



**AUSTRALIAN EDUCATION UNION
NEW SOUTH WALES TEACHERS FEDERATION BRANCH**

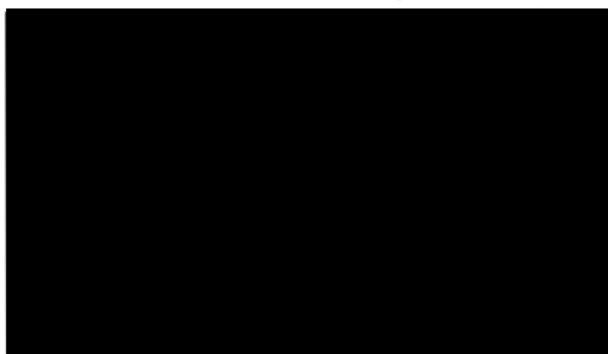
SUBMISSION TO

NSW PRODUCTIVITY COMMISSION

ON

GREEN PAPER: CONTINUING THE PRODUCTIVITY CONVERSATION

Authorised by



6 November 2020

"The better a country's education system performs, the more likely that country is working constructively with its unions and treating its teachers as trusted professional partners."

Andreas Schleicher, Director for Education and Skills, and Special Advisor on Education Policy to the Secretary-General at the Organisation for Economic Co-operation and Development (OECD)

Introduction

The Australian Education Union NSW Teachers Federation Branch (the Federation) presents this submission on behalf of our members in public preschools, public schools, TAFE colleges and Corrective Services across NSW. The Federation thanks the NSW Productivity Commission (the Commission) for the opportunity to respond to the *Green Paper – Continuing the Productivity Conversation*¹.

The membership of the Federation is approximately 61,000 practicing teachers and student teacher members.

This submission will focus on responding to the recommendations put forward in Chapters 2 and 3 of the Green Paper.

Federation also strongly endorses the submission made by Unions NSW on behalf of all affiliated unions as well as the submissions by individual unions representing members who are involved in the various sectors that are discussed in the paper. Federation strongly supports the evidence they have put forward to these draft recommendations..

Stakeholder consultation

Before turning to the recommendations, Federation would like to comment on the process which has led to the publication of this Green Paper.

According to the NSW Productivity Commission's website², the Green Paper has been developed following feedback on the Commission's October 2019 Discussion Paper *Kickstarting the productivity conversation*.

It states that *"the Office of the NSW Productivity Commissioner undertook consultations to hear what stakeholders and the community have to say about productivity. Discussions covered why we need to make changes, the long-term benefits, areas of immediate focus, and considerations in designing and implementing change."*

The consultation that occurred arising from the publication of the Discussion Paper is further described: *"The NSW Productivity Commission ran a series of roundtables and meetings in late 2020 (sic), focusing on productivity issues relevant to human capital and skills, Western Sydney, water, energy, transport, infrastructure, social infrastructure, planning and regulation."*

The website goes on to state: *"Following a further round of consultation, final recommendations to improve productivity will be outlined in the Productivity White Paper later in 2020."*

In his "Secretary's Message" on page 5 of the Green Paper, NSW Treasury Secretary Michael Pratt states that the NSW Productivity Commissioner Peter Achterstraat *"developed his draft recommendations in consultation with a wide variety of stakeholders"*.

¹ [https://www.productivity.nsw.gov.au/sites/default/files/2020-08/Productivity Commission Green%20Paper FINAL.pdf](https://www.productivity.nsw.gov.au/sites/default/files/2020-08/Productivity%20Commission%20Green%20Paper%20FINAL.pdf)

² www.productivity.nsw.gov.au/discussion-paper

Federation disputes this characterisation of the process. Of the 110 submissions to the Discussion Paper, the voices of affected workers, including teachers, are not represented at all.

Despite the significant impact on union members, unions were not invited to participate in the roundtable discussions, which were presumably held in late 2019 and not in late 2020 as the website indicates.

When referring to stakeholders and the corresponding draft recommendations for education, to not engage the voices of 61,000 public school teachers is to deny this workforce, and the union representing them, the opportunity to provide advice and input from those directly undertaking this work. It is disrespectful of the teaching profession, to say the least.

The first two chapters of the Green Paper deal with issues directly affecting the most basic working conditions of teachers.

What we teach and how we teach it lies at the heart of our work, and yet we have not been invited to be part of the "conversation".

NSW Treasurer Dominic Perrottet has reportedly said the productivity commission was established in 2018 *"to provide ideas to government without fear or favour."*³

If that is the case, unions should also be given the opportunity to provide these ideas.

Federation understands that due to the pandemic, the scheduled release of the Green Paper in the first half of 2020 has been pushed back slightly.

Federation strongly asserts that unions, including ours, must be consulted during this ongoing discussion, albeit belatedly so, prior to the Commission beginning preparations for the publication of the White Paper to be presented to government.

Notwithstanding the above, Federation appreciates the opportunity to make a submission and for the extension of time to do so.

Challenging assumptions

At the outset Federation would like to place on record that the primary purpose of improvement and responsibility for such in public education is to achieve the highest standard of education for every student.

The teaching profession is defined by this very pursuit.

There are some assumptions made by the Productivity Commission in the Green Paper that relate to schools and Vocational Education and Training sector (VET) that need to be addressed, including an underlying assumption that there may be teachers out there who are not doing their absolute best every day to improve the learning outcomes of every student in their class. Such a teacher does not exist.

In large part, the draft recommendations in the Green Paper relating to schools have been based on fundamentally flawed analysis i.e. The NSW Auditor-General's report *Ensuring Teacher Quality in Schools* and the NSW parliamentary inquiry into the *Measurement and outcome-based funding*

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<https://www.smh.com.au/politics/nsw/making-teaching-more-rewarding-critical-to-improving-nsw-productivity-20200819-p55nbr.html>

in New South Wales schools⁴ that was led by One Nation MP Mark Latham (see comments below in response to the recommendations).

It is interesting to note how the original scope of the Commission set up in May 2018 was tasked by the NSW Treasurer to focus on four key themes:

Making it easier to do business
Lowering the cost of living
Making housing more affordable
Making it easier to move in NSW⁵

Education didn't feature. It is extraordinary that from these areas of focus in the original brief, the "productivity conversation" has now moved to explicit discussions and draft recommendations that go directly to the core work of teachers.

Since May 2018, other NSW government initiatives have pushed the Education portfolio front and centre of the so-called "productivity conversation", particularly with the introduction of the Outcomes Budgeting policy, and the NSW government's priorities released after its 2019 re-election that includes "high-quality education".

The focus on education as an area for reform for the NSW Productivity Commission as well as the government, became clear in the Discussion Paper released in October 2019. On page 11 the rationale behind the Productivity Commission settling on the six draft productivity priorities starting with "human capital" is justified as "human capital" was ripe for potentially "large productivity gains".

Reducing the work of teachers to a discussion about "human capital", whether it is teachers themselves who are the human capital or their students, is an insult to the profession and the children they educate.

On page 38 of the Discussion Paper under the heading "Role of human capital in productivity growth", schools and Vocational Education and Training (VET) are identified as two of several key policy areas spanning the "life-cycle" of a worker that the government controls, "allowing it to influence and shape human capital."

In the same section of the Discussion Paper, the Productivity Commission states that "the NSW government designs the curricula and sets the standards for all schools." This is incorrect, that role is undertaken by NESA.

The Productivity Commission then goes on to state that the "NSW government sets policy over the VET sector and operates Technical and Further Education NSW (TAFE NSW), the State's largest training provider". This statement is fundamentally misleading as it fails to recognise the Federal government's role in the funding of the VET sector and in particular, its insistence on following a competitive funding model that the States must follow in order to receive funding.

Workforce planning in TAFE has been non-existent for years. It is not possible for government to plan for the human capital of the private sector. The paper makes the claim that VET is like schools, with a mix of public and private – but this is untrue because VET includes the 'for-profit' providers.

The Discussion Paper also refers, in a most disparaging way, to VET students being insufficiently informed about courses, fees, pathways, etc. While it is true that the data and information around the VET sector in NSW has become increasingly hard to navigate, these comments fails to

⁴ <https://www.parliament.nsw.gov.au/committees/inquiries/Pages/inquiry-details.aspx?pk=2539>

⁵ <https://www.treasury.nsw.gov.au/sites/default/files/2018-02/20180219%20-%20Media%20Release%20-%20Perrottet%20-%20Productivity%20Commission%20to%20be%20Established%20in%20NSW-1.pdf>

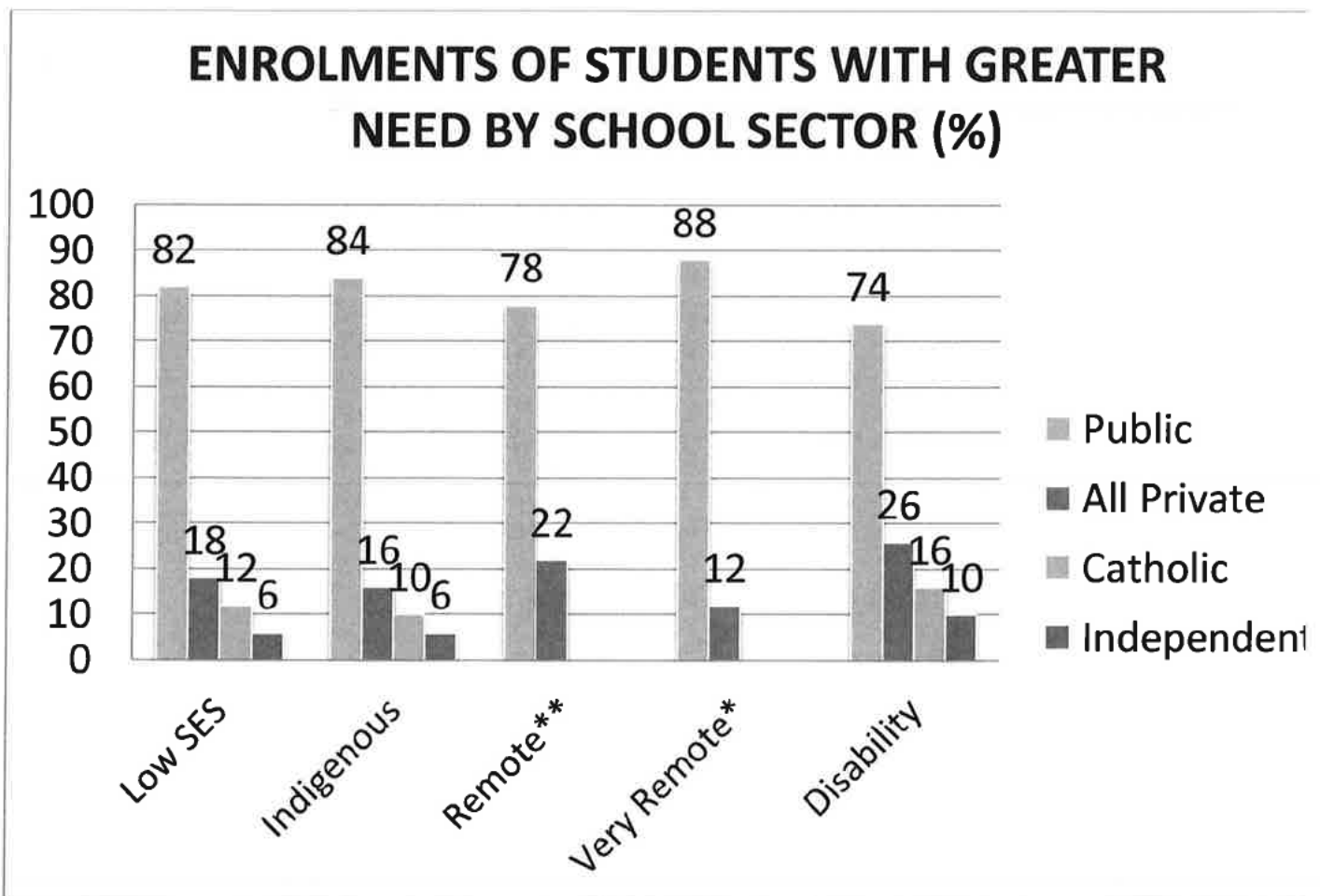
understand that large cohort of VET students are often facing intersectional disadvantage and that the contestable funding model under Smart and Skilled has played a significant role in that increasing complexity without the commensurate system supports to enable students to successfully navigate the sector.

The post school decisions that many of these students make often depend on the goodwill of teachers and their family's connectedness to, and experience of, employment.

Before turning to the recommendations, Federation would like to make the following comments:

1. Productivity in the public education context

The Green Paper completely ignores the unique role of the public education system which is that it accepts all students regardless of their background. As demonstrated in the graph below, public schools do the heavy lifting in terms of educating students from disadvantaged backgrounds, students with special needs, Aboriginal and Torres Strait Islanders students and students with culturally and linguistically diverse backgrounds.



Sources: Budget Estimates 2017-18, Department of Education and Training Question No. SQ17-000750

*Australian Bureau of Statistics, 4221.0 – Schools, Australia 2016, Table 46a

We also know that in 2020 there are 189,000 students in NSW public schools identified as requiring English as an Additional Language (EAL/D) support. This figure has increased by over 115% since 2004 which saw 87,717 students identified as receiving ESL support. The projected growth is set to continue in 2021 with 201,000 EAL/D students identified as being funded for additional support in their English language acquisition.

The growth in EAL/D in public schools over this period is reflected through newly arrived migrant and refugee background populations, including international students, and is predominantly responsive to national immigration policy and decisions.

In addition, 91% of all refugee students in NSW are enrolled in public schools.

Added to the above is an enormous rise in the number of students in public schools who have mental health issues, which are unlikely to be included in the figures under Disability in the table above.

The residualisation of public schools is increasing. Wealth inequality in Australia continues to increase. The average wealth of the highest 20% rose by 53% (to \$2.9 million) from 2003 to 2016, while that of the middle 20% rose by 32% and that of the lowest 20% declined by 9%.⁶

Educating students with significant disadvantage as identified above is resource-intensive, and the resourcing provided by both state and federal governments has failed to keep up with the students and systems growing needs.

The Productivity Commission also demonstrates a lack of understanding about the compounding impacts of disadvantage - for instance that there are public schools in higher SES areas which have capacity to fundraise, while those in lower SES areas cannot. Sydney Boys High School, which has one of the highest annual contributions (of \$2517 for a year 10 to 12 student in 2019) received a total of \$1.4 million in voluntary and subject contributions in 2017.⁷

In contrast, 376 government schools, many of which are in country areas, received no income at all through parental contributions.

In terms of TAFE, successive NSW governments have cut funding to TAFE including the removal of over 5000 permanent full time equivalent positions since 2011. This has decimated the sector and the Green Paper is completely silent on this. It has been affected by the contestable funding model imposed by the Federal government since 2012. Funding for vocational education and training overall has declined and this has led to cuts in course delivery hours for students. Teachers in TAFE are also under increasing pressure to deliver qualifications with less face-to-face teaching time. Courses have been cut, student fees have skyrocketed and student support positions have been slashed.

2. Standardised testing as a measure of success

The first "issue" cited as a starting point for discussion on page 13 of the *Kickstarting the Productivity Conversation* discussion paper that led to the Green Paper publication is "Lifting school performance and education outcomes". It states that "the most recent PISA results (an OECD school performance benchmark) show declining reading, mathematics and science performance in NSW schools."

On page 40 there is further analysis of the state's declining performance in PISA since 2006.

The Green Paper cites the PISA data without providing any further analysis of the test itself. PISA is a national sample test. It is not a census test. It has limited use in comparing jurisdictions.

In Pasi Salsberg's "Leaning Tower of PISA" piece from 2015, he writes: "some experts claim there are major technical flaws with the items that make up PISA tests, with how the tests are

⁶ https://www.acoss.org.au/wp-content/uploads/2018/07/Inequality-in-Australia-2018_Factsheet.pdf

⁷ <https://www.smh.com.au/education/public-schools-should-be-free-parent-outrage-at-invoices-for-voluntary-fees-20190218-p50yig.html>

administered, with how samples of students are determined in some countries (especially in Asia) and with the (mis)use of statistical techniques to create country rankings.”

The other measure of supposed falling standards cited by the Productivity Commission is NAPLAN.

Federation has long held the position that NAPLAN is a crude, unsophisticated and damaging test, developed by commercial interests, that has come to dominate the classroom experiences of young people and their teachers. In doing so, the test has supplanted the syllabuses, led to a narrowing of the curriculum, prioritised low level drills over complex skills, created a test cramming industry, drowned schools in unreliable data, and, arguably, led to a decline in student outcomes.

The NSW Education Minister Sarah Mitchell shares some of Federation’s concerns telling the Sydney Morning Herald: *“In 2019, it is clear that a diagnostic test must be on demand, it must be linked to the curriculum, it must focus on student growth and it must test informative writing. NAPLAN in its current form does not meet this criteria.”*⁸

The inconsistency of this argument, cited on page 38, states that government must focus more consciously and consistently on building the foundational skills and higher order capabilities that many young people lack. Why then push for student improvement targets to be measured by NAPLAN, rejected by all education stakeholders evidenced through the current NAPLAN Review Report, which are not linked to the curriculum and undermine acquisition of higher order capabilities?

It is not consistent to acknowledge the breadth and depth of assessment required to assess student growth on the one hand and then on the other make sweeping generalisations and recommendations based on the results of a single standalone test like NAPLAN.

3. Schools funding

While Federation wholeheartedly supports the improvement of performance of student outcomes in NSW public schools, this requires the strategic allocation of resources and an environment of cooperation and collegiality to be successful.

NSW student outcomes are described as “getting worse” and on page 18 of the Green Paper there is an assertion that *“throwing money at the problem does not work”*.

Page 38 of the Green Paper states that *“in consultations for this paper, stakeholders highlighted the importance of reforming schools to improve productivity”* and that *“long term trends suggest that policy measures focused on increased school funding have not addressed the underlying issues behind declining performance.”*

This is a simplistic analysis that fails to tell the whole story.

While it is undeniably true that NSW public schools have received increased funding in recent years, it is vitally important that the Productivity Commission assess why and how this occurred.

The initial Gonski Review of Funding for Schooling was established in 2012 to develop a funding system for Australian schooling which was transparent, fair, financially sustainable and effective in promoting excellent outcomes for all Australian students.

The Gonski review developed the schooling resource standard (SRS), a measure of the resources needed to meet the educational needs of every child.

⁸ <https://www.smh.com.au/education/it-s-time-nsw-wants-naplan-replaced-with-genuinely-useful-test-20190627-p5220m.html>

In 2013 the NSW government signed the National Education Reform Agreement (NERA) with the federal government which set out new funding, reporting and reform arrangements to ensure schools deliver a high quality education for all students. Under NERA, underfunded schools would have reached their fair funding level (95 per cent of the SRS) in 2019. It provided a foundation for both levels of government to work cooperatively to support growth and improvement over a six year trajectory. This funding would have ensured that schools provide life changing support and interventions for students.¹

However, the election of the Abbott, Turnbull and then Morrison governments saw the unilateral termination of all NERA and the dismantling of the needs-based schools funding model.

There is currently no plan to lift NSW public schools to the minimum SRS.

Under current arrangements, between 2020-23, public schools will be denied more than \$5.5 billion dollars. During the same period private schools will be gifted approximately \$807 million above their SRS. In 2023, this translates to \$816 above the SRS per private school student and a shortfall of \$1,525 per public school student.

Given that the Productivity Commission has demonstrated a keen interest in PISA results, Federation would like to draw attention to the *PISA 2018 Results: Effective Policies, Successful Schools* (Vol 5) report which found that Australia is the ninth worst of 77 countries for the equitable allocation of resources between disadvantaged and advantaged schools. Only Colombia, Panama, Peru, Cyprus, Philippines, Mexico, Brazil and Thailand rank lower.

The Productivity Commission must acknowledge in its further deliberations that equity is also a key ingredient in overall educational achievement.

Pasi Salsberg again: *"Our goal should not be to take PISA down, but to get it or something like it upright again, so that by using a range of criteria, and by using them in a fair and transparent way, we can identify and learn from the true high performers who are strong on equity as well as excellence, and on human development as well as tested achievement."*⁹

It is an insulting suggestion that "throwing money at the problem doesn't work". Rather, it is not throwing money where it is most needed that is the issue. Two examples of unmet need in NSW public schools that have been consistently raised by Federation members illustrate the point:

a) *School counsellors*

The Federation's September 2020 survey¹⁰ of over 5000 members indicated that current events such as bushfires, drought and COVID-19 are contributing factors to increased mental health concerns in our schools. Results of this survey also stated that nine out of ten teachers view the current provision of school counsellors as inadequate, with 98% believing that there should be 1 school counsellor for every 500 students in a school as a governmental priority. Currently, only 20% of respondents have a school counsellor at their school every day, and some of our small schools are entitled to as little as 2 days a term of school counsellor time.

⁹ <https://pasisahlberg.com/the-leaning-tower-of-pisa/>

¹⁰ <https://news.nswtf.org.au/blog/media-release/2020/10/students-risk-due-lack-school-counsellors?fbclid=IwAR1YunUdfJXILTk1XjWk7VY-3LjFTWQ8eKWCDdiyFgoiA8Qo2LLOC-eJiKQ>

Over a quarter of students seeking support wait more than four weeks to see a school counsellor - in primary schools this is the case for 48% of students. This is at a time where 98% of teachers have reported that students with mental health issues have increased in just the last 3 years.¹¹

b) Students with additional needs

In the Federation's 2019 *Time to Act* survey of members in specialist support unit and Schools for Specific Purposes (SSP) settings, 60% of schools reported that their workplaces receive inadequate Departmental support for work health and safety concerns.

Members identified the following interventions as necessary for them to meet the needs of their students: extra teaching staff, greater Student Learning and Support Officer support, adequately trained staff and professional learning opportunities for them, adequate funding to support special programs and support of allied professionals. One school reported that staff had not received their entitlement to Release From Face to Face (RFF) teaching for 20 weeks as it was impossible to employ staff.

Teachers also identified improvements to physical environment as a high priority such as the provision of breakout/calm areas, fencing, and bigger playgrounds.

Addressing key issues such as these for some of the most vulnerable students in our community costs money. Without additional funding, teachers are being asked to do the impossible in these circumstances and students are not able to achieve the best they possibly can.

The other matter that has not been addressed at all by the Productivity Commission is the method by which some of the additional funding has been provided to schools.

The record spending achieved through the NERA that flowed to NSW public schools was largely given to schools by way of money into their bank accounts. This decision, made under the banner of Local Schools Local Decisions has been criticised widely¹¹ and has resulted in situations where for example, hard to staff schools serving disadvantaged communities have been handed millions of dollars in additional funding but it has been left languishing in the school bank account with no avenue to spend it. Most of this additional funding created temporary teaching positions, not permanent. Hard to staff schools, ironically, attracting record amounts of equity funding, were unable to attract qualified teachers to take up temporary positions.

At page 38 of the Green Paper there is the statement: "All stages of the education system play critical and complementary roles in developing human capital-from early childhood education, primary and secondary schooling, and vocational and higher education."

If we are going to seriously discuss what matters are within the NSW government's purview, and have demonstrated economic and social benefits, public preschooling is and should be a priority for government investment. Evidence of the significant educational and social progress of students who attend preschool is widespread and undeniable, particularly for our students impacted by disadvantage.

NSW has only 100 public preschools representing a mere 5% of the early childhood education sector, with long daycare centres dominating the sector at 68% of provision.

Nationally, NSW is the second worst of any state or territory when it comes to the provision of free public preschool education.

4. Valuing teachers' work

¹¹ https://news.nswtf.org.au/blog/columns/2020/10/its-time-government-make-wellbeing-schools-priority?fbclid=IwAR1sXhj-BvPaVKIDxd_W_Seej5p7TfDyKETQms0Ei3gLdnXhmMYn2FuffZA

The Productivity Commission also needs to be aware of the significant increase in complexity in the nature of teachers work, particularly over the last 15 years.

The assumption that teachers can be more productive than they already are is bordering on the absurd. They already spend on average \$874 of their own money every year on essential school resources for their students.¹² They are so overworked, stressed and bullied at work that psychological injuries are costing the NSW government millions of dollars in workers compensation.

If in the course of the consultation prior to the publication of the Green Paper, the Productivity Commission had asked teachers what they thought of the notion of increasing productivity in our schools, they would say that there is simply no capacity in the system to do so. Currently, they have neither the time or support, the enabling conditions, to increase their productivity.

Over a number of years now, members of the Federation have reported rapidly increased work demands. In 2018 the Federation commissioned a research project, undertaken by a team of academics from the University of Sydney (Business School, and School of Education and Social Work) and Curtin University (Business School). The report, *Understanding work in schools – the foundation for teaching and learning*¹³, examined in detail:

- Changes to the work of teachers, executives and principals over the past five years and the support provided to schools by the Department.
- The nature of the work undertaken, the relative importance of various work activities to teaching staff and resources available to support teaching and learning.
- The effects of various work demands on teaching and learning and consideration of the forms of support for teaching and learning that would be most helpful to teachers, executives and principals.

The research was based on more than 18,000 responses received from a state-wide survey of teachers, executives, consultants and principals in public schools across NSW. Overall, 87% of respondents reported that their working hours had increased over the time period covered by this survey.

More than 97% of all respondents indicated that administrative demands had increased over the past five years since the introduction of the devolutionary *Local Schools, Local Decisions* policy that saw 700 so-called “back office” staff deleted and more responsibility and accountability pushed back to principals and schools.

Some of these “back office” staff removed from the Department included 32 frontline Multicultural/ESL consultancy, Refugee and Community Information Officer positions from public education to support schools, principals and teachers in the development and implementation of the Multicultural Education Policy.

Increased work on administration and data collection for teachers was reported as obstructing a focus on student learning and the capacity to sustain quality teaching and learning – teachers’ primary task and a significant source of job satisfaction.

High workload, a focus on compliance and new administrative demands were 3 factors seen to be hindering teaching and learning. These tasks are consistently more monotonous, less fulfilling and provide teachers with little control over their daily work.

¹² <http://www.aeufederal.org.au/news-media/media-releases/2020/september/four-out-five-public-school-teachers-spend-own-money-classroom-resources>

¹³ https://www.nswtf.org.au/files/18438_uwis_digital.pdf

The most recent national Principal Health Occupational Health, Safety and Wellbeing Survey 2018 data indicated that the two greatest sources of stress that have remained consistently high over the length of the survey (since 2011) have been “Sheer Quantity of Work”, and “Lack of Time to Focus on Teaching and Learning”.¹⁴

In the Federation’s most recent 2020 survey of all members and the current state of their work, 58% of respondents indicated that their workloads are not manageable. Ninety-two per cent of members stated that their administrative workload had increased, and 85% said their teaching workload had increased.

On an international scale, the Organisation for Economic Co-operation and Development’s (OECD) Teaching and Learning International Survey (TALIS) from 2018 shows that Australian teachers have remarkably high workloads.

Face-to-face teaching time is much less in Finland than in Australia (about 600 hours per year, compared to 800 in Australia.)

In terms of non-teaching tasks in general, Australia has the 4th highest average workload of the surveyed nations, and they spend the 3rd highest number of hours on “management and administration”¹⁵.

The Productivity Commission refers to “working smarter not harder”. The Department made a commitment to try that approach following the release of Federation’s *Understanding work in schools* report, but it didn’t work. The Secretary’s Reducing the Administrative Burden Group has failed to any meaningful impact on the work of our members in schools. The culture of compliance and control, excessive data-collection and unobtainable expectations has continued apace, as to has the increased initiatives that schools have been required to undertake

TAFE

For Federation’s TAFE members, the *People Matter Survey*¹⁶ was last undertaken in 2016, after which there was a shift to the internal Organisational Health Survey. In the 2016 survey, only 21% of TAFE employees felt that change was handled well by the organisation and 29% of staff felt that senior managers keep employees informed about what is going on.

The results of the TAFE NSW Organisational Health 2019 Survey were leaked to the Sydney Morning Herald which indicated that only 15% of 6773 staff who completed the survey agreed with the statement that TAFE NSW has effective plans for developing and retaining its people.¹⁷

Workload for TAFE teachers has skyrocketed and they are feeling disrespected and undervalued – EA treatment/wage freeze for example.

This submission will now turn to the specific recommendations put forward in the Green Paper as they relate to schools and VET.

¹⁴ https://www.principalhealth.org/au/2018_AU_Final_Report.pdf

¹⁵ <https://apo.org.au/sites/default/files/resource-files/2020-08/apo-nid307268.pdf>

¹⁶ <https://www.psc.nsw.gov.au/reports---data/people-matter-employee-survey/previous-surveys/people-matter-employee-survey-2016>

¹⁷ <https://www.smh.com.au/business/workplace/staff-would-not-recommend-tafe-as-a-good-place-to-work-20191202-p53g0y.html>

Chapter 2: “Best practice teaching to lift school results”

Draft recommendation 2.1

Design and implement accelerated pathways into teaching to broaden the supply of quality teachers and address workforce gaps:

- Pilot an employment-based pathway to target urgent teacher shortages in Science, Technology, Engineering and Mathematics by 2021.
- Review the costs and benefits of the requirement for a two-year masters program for teaching by 2021, compared to shorter accreditation pathways.
- Following the review, design and implement alternative accelerated pathways within two years.

This section of the Green Paper refers to the importance of quality teachers (*“teacher quality is the biggest influence on student performance”*) and then makes a baffling draft recommendation to downgrade the qualifications needed significantly.

Student socio-economic background is one of the most important influences on student performance, but when it comes to the draft recommendations this factor is conveniently ignored by the Productivity Commission, presumably because the aim is to find cost-savings rather than improve students educational and social outcomes.

This section is also highly contradictory. On the one hand the Green Paper argues for higher standards for Initial Teacher Education (ITE) but then proposes that those without qualifications enter the profession, potentially in the form of Teach for Australia.

Federation notes that Teach for Australia, through its own omission and provision of data, was provided with \$34.65 million of Commonwealth funding from 2008 to 2015 to deliver an alternative employment-based pathway into teaching. This significant investment in funds resulted in 225 completing the program placement, of which 133 left teaching, and only 22 of whom were left teaching in their original school.

Federation commends the NSW government for rejecting the Teach for Australia recommendation by the NSW Upper House inquiry led by One Nation MP Mark Latham.¹⁸

Federation will never accept watering down of teachers’ professional standards. Our students in public schools deserve nothing less than highly qualified and specialised teachers in every classroom. We do not support any diminishing of the teaching qualification or teaching standards in NSW..

Federation has strongly supported the initiatives outlined on page 44 of the Green Paper that have “concentrated on standards for new teachers, imposing new requirements for teacher accreditation of initial teacher education (ITE) programs, and restricting entry into these programs”.

Such is Federation’s commitment to pursuing the highest standards of entry into the teaching profession, the union commissioned Associate Professor Rachel Wilson from the Sydney School of Education and Social Work at the University of Sydney to analyse trends in academic standards for intakes into Australian initial teacher education programs over the past decade.

Dr Wilson’s report, *The profession at risk — trends in standards for admission to teaching degrees*,¹⁹ highlights the growth in online teacher education degrees as well as the low completion rates of students.

¹⁸ <https://www.parliament.nsw.gov.au/lcdocs/inquiries/2539/Government%20Response%20-%20Measurement%20and%20outcome-based%20funding%20in%20New%20South%20Wales%20schools.pdf>

¹⁹ <https://news.nswtf.org.au/blog/news/2020/02/high-entry-benchmark-will-lift-profession>

She provides evidence as to why national academic benchmarks must be set for admissions to initial teacher education degrees and recommends investment in a campaign to acknowledge the importance of teachers to society and for the National Teacher Workforce Strategy to develop a better plan to recruit Australia's brightest to the profession.

Dr Wilson also described the entrance of academically weak students to initial teacher education courses is an "inordinate risk to the profession".

When the then NSW Education Minister Rob Stokes announced in 2018 a plan to establish higher benchmarks as prerequisites for employment as a teacher in the NSW public school system in 2018, the Federation strongly welcomed those moves¹⁸.

Federation notes that since that announcement, with little to no consultation with the Federation, the Department of Education's implementation of the above announcement has fallen well short of the stated commitment to "raising the bar" for teachers entering the NSW public school system.²⁰

Federation has been vocal in its criticism of the complete lack of workforce planning by successive state governments and the Department of Education, and we are committed to ensuring that every student has access to qualified teachers across the breadth of the curriculum, no matter where they live in the state.

Federation welcomes the expansion of the Department's sponsored teacher training programs targeting subjects and teaching specialisation where there are shortages that include the STEM subjects, but the employment of additional permanent teaching positions into the system is even more crucial.

The Federation is willing to continue productive discussions with the NSW government and the Department on how to ensure a steady supply of qualified teachers into all public schools across NSW.

Draft recommendation 2.2

By 2022, revise teacher appraisal and evaluation so school leaders can better identify and address teachers' development needs:

- As a priority, embed mandatory classroom observation by supervisors and principals in the Performance and Development Framework and build the teacher assessment capabilities of school leadership.
- Develop a suite of measures of teacher effectiveness including: 360-degree feedback from students, parents, school-leaders and peers; in-class observation; and individual teacher 'value-added'.
- Embed the consistent use of these measures, with monitoring by the NSW Department of Education to inform support it provides to schools.

The recommendation assumes that there are not already plenty of ways teachers receive feedback from students, parents, school leaders and peers when clearly this is not the case.

The recommendation relating to the Performance and Development Framework is based on the NSW Auditor-General's report "*Ensuring Teacher Quality in Schools*".

The Performance and Development Framework (PDF) for Principals, Executives and Teachers in NSW public schools is jointly developed by the Federation and the Department and applies to

²⁰ <https://news.nswtf.org.au/blog/news/2020/09/department-unilaterally-waters-down-pre-requisite-approval-teach>

employees covered by the Crown Employees (Teachers in Schools and Related Employees) Salaries and Conditions Award 2020²¹.

The Treasurer says the Productivity Commission's recommendations do not necessarily reflect government policy but the Department has accepted in principle the recommendations of the Auditor General's report referred to above.

In Federation's view, that report revealed serious flaws and inaccuracies that demonstrate a lack of understanding of the link between the accreditation processes for teachers and the application of the PDF in NSW public schools, how teachers reference the Australian Professional Standards for Teachers (the standards), the ways in which teachers are currently assessed against them and the requirements that teachers must meet in engaging with each.

The Auditor-General articulated three major findings:

- The NSW Education Standards Authority does not oversight principal's decisions to accredit teachers as proficient. This means it is not ensuring minimum standards for teaching quality are consistently met.
- The Department of Education does not effectively monitor teaching quality at a system level. This makes it difficult to ensure strategies to improve teaching quality are appropriately targeted.
- The Performance and Development Framework is not structured in a way that supports principals and supervisors to actively improve teacher performance and teaching quality.

The premise of these findings in Federation's view, are faulty.

Principals in public schools are the Teacher Accreditation Authority (TAA) for accreditation of teachers as Proficient in public schools. Decisions made by principals to accredit a teacher at proficient or to maintain a teacher's accreditation at proficient are based on the professional judgement of the principal, taking into account their own professional interaction with the teacher and, in many cases, the professional advice of supervising executives.

The report has taken a narrow approach to the interpretation of monitoring *'teaching quality at a system level'* by concentrating on the accreditation process and the Framework, ignoring that there are many other determinants and variables to which the Department has access on a system-wide basis.

The Federation rejects the assertion in the Report that the Framework is *'not structured in a way that supports principals and supervisors to actively improve teacher performance and teaching quality'*. Indeed, the overarching purpose of the Framework is *'to support the ongoing improvement of student outcomes through continuous development of a skilled, effective and professional teacher workforce'*. The report also fails to recognise that the structure of the Framework is consistent with the *Australian Teacher Performance and Development Framework*.

In general, the Federation believes that the Report's authors did not understand the notion of teaching quality. The report attempts to define quality teaching as a generic concept applicable to all educational situations and settings across the Department. It must be emphasised that the Standards permeate all aspects of teaching practice and, as mentioned in the Report, principals *'indicated that they reference the Standards'*. The report's desire to articulate a concise definition of teaching quality exposes the lack of professional educational knowledge and expertise of the officers assigned to this audit.

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<http://www.lawlink.nsw.gov.au/irc/ircgazette.nsf/LUPublications/9699B81A9B7A7DEFCA25856C0024D4AF?OpenDocument>

Federation opposes mandatory classroom observations. These do not reflect best practice, but are instead part of a suite of data-driven accountability models being considered, developed and implemented by the Department through the PDF; *Local Schools, Local Decisions*; artificial targets in Strategic Improvement Plans and the School Excellent Framework; and professional learning policies and initiatives.

The continued obsession with such models that purport to drive 'evidence based practices', 'lift teacher quality' and focus on 'performance management processes' embed a culture of compliance rather than professional growth and refinement of teaching practices and does little to grow the collaborative and collegial nature of the teaching profession, its pedagogies or improve student outcomes.

Interestingly the Productivity Commission names the NSW Catholic education system as a shining example of where value-added measures have been incorporated into their evaluation processes (on page 53). This is the same system that is known to divert public funding from its poorer to richer primary schools in order to keep fees low for families in wealthy parts of Sydney. This system was apparently administered by Catholic school authorities and approved by the state's Bishops.²²

On page 53 another case study referred to is the Tennessee Value-added Assessment System. The reliability and validity of this system has been called into question.²²

The Productivity Commission also conveniently ignores the fact that NSW public schools are already making use of this type of analysis. Teachers are using Scout for this purpose but teachers must be trained and provided with the necessary time to analyse and interpret the data effectively.

Draft recommendation 2.3

Develop an 'instructional lead' career pathway for highly effective teachers as an alternative to an administrative career progression. Highly effective teachers should be identified using a suite of robust measures, as outlined in draft recommendation 2.2.

Federation has also had concerns about the policy failure that is the Highly Accomplished Teachers scheme, with only 102 reaching that accreditation level since its inception.

A lot is made of Singapore. However it is worth looking at the whole picture and the cost of academic success. The pursuit of academic success in PISA tests has for example in Singapore created a market for edu-businesses including assessment manuals and private tutoring, and there are concerns about the impact of the narrow focus on academic success and the extremely high expectations on students.²³

The question of whether there is need to develop an instructional lead career pathway for highly effective non-executive teachers has been the subject of discussion during the current Valuing the Teaching Profession inquiry commissioned by the Federation.

Evidence presented to the inquiry by John Buchanan, a Sydney University professor of business analytics, showed that overall teachers' salaries have fallen behind the average professional wage

²² <https://www.abc.net.au/news/2020-09-02/how-the-catholic-school-system-takes-from-the-poor/12588920?nw=0>

²³ <https://www.abc.net.au/news/2016-01-06/best-education-system-putting-stress-on-singaporean-children/6831964>

over the past 30 years, and those at the peak of their career who do not enter executive positions earn less than electricians, chiropractors and publicists.

Mr Buchanan suggested that a 10 to 15 per cent pay rise for all teachers would lift their salaries to average, while paying the best teachers (the “instructional leads”) 30-50 per cent more would improve career progression and make the job more attractive.²⁴

The Green Paper does not even go to the question of higher wages for all teachers. Interestingly on page 11 of the Discussion Paper, there is reference to the Reserve Bank of Australia Governor Phillip Lowe and his urging of all governments to focus on improving productivity. One thing that Mr Lowe has also encouraged governments to do, but both the Discussion Paper and the Green Paper is silent on, is to lift public sector wages caps to stimulate the economy.²⁵

Despite the comments of Minister Perrotet that all options are on the table through this “productivity conversation”, we know that his government are proceeding with lowering its public sector wage cap again from 2.5% to a maximum of 1.5%.

It is hard to see how this studied insult to all public sector workers, including teachers, after the accolades and bouquets that came their way through this pandemic, will attract and retain the highest of quality teachers

It is also incredibly insulting that the Business Chamber NSW is quoted in this section on education on page 45. It is unclear why they were consulted, particularly and in preference to, the actual teaching profession?

Federation notes that one of the recommendations of the NSW parliamentary inquiry led by One Nation MP Mark Latham was:

“That the Government work with the NSW Business Chamber and other industry groups, and vocational education and training experts, including the TAFE sector, to develop detailed performance measures for vocational education and training in schools, including a survey measure of business satisfaction with the NSW education system. That the Government then use this data as the basis of a concerted effort to improve service provision and outcomes in the State’s school and vocational education systems.”

Federation strongly objects to any introduction of ‘measures’ of business satisfaction with the NSW public education system.

Draft recommendation 2.4

Create a culture of continuous improvement that actively fosters best-practice teaching. Embed strategies, interventions, resources and support tailored to individual school and teacher needs, including guidelines on best-practice by learning area.

Require schools to regularly report their progress implementing evidence-based best-practice teaching to the NSW Department of Education and explain departures from best-practice methods.

Develop further state-wide assessment resources to support all schools to more effectively use data to monitor student progress, and to inform and target teaching practices.

While there is nothing inherently unsupportable in draft recommendation 2.4, Federation does have some concerns about the narrow focus in this section of the Green Paper.

²⁴ <https://www.smh.com.au/national/top-teachers-should-have-a-50-per-cent-pay-rise-expert-says-20200909-p55u0o.html>

²⁵ <https://www.theguardian.com/business/2019/aug/09/rba-governor-endorses-lifting-public-sector-wage-caps-to-stimulate-economy>

What the Green Paper does not go to is the fact that where these initiatives have had the most success is where schools were given the time and resources and training to implement them.

Federation supported the new online check-in assessments that were developed by the Department in response to the massive changes to teaching and learning caused by the pandemic.

Federation's view is that assessment should be authentic, closely aligned to curriculum and reporting and informed by classroom experience. Assessment must incorporate a range of professional practices including structured and impromptu observations; formal and informal discussions/interviews; collections of students' work; use of extended projects, performances, and exhibitions; tests and practical exams.

An appropriate assessment program should be able to balance and fulfil all of these needs by providing accurate and timely information based on the professional judgement of teachers, complimented by school based moderation processes, and testing a scientifically determined sample of students to determine program effectiveness and student academic achievement.

To do this teachers require appropriate and ongoing professional development and adequate time to assess, evaluate, moderate and report on student learning.

In relation to school improvement, the Green Paper again cites the views expressed by the NSW parliamentary inquiry led by One Nation MP Mark Latham as the basis for reform. In the interests of balance, the Productivity Commission should be aware that many of the recommendations of the Latham inquiry are not supported by the Federation, other education stakeholders, including the primary and secondary principal Associations.

Firstly, Federation opposes the publication of school by school performance targets and progress towards such targets in the state budget. Each public school provides an annual school report which is freely accessible to the public and school communities.

Targets based on narrow measures such as NAPLAN, currently discredited and under review, are rejected by the Federation.

Federation notes that another recommendation of the One Nation MP-led parliamentary inquiry was:

"That the Government commission CESE (Centre for Education Statistics and Evaluation) to research and introduce a mandatory best practice framework for teaching methods, learning materials, classroom content and practice, physical classroom design, external consultants and school management, within which NSW government schools are obliged to operate (henceforth known in the report as 'the CESE menu')."

The Green Paper's recommendation 2.4 has some echoes of the Latham inquiry recommendation which is of significant concern to the Federation. While additional support provided by the Department and made available to schools is welcome, for example the Early Action for Success support materials, resources and funding, Federation strongly opposes any suggestions that mandatory teaching methods, materials etc. be introduced.

Recommendations which seek to determine what and how teachers teach are actually contrary to best practice, which ensures that teachers use a host of pedagogies to inform their teaching and learning, relevant to context and underpinned by research and a strong evidence base.

Federation notes that this appears also to be the view of the Department through its Great Teachers Inspired Learning policy which recognises the importance of teachers drawing from a range of strategies and skills:

“There is no one single effective teaching method or strategy. Teachers need to be proficient in many teaching practices and, more importantly, be able to assess their impact on students and adapt their teaching practices to assist students if they are not responding or engaged. Effective teachers are highly proficient in assessing student needs and talents, evaluating their impact, intervening using multiple methods and providing feedback to students on their learning. – (NSW Government, “Great Teaching, Inspired Learning,” p. 6)”²⁶

In their paper, “Seven reasons to question the hegemony of Visible Learning”, Lucinda McKnight & Ben Whitburn, in reference to John Hattie’s Visible Learning “international juggernaut” that is also referred to heavily throughout the Green Paper and also the Latham inquiry report:

“We argue that learning is not always visible, not always quantifiable, that it can be elusive, messy, unpredictable and not always desired.”

And further:

“We argue that potent and colonising metaphors such as Visible Learning should be accompanied by an openness to critique and to negotiation, so that they do not become tools of a fascist education (Pinar, 2011), or sticks with which to beat teachers.”

On a final note, in Federation’s view the Productivity Commission’s use of the case study of Reddam House on page 60 is an insult to public school teachers and students, the overwhelming majority of whom constitute the focus of these draft recommendations in NSW. Reddam House is a non-government school with an Index of Community Socio-Educational Advantage (ICSEA) of 1189. 84% of its students are from families in the top quartile under the Distribution of Socio-Educational Advantage (SEA).

In 2019 Reddam House had recurrent income per student of \$32,993 and any lessons from educational success at Reddam House offer very little value to the vast majority of public school communities.

Chapter 3: “A modern VET system to deliver the skills we need”

Federation notes that there is currently a review of the NSW Vocational Education and Training sector by Peter Shergold and David Gonski which Federation has been involved in.

It is clear the NSW Government’s *Productivity Commission Green Paper – Continuing the Productivity Conversation* is not a conversation that understands the central role TAFE plays in driving productivity and building skills across NSW. The conversation is constricted with the parameters narrowly prescribed. It misses the opportunity which post COVID-19 recovery offers for TAFE to partner with industry, community and universities to transition and rebuild the economy. The issue of casualisation, that the pandemic has revealed as costly to all of us, is omitted.

The Centre for Future Works’ recent report *An Investment in Productivity and Inclusion – The Economic and Social Benefits of the TAFE system (Pennington, A 2020)* estimates the economic benefits generated by the TAFE system as 16 times greater than the annual ‘maintenance’ costs. The incremental taxation revenues generated as a result of the superior productivity and incomes

²⁶ <https://education.nsw.gov.au/teaching-and-learning/school-learning-environments-and-change/future-focused-learning-and-teaching>

of TAFE graduates alone are worth \$25 billion per year across Australia. In other words, any investment in TAFE delivers huge flow on benefits to the economy and the society.

Although the Green Paper recognises that the NSW Government controls the policy levers on vocational education, it fails to comprehend that emerging skills shortages are a result of years of defunding and downsizing TAFE in NSW whilst attempting to create a 'market' in vocational education.

Alison Pennington's report makes clear that "Australia's economy today is reaping an enormous flow of economic benefits from a 'house' that was built by our TAFE system: \$92.5 billion in annual productivity, income, tax, and social benefits. But the TAFEs today have been structurally damaged by neglect and outright policy vandalism. If we want to continue reaping those benefits of a superior productive TAFE-trained workforce, we must repair that damage – and quickly. With the COVID-19 pandemic ushering in an era of unprecedented disruption and transition, this is the moment to strengthen Australia's investments in the TAFE system".

Around Australia, other State Governments are seizing the opportunity to invest in TAFE. In NSW over 6000 full time jobs have been lost from the TAFE system in the life of this government and critical TAFE equipment and facilities have recently been compared to museum pieces in the media. In Queensland and Western Australia TAFE rebuilding and recruitment drives have commenced with Western Australia committing to \$229.2 million for the *Rebuilding our TAFEs* plan including a record \$167.4 million investment in capital works.

Recommendation 3.1 VET builds human capital This section recognises the ineffectiveness of the NSW Government's own Smart and Skilled funding program stating: "Poorly targeted subsidies have contributed to skills mismatch between what the VET system delivers and what the economy needs." but seems to misunderstand how market systems are manipulated by unscrupulous private providers. It cites that the system is increasingly out of date and even quotes statistics which serve to reveal the impact of TAFE cuts and the failed VET-Fee Help debacle. Whilst recognising the shift to the digital economy, the paper suggests that playing with policy settings will somehow rectify this situation. There have been so many VET reforms over the last few years that there is now an interactive timeline to keep track.²⁷ Reforms are supposed to make things better, not worse for TAFE and our communities.

Draft recommendation 3.1

By the 2020-21 Budget, develop a medium-term 'earn or learn' skills strategy that guides and supports skills transitions for workers displaced by COVID-19.

This recommendation aims to move people displaced by the pandemic off the unemployment statistics.

Whilst "Earn or Learn" sounds good in theory, without a jobs plan there is no pot of gold at the end of the rainbow.

²⁷ <https://www.voced.edu.au/vet-knowledge-bank-timeline-australian-vet-policy-initiatives>

Draft recommendation 3.2

Introduce two new and more flexible pathways to trades qualifications: one for HSC-holders (two years or less) and one for mature-aged workers (18 months or less).

- Incentivise registered training organisations to develop more flexible modes of course delivery, including after-hours learning and short intensive periods of full-time study.
- Establish a Training and Skills Recognition Centre to implement the new training pathways, starting in the construction sector.
- Regulate to allow employment of unqualified juniors (those below 21 years of age) in a recognised trade vocation outside an apprenticeship, provided they have completed, or are enrolled in the relevant trades qualification.
- Endorse a marketing campaign to raise the profile and awareness of new trades pathways.

Some of the proposals in this section may damage the quality of apprenticeships even further as a reduction to the length of apprenticeships is proposed. A TAFE teacher who provided Federation with feedback opined that this section was clearly written by someone with no understanding of the density of content taught in apprenticeships. Teachers already struggle to cover the content in the time allocated.

Federation believes it would be useful to reinstate year-long pre-vocational courses for displaced workers who want to retrain which would enable credit transfer into the second year of an apprenticeship and a strategy to facilitate increased engagement of women in trades would be welcomed. Raising wages for apprentices would make trades more attractive.

A marketing campaign is fine, but not if this will in reality result in funding being spent on new managerial positions to the detriment of teaching and learning.

TAFE teachers are a little weary of marketing campaigns after the Morrison government's failed experiment with TAFE Ambassador, Scott Cam.

Draft recommendation 3.3

Target *Smart and Skilled* funding more effectively by refining the NSW Skills List. Prioritise funding to courses that demonstrate value to industry, or represent skill shortage areas.

Federation's long-held position is that the Smart and Skilled funding model should be abandoned and a recurrent budget returned to TAFE.

However, if changes to the model would remove the millions transferred to fast food operators which are Registered Training Organisations, then the money saved could be returned to TAFE. There is also a recommendation to build a new bureaucracy operated by Training Services NSW to promote vocational education and undertake skills assessments for displaced workers. Giving this role to TAFE, who have a geographical footprint across NSW and have the employee capability to deliver, seems more practical.

Draft recommendation 3.4

Extend *Smart and Skilled* subsidies to targeted short courses and micro-credentials that provide discrete skills employers recognise and value.

- Use economic and industry data to identify high value micro-credentials to fund.
- Prioritise courses that have better evidence of employer trust and recognition, high quality assessment, and alignment with the Australian Qualifications Framework (AQF).
- Use a risk-management approach to funding, with the capacity to quickly freeze or withdraw funding if problems are identified.

Support the development of voluntary systems of trust and recognition for micro credentials, for example alignment to AQF levels or the adoption of 'credit points' standards.

Previously micro-credentials were called 'skill-sets' and have been pushed by employers as a shorter and cheaper way of enabling employees to perform set tasks. However, students do not get a broad overview of an industry and are therefore limited in their ability to innovate.

Federation would only support the expansion of micro credentials where they are used add-ons to specialise in an existing qualification.

Rebuilding and reviving TAFE campuses across NSW is a perfect stimulus and job creation project with TAFE's footprint across NSW ensuring rural communities would benefit.

Post-pandemic recovery

In closing Federation would like to take this opportunity to make some comments in relation to the crises that have befallen the state of NSW and elsewhere this year and the implications for the public education system now and into the future.

At page 38 of the Green Paper, the Productivity Commission notes the "dramatic disruptions" caused by the health and economic crisis of the pandemic but also the devastation caused by the 2019-20 bushfires. There is further reference on page 39 to "how quickly schools, teachers and students can successfully innovate and adapt to new ways of teaching and learning."

While this is undeniably true, what is missing in the discussion is that the smooth transition was off the back of the incredible commitment and goodwill of teachers who wanted to ensure the continuity of learning and the wellbeing of their students.

To illustrate the dedication of teachers in this period, 38,000 staff completed 150,000 on demand professional learning courses over the last two terms – statistics which suggest that our profession is deeply committed to improving their teaching and the educational and psychosocial outcomes of their students.

Also missing from the Productivity Commission's analysis of the lessons from 2020, is the critical role of some of the centralised support for schools from the Department. The rebuilding of the Departmental support system has been welcomed by the profession, through for example, the Department's Bushfire Directorate established in February, as well as the COVID-19 response team.

The findings from Sydney University's survey titled, 'Teachers, School and COVID-19' undertaken by more than 10,000 Federation members indicated that some of the positive outcomes of their work as a result of Covid 19 were: greater opportunities for teachers to work collaboratively, the upskilling in digital and online platforms, more time for families to connect, communicate and work together, a reduction in teachers hours lost to travel each day and the enhanced respect for teachers' professional work.