID-19 and year 2 students have gone to remote learning from 27 May 2022 until 6 June 2022.
- The students affected by the remote learning are the same students affected by the Pod 3 classroom closure. Due to this, EDU media has prepared correspondence regarding the mould remediation and forwarded this to the COVID-19 response team who will combine the communication to issue to the parents of students affected by the room closure.
- Air scrubbers were installed on 26 May 2022 and affected areas of carpet and ceilings were removed by 28 May 2022.
- A clearance certificate for 'Pod 3' was received on 31 May 2022 and replacement of the floor coverings is expected prior to the students returning from remote learning. Final repairs to the ceiling will be conducted out of hours.
- A further two areas (hall and admin) have been identified during further weekend testing.
- Both areas have been isolated with admin staff relocating to the front foyer and an out of hours school care program being relocated to a classroom space.
- Environmental cleaning of the additional areas will commence on the evening of 31 May 2022 and further remediation requirements are currently being determined.
- The Communications and Engagement team is assisting the school with advice to relevant parents.

Signatory Name: Andrew Parkinson
Title: Executive Branch Manager, Infrastructure and Capital Works
Date: 02 June 2022

Education Directorate

To: Minister for Education and Youth Affairs Tracking No.: FILE2022/5204

Date: 03/06/2022

CC:

From: Director-General

Subject: ACAT decision relating to Non-government School enrolment contracts

Recommendations

That you:

1. Note the information contained in this brief.

Yvette Berry MLA



..... /...../.....

Minister's Office Feedback

Background

1. At the end of the 2019 school year the parents of two children enrolled at Brindabella Christian College (the school) withdrew the children from the school. The school charged a term's fees (for term 1 2020) in lieu of the one term notice period that was stipulated in the enrolment contract the parents had previously signed with the school.
2. In 2021 the parents raised their concerns with the fairness of the school's enrolment terms with the Australian Capital Territory Civil & Administrative Tribunal (ACAT).
3. Also in 2021, a parent (whose circumstances mirror those described in the ACAT case) made enquiries of the Education Directorate (the Directorate) as to whether the Directorate could intervene in the fees the parents had been charged. The Directorate indicated to the parent that as the *Education Act 2004* does not cover matters relating to disputes over non-Government school fees the Education Directorate was unable to assist with this matter.

Issues

4. On 5 May 2022 ACAT found that the part of the Brindabella Christian College's enrolment contract was unfair under section 23(1) of the Australian Consumer Law.
5. ACAT found that the provision that required a term's fees in lieu of a term's notice when a student left the school was unfair.
6. It is understood that this is a common provision in non-Government school contracts. At the time of this brief, the school had not lodged an appeal to the decision.
7. ACAT's finding was reported in the RIOTACT on 12 May 2022, the Canberra Times on 13 May 2022 and the Sydney Morning Herald on 29 May 2022.

Complaints raised with the Education Directorate

8. Between 2019–2022 the Directorate recorded over 50 complaints and enquiries raised by parents and members of the community relating to the school with:
 - a. 13 of these complaints/enquiries made anonymously
 - b. 15 were made by the parent who contacted the Human Rights Commission regarding the unenrolment of [REDACTED] by the school; and
 - c. two were made by a parent understood to have brought the case that was considered by ACAT.

Canberra Times reporting

9. Sarah Lansdown (Canberra Times) asked Chief Minister, Treasury and Economic Development (CMTED) about the ACAT decision regarding Brindabella Christian College. CMTED provided the following talking points:
 - a. Access Canberra notes and respects the ACT Civil and Administrative Tribunal (ACAT) outcome.
 - b. The Australian Consumer Law (ACL) protects individuals and small businesses from unfair terms in standard form contracts. If a court or tribunal finds that a term is 'unfair', the term will be void – this means it is not binding on the parties. The rest of the contract will continue to bind the parties to the extent it is capable of operating without the unfair term.
 - c. Only a court or tribunal, not the Australian Competition and Consumer Commission, nor a State or Territory ACL regulator, can decide that a term is unfair.
10. The Canberra Times reported that the school had won in the previous cases and parents were required to pay the fees provided at Attachment A.
11. A thorough search of all Tribunal and Court decisions (2019–2022) did not find any other cases that were heard by ACAT or the Supreme Court relating to schools and the payment of fees in lieu of notice of withdrawal.

OFFICIAL

Financial Implications

12. Nil.

ConsultationInternal

13. Legal Liaison, Governance Branch confirmed the finding that no other cases relating to enrolment matters at the school were apparent in the ACT or Australian court databases.

Cross Directorate

14. Officers conferred with CMTED.

External

15. Nil

Work Health and Safety

16. Nil

Benefits/Sensitivities

17. It is common practice for non-government schools in both ACT and other Australian jurisdictions to require parents to be charged a term's fees in the absence of notice of the withdrawal.
18. ACAT's findings are likely to cause concerns for non-government schools across Australia.
19. The school has the right to appeal ACAT's decision.
20. If the decision is appealed and upheld, it may well result in parents seeking repayment of fees paid in lieu of notice of withdrawal.

Communications, media and engagement implications

21. Continuing media interest in this matter is expected.

Signatory Name: Deb Efthymiades

Action Officer: Lynda Tooth

Phone: 598321

Attachments

Attachment	Title
Attachment A	Canberra Times report 13 May 2022

This record is not released in accordance with section 16 of the
Freedom of Information Act 2016
Outside of scope