

JOINT STANDING COMMITTEE ON THE COMMISSIONER FOR CHILDREN AND YOUNG PEOPLE

**REVIEW OF THE FUNCTIONS EXERCISED BY THE
COMMISSIONER FOR CHILDREN AND YOUNG PEOPLE**



**TRANSCRIPT OF EVIDENCE
TAKEN AT PERTH
WEDNESDAY, 27 JUNE 2018**

SESSION ONE

Members

**Hon Dr Sally Talbot, MLC (Chair)
Mr K.M. O'Donnell, MLA (Deputy Chair)
Hon Donna Faragher, MLC
Mrs J.M.C. Stojkovski, MLA**

Hearing commenced at 9.12 am**Ms SHARYN O'NEILL****Director General, Department of Education, examined:****Mr LINDSAY ROBERT HALE****Executive Director, Statewide Services, Department of Education, examined:****Mr STEPHEN ANDREW BAXTER****Acting Deputy Director General, Department of Education, examined:****Mr EAMON RYAN****Executive Director, Professional Standards and Conduct, Department of Education, examined:**

The CHAIR: On behalf of the committee I would like to thank you for agreeing to appear today to assist the committee in its review of the exercise of the functions of the Commissioner for Children and Young People. I think you probably know all of us. I am Sally Talbot, member for South West, Chair of the committee. I will just hand to my Deputy Chair.

Mr K.M. O'DONNELL: Kyran O'Donnell, Kalgoorlie.

Mrs J.M.C. STOJKOVSKI: Jess Stojkovski, Kingsley.

The CHAIR: You have probably met Michael Burton, our advisory officer, on the way in. The purpose of this morning's hearing is to discuss the "School and Learning Consultation—Technical Report" produced by the Commissioner for Children and Young People in January this year. It is important that you understand that any deliberate misleading of this committee may be regarded as a contempt of Parliament. Your evidence is protected by parliamentary privilege. However, this privilege does not apply to anything you might say outside of today's proceedings. Today is a public hearing. Hansard will be making a transcript, which, in due course, will be published on the committee's webpage. If, during the hearing, you feel that evidence you are about to give should be given confidentially, please let us know so we can respond appropriately.

Do any of you have questions about your attendance here today?

The WITNESSES: No.

The CHAIR: I wondered if you would like to start with any sort of opening statement before we move to the committee's questions.

Ms O'NEILL: Chair, I do not have a statement as such, but just seeking some clarification: our original letter asked us to appear about three reports, hence why we have people here today. Something that we had yesterday clarified more that today's hearing was about the school and learning consultation. I just want to be clear whether you intended to cover the three reports that were in your original request, or the first report.

The CHAIR: We have had a change of advisory officer over the last few weeks so it may be that something has been lost in translation.

The Advisory Officer: That would be my fault; sorry.

The CHAIR: Michael is going to take the blame.

Ms O'NEILL: We are happy to talk about this one. It is no problem.

The CHAIR: Our questions are around this particular report, for obvious reasons. However, the questions are quite wideranging because we are interested in the kind of research that the department has been doing as well. Do you want to send anybody home?

Ms O'NEILL: No. Some might like to go but they are not. We are prepared to speak about all three, so that is no problem for us. It was just so that we can be clear for you in our responses.

The CHAIR: Thank you very much. That is fine. We have been conducting a series of hearings on receptions and reactions to the report. They have been very interesting. The committee is contemplating putting all that work together so that we have a broad overview of what the reaction has been. One of the things that we are interested in is about the usefulness of this kind of longitudinal study and the view that the key stakeholders like yourselves have about how frequently this kind of research needs to be done to be of use.

Ms O'NEILL: Certainly, longitudinal research is helpful in any case for planning, policy, intervention and positions that we might want to take on certain items—and support for schools. Any longitudinal research, if it is underpinned by good research, will be helpful to the department.

The CHAIR: What other sort of research do you have that guides your policies and practices?

Ms O'NEILL: A range of work—we commission work from time to time. That would be undertaken either on the basis of specifications by independent groups; for example, I think we have talked at estimates or in other places about some work that the Nous consulting group was doing for us. There are lots of people that do that sort of work in any case. We would commission research. Sometimes they will do it independently, as in we will commission them with specifications, and sometimes we will work with them. We undertake our own research. It depends what we are talking about when we talk about research, but from our perspective we monitor our programs. You might think about that as one form of research. We undertake internal monitoring. We have governance arrangements for that. We would then undertake evaluations of programs. We undertake pilots. We have a governance arrangement where we look at those on an ongoing basis. Sometimes it is internal and sometimes it is external. It depends on the topic and the purpose of the research or the evaluation work.

The CHAIR: What we have tried to do in getting our heads around this area of your activities is to divide I suppose what you would call the quantitative stuff from the qualitative stuff. We have noticed a report on “Child and Parent Centres on Public School Sites in Low Socioeconomic Communities in Western Australia”. That was the Edith Cowan research. “School Autonomy: Building the conditions for student success”, which was done by Hamilton Associates, and the Curtin University research done in 2015–16, “Research into Developing Highly Effective School Boards for Independent Public Schools”.

Ms O'NEILL: We would have many more of those. You have named three but that would not be a complete list, obviously.

Mr HALE: If I could give you example of one that we are about to embark on—it is probably more directly relevant to the work of this committee. We are going to do some research in relation to Aboriginal education, which will include qualitative research to go into some school environments where we think positive successful learning environments for Aboriginal children have been created to learn from that and use that to inform the work we do with other schools to try to expand that thinking. We do try to do some of that sort of work as well—of learning from where there is good and effective practice.

The CHAIR: Do you have a mechanism for building the voices of children into that research?

[9.20 am]

Ms O'NEILL: I think that we would endeavour to do more of that. Historically, it has been dependent on the topic. Obviously, we are less likely to build the student voice into a review of funding, for example. I guess it depends on the focus. I do not think it has been a really strong feature, more broadly, of the work that we are doing. Last year we spent some time investigating different mechanisms to gather student voice more into the work of the classroom and the school in terms of feedback about the way in which the class operates or the kind of pedagogies that are being used in class. We spent quite a bit of time looking at four or five different tools that are available for that. We have not made any decisions in relation to that. I think it would be fair to say that the use of student voice in policy and planning is developing, but I would not call it at a mature stage yet.

Mr HALE: Perhaps I could give another recent example. We have been working with the commissioner on a range of things, including trying to improve our understanding and use of student voice. An example relatively recently is last year—just because it was time in our policy review cycle, but also knowing the activities of the royal commission—we wanted to have a good look at our child protection policy and procedures. What we decided to do, though, in doing that was to embark on a very extensive consultation process so that it would be educative, so that the people engaged in that process would have a better understanding of where things were at with child protection. It was useful to us because we could get not only the big-picture information that we were getting, but actually hear the voice of people in schools on the front line. The other thing we did alongside that, and the Nous Group was involved in this piece of work, was we realised that where we want to go with that—where we have to go with that—is not only the policy and procedures, but the kind of organisational culture we develop around the “child friendly, child safe” thinking. We have pretty well adopted the thinking from the framework the commissioner uses. In that process we have started consultation on a draft approach to developing that culture—a draft framework specifically for schools and education. We expanded that to include not only people from schools across the department, across other agencies and not-for-profits, but we actually did include student participants in a facilitative process to hear that level of student voice. One of the things we are interested in is “broad level of a survey” is a useful contribution of student voice, but sometimes to really have the student voice heard, you have to really engage with young people and children directly and have a facilitative discussion.

The CHAIR: You will forgive my smiles, won't you? To hear the voices of young children, you have actually got to ask them and then listen to what they say.

Mr HALE: But not just ask them in the sense of putting out a—every good teacher is doing this every day as part of their job. Every good school leader is doing it in a range of ways, but when you try to draw that up to a system in a consultation like that, what we were keen not to do was simply have another tick-the-box sort of thing because you really want to tease out from children and young people what their thinking is and what their real contribution is.

Ms O'NEILL: Chair, if I could just go back and just clarify when I talked about the level of maturation, because I think it does occur at different levels, obviously, student voice at school level, there is a lot of work done at school level and in the classroom. The report refers to NSOS—that national survey. There are different mechanisms that schools use up to and including things like school councils to get the voices of students into the life of the work. What I was referring to when I was talking about various tools, that is to get more student voice and feedback into teaching and learning, so there is that sort of mechanism as well, and we have the surveys, which were referred to. Whether a policy matters that are specific to—and it is more often in the care area where we are spending more time in relation to getting that feedback. I mean, many years ago when we had to change our whole approach to the way in which protection was enacted, that is when I was first director general, and through the Katanning period, we undertook an enormous amount of

consultation with children and particularly kids in our residential care. When I was talking about maturation in terms of getting student voice across all policy areas, I think there is a lot of work that has been done, but we have not consistently sought voice into the strategic policy positions of the department. I think there is more work to be done.

Mr BAXTER: If I can give you a practical example related to Blaxell and the understanding that we had that the residential colleges would be incorporated into the Department of Education, we actually went out to all the colleges and met with the boards, but we also met with the students around a complaints management system that would work for them. We were not only responding to their voice now, but it would provide them with a voice if they felt unsafe or at any risk. That was in relation to regulation, because, of course, we were going through a change in the act and the regulation flowing from it, but also around policy. So, from that feedback and consultation process, we have policies around complaints management and complaints being student-friendly really—the avenues for them. That is now across all our residential colleges. Unfortunately, in the past, it was very much localised under the previous country hostels authority where we did not have a systemic understanding of a system whereby students could bring forward their concerns. That is a practical example of the benefit of going out and talking to students and saying, “You need to be a part of the development of this policy.”

The CHAIR: It is interesting that we are reasonably sophisticated at hearing children’s complaints as a result of inquiries like Blaxell’s. We are less good at listening to the voices of children when it comes to things like funding decisions and doing that kind of qualitative evaluation of teaching programs. Perhaps I can now ask you, following that response, whether there is anything in the commissioner’s consultation that is our subject today that surprised you?

Ms O’NEILL: Did that surprise us? I thought it was, having gone through the recommendations, instructive for the department. I understand that from a departmental perspective, we are not aware of the status of the recommendations with regard to whether the government has accepted those recommendations. We have been working through them and giving thought to the different recommendations. It is interesting to us. We already use the NSOS survey, and schools are required to do that every second year. In fact, we are just writing to schools to remind them that this year is a collection year. We, as a state, decided to add some questions, because states are able to add questions to that survey, and that is something that we already do and schools use that information. I was interested that the report has quite a reliance on that survey. It is a tool that we use, and obviously we support it, but we would want to see it as one, which I am sure most people would, piece of information among other pieces of information. The word that came to mind for me as an over-reliance on NSOS as a tool, and perhaps that is a misunderstanding from our perspective. Our advice to the commissioner would be to see it as one tool among other tools that can be used, because all tools have a limitation. That is an underlying point of interest for us. In the recommendations, it does refer to the governing authorities, and from our perspective that was clear that that meant the Department of Education. I guess what we took that to mean Catholic Education, the Department of Education and I guess all the independent schools. That was a point of clarity really about whether that is who you are referring to with the governing authorities.

The CHAIR: Is the department going to make any formal response to the report?

Ms O’NEILL: We would normally do that as a point of process when the government has its own response. We would not precede a governmental response.

The CHAIR: Have you started discussions with the commissioner about some of the recommendations or where the work might go next?

Ms O'NEILL: We discussed with the minister to see if there is any clarity around the status of the recommendations from the government's perspective. But we do work, as you know, with the commissioner on an ongoing basis.

Mr HALE: We are in frequent conversation with the commissioner and his office, and I think there is a further discussion amongst some of our statewide services staff and the commissioner this afternoon. That is partly in response to the work the commissioner has undertaken, but it is also because we engage very strongly with the commission in relation to a whole raft of things we are doing as well and seeking their advice and input. So that whole parcel of work I mentioned earlier about child protection, and the idea of a child-friendly or child-safe organisation, we involve the commissioner heavily personally in not only presenting to the people involved in that, but actually being one of the people consulted through that process. It is an ongoing relationship.

[9.30 am]

Ms O'NEILL: Chair, it is fair to say though that many of the recommendations are good commonsense and would not necessarily have to wait for government to say something for us to do. For example, I just pick out recommendation 2 that governing authorities review and evaluate the implementation of cultural frameworks. We always review work that we are doing, so that is something that we would do in any case. But then things such as recommendation 9, about the ministerial council reviewing the Melbourne declaration, that would be a matter of policy for government to do those sorts of things. Many of the things we will just get on, because they make sense and we are doing them anyway.

The CHAIR: Just to clarify in what the committee is interested in here, what we are looking for are the points of traction that the report like this gets from all the other stakeholders—all the other service deliverers in that area, people who are delivering services to children, as the Department of Education does. You get a hefty report like this; does it just become a door stop or are there areas where you people read it and things start to change? We know, for instance, that some things started to change immediately because there were moments during the research when they did immediate real-time reports back to the school, where they picked up things of concern. That is where it starts. How does it go on from there? That is what we are interested in finding out.

Ms O'NEILL: Are you talking more generally, Chair, about reports like this?

The CHAIR: Yes.

Ms O'NEILL: It always depends obviously on the report. If there are things that we did not know, that make good sense and we are able to respond to them quickly, as you said, we would not wait for a report if it became obvious during the process. We always try to be responsive to good ideas—evidence-based suggestions—so if something became evident to us during a process that needed to be fixed or contemplated straightaway and we were able to do that within our own auspices in our own funding, in our own decision-making, then we would do that. Ordinarily then, the process of the report, any report that comes out usually like this, the government would then take a position on it, and we would feed information into that. I do not think that is a process that is underway. Notwithstanding that, we would still go through a report like this, or any other report, and if there are things there, as I said, that are in our purview to change because they make good sense to do so and it is really helpful and we have not already started on it, then we would do that.

The CHAIR: Okay, that is great. That is a general sense. That sounds like best practice; that sounds great.

Ms O'NEILL: If it is a matter of government policy, then that is a policy matter for the government.

The CHAIR: That is what we are interested in getting down to—in terms of the specifics of this report, where those areas of traction are. I want to raise two general points, and start with them. You have already talked about one of them, which is the Melbourne declaration. Clearly, this is a policy matter, but it is going to be driven, if there is change, by the experts in the field—who are you. What are your views on the comments in the report about the Melbourne declaration?

Ms O'NEILL: I do not really want to speculate; it is a matter for ministers, really, whether they want to review the Melbourne declaration. There is already discussion around the states about that it might be timely to do that.

The CHAIR: It is extraordinary how fast things have moved, is it not? Maybe it is not for you, because you are professionals in this field, but I mean there is no reference to STEM in the Melbourne declaration. I think that is what I worked out.

Ms O'NEILL: That is right. That is why people are generally talking about how it would be timely to relook at the Melbourne declaration. But we are in the middle of funding negotiations with the commonwealth and a reform agenda being negotiated as part of those funding arrangements. I think it is in part a matter of timing. But certainly there is an appetite. I am not sure in what time period, among officials, to have another discussion about reviewing the Melbourne declaration. I think it would be fair to say it is on the minister's radar.

The CHAIR: What role does something like the Melbourne declaration play in the day-to-day unfolding of activities of an education department in a state?

Ms O'NEILL: It is very high level, to start off, but it then underpins something like the Australian curriculum. While day-to-day people do not think about the Melbourne declaration, once set, it drives the Australian curriculum and what sits in that. Obviously, at a state level, that drives the curriculum of every school. It underpins the national testing framework—not just NAPLAN, but the whole performance framework we have. Because it is such a high level statement of intent, I guess it then underpins the policy positions that are taken thereafter, but I would not say it is a daily, weekly, monthly touchstone in schools. It then becomes imbued in all the policy that sits underneath.

Mr HALE: The Australian principal standard would be another example. The principal standard took into account the Melbourne declaration and refers to it, but I doubt that many people in their role as a principal are sitting everyday contemplating the Melbourne declaration itself. But in fact, the standard by which they are selected and developed is exactly, in its most fundamental educational focus, from the declaration.

Ms O'NEILL: It is a statement of intent; it is a belief statement. These are the things that we believe are important for this nation to be prosperous, to be fair, to be all the things that we would want it to be, and therefore it ends up being a set of principles that sits below or on top of, whichever way you see it, all the other policy positions of national agreements, and will drive the national agreement as well.

The CHAIR: And perhaps it is fair to say that it is harder to make changes further down that hierarchy to, say, course content or program delivery, if you have not got a value reflected in something like the Melbourne statement.

Ms O'NEILL: That is true, but the Melbourne declaration is a very broad statement of aspiration, and mostly you could park anything inside it. While it might not mention STEM, it mentioned twenty-first century skills, so people could argue STEM is there even though STEM, as a title, is not because the titles are not reflected. I was involved in its development. I think it is global enough that almost anything can find a home, because it has to carry for a time. But a refresh, as I said, is being

contemplated, but there is no substantive plan to do that and that would be a discussion for the ministerial council.

Mrs J.M.C. STOJKOVSKI: In relation to curriculum content, part of the report highlighted that students feel that some of the content or some of the curriculum that has been taught to them is not relevant or is not what they need to move forward into careers, like you said, in the twenty-first century. Is there any scope within the department to capture those views and feed them back into that curriculum content program?

Ms O'NEILL: Just for clarity around governance, there is SCSA, the School Curriculum and Standards Authority. It is a statutory authority, so they have their own board. They set the curriculum. It is part of, or unfolds from, the Australian curriculum. So while they sit now post-machinery-of-government—their staff is part of the department—the SCSA board themselves make the decisions around curriculum, so it is probably a question that they would need to answer as the curriculum policy-makers. I would not like to answer for them and I do not know whether Lindsay, if you recall if, in the development of those courses, that they use student voice?

[9.40 am]

Mr HALE: To be honest, I do not believe so, but I am prepared to admit that I simply might not know. But I do not think that that has been the case. If I could just comment on that reflection from young people about relevance of curriculum, that is almost a perennial concern of kids. Most of us can probably remember sitting in a math class some time or somewhere thinking, “Why am I doing this?” It is a very fair question. I am not sure it is the curriculum that is the problem though. We are trying to work with people also to make sure that when you are engaging young people with the curriculum, that one of the things you explicitly do is to help them understand what the purpose of that learning actually is. Sometimes I think it is hard to see. We would want to hear the students’ voice on this, but I do not necessarily think we would say, “Well, a 15-year-old young person has the best take on what needs to change in curriculum.” Maybe they have not actually had a good enough go at being helped to understand why and what is the purpose behind what they are learning. There is that bit. Then there is also the move, I think, to more personalised approaches to learning, to actually start from the foundation with the child or young person, particularly as they get older, particularly as you are getting to the teen years, where their interest lies and how you link the learning that the curriculum requires to that young person’s interest and to make it meaningful in that context. I think that question, the student voice, at the global level about what is written in the curriculum I think probably has been absent. I think a lot of our schools, particularly in some of the more remote schools, we are now supporting them to make quite strenuous efforts to engage at the level of the individual child and their interest and try to personalise learning more so it is engaging.

Ms O'NEILL: Perhaps if I could add to that, I made mention before about how we have been investigating some of these student voice tools into the classroom, which we do hear more specifically about content and about teaching approaches. It comes to mind, as someone who was working with us at the time at Shenton College and the principal there, and, just as an example for you Chair, it might be something of interest, they are using really well developed student voice tools there. It is interesting information they get from children around the approaches in the classroom and the content. It opens up for them the sort of suggestion that you are talking about, because if the students cannot see the relevance of what they are learning, then that is a matter for the teaching—you know, the context that it has been given and the setting in which that content is being delivered, about how relevant it is. Can the kids see the relevance for it? They have had quite a lot of success. It is confronting. Student voice can be confronting, that feedback loop, for teachers.

It is really interesting where at Shenton they talk about how they have to work with students to help them understand the purpose of the feedback, and how to give feedback, because there are constructive and unproductive ways, as you know, and they are quite advanced. They are not the only school, but I just use that as an example that it might be of interest to the committee to know a bit more about that.

Mrs J.M.C. STOJKOVSKI: Some of the previous people who have come in to hearings have brought in information about the teachers and the role of teachers that came out of this report, and there have been suggestions that perhaps there needs to be a change in the way we teach our teachers and how they engage with the communities around them. We are just wondering whether there are any programs or initiatives that are run or supported by the department that seek to draw teachers into the school communities and enhance their teaching capabilities, because that has a profound impact on the students and how they feel safe in a community and in a school.

Ms O'NEILL: With regard to universities, I have to start there first, we would support anything that can strengthen pre-service education around teaching, classroom management and understanding that schools are part of the community. But those decisions are made, obviously, by the universities, with some input. On the matter of helping—if I can just be clear that what you are asking—teachers understand that they serve a community, that parents are an important part, a key part, of the whole process. There is a range of things that we would do. I will point particularly to the “Aboriginal Cultural Standards Framework”—the only one of its kind in Australia that we developed. One of the areas in that framework is about engaging and responding to the community as a partner in the teaching of, particularly in this case, Aboriginal children. But that is a principle that we would want to use in any case. It is different in different communities. Our Kimberley schools project is another area where we are wanting to work with the staff to assist it, to develop the kind of competencies about working in the community. It is, as I said, different in different communities and different requirements in different communities. But it is about being open and accountable to the parents and communication with the parents. All those are expectations that we would have of all teachers. When our graduates first come to us, across Australia we have probably the best graduate program in that they have time out of the classroom for their mentoring and further development, which other states do not do, and as part of that mentoring, it is a key part of the discussion that we would want to have with, in this case, graduate teachers.

Mrs J.M.C. STOJKOVSKI: In that mentoring, is there any capacity building with how to deal with the community at large? That is smaller—parent to teacher. When I was in school, the teacher was always right, and there seems to have been a cultural shift now where parents can sometimes come in and attack the teacher, rather than working together to support the student. I am wondering whether there is any kind of program there to help graduate teachers or other service teachers to learn those abilities to interact with parents in a more productive way, because it is not helpful for a student if you have a parent and teacher argument, I guess.

Ms O'NEILL: I cannot recall a specific program.

Mr HALE: I do not think there is a specific program, but I think the coaching of our graduate teachers, these are the sorts of issues that coaches spend a lot of time on, on a very individual level, which I think is probably a better way to deal with it anyway. So a young teacher—not even young, a graduate teacher, because some of them are mature people—actually has the ability to have someone, independent of the situation, that they can talk through a situation, get advice, reflect on how it is going so far, learn new strategies and that sort of thing. I think that is why the coaching has been such an effective strategy, because it is personalised and it is about real learning for each graduate in their particular situation with real live problems.

Ms O'NEILL: But we have specific programs, one called verbal judo, which is more about assisting and capability building for more difficult interactions. Everything is good until it is not. It is assisting people to work through that kind of conflict that sometimes occurs. The proposition, the first part of your question about perhaps in the old days, the teacher was always right, I think we are a long way away from that. There is a recognition, and I speak to many, many staff around trying to culturally change this understanding that we serve the community, not the other way around. That does not mean that parents are curriculum experts and our teachers are, but they are expert in knowledge about their own children, and so we have to bring those competencies together. Day in, day out, I think this happens really well across most schools, but from time to time it does not, and so there is some kind of conflict training. We use our psychs for mediation, but that is when things are going off the rails. It is a good question you ask about the capability building at the front end. It is something that we would expect, and our principals do so with staff. I would struggle to pinpoint a separate program where people would go along; off the top of my head, I cannot really think of one.

[9.50 am]

Mr HALE: I think it is well accepted by most school leaders that it is one of their fundamental responsibilities to maintain a positive relationship with parents and community, and actually to invite questions, invite challenge, invite criticism where it is appropriate, and invite the complaint, because when you have got that sort of positive relationship, you are much less likely to have some of the aggressive things that we do sometimes see, where people come in. It is not acceptable behaviour, but it is understandable because their concern is for their child. For some people, everything else then goes out the window.

Ms O'NEILL: We are running a specific program around board and council training, because this is actually a two-way street. I think there are some things that parents and community need to understand about their interactions as well, actually. That has been quite productive and the parents that are involved in those training opportunities have spoken very positively about having greater understanding and, from our school perspective, teaching our board and council members who might be teachers, who might be the principal, about their interactions, and also through the P&C. It is generally pretty positive, although from time to time there can be conflict.

Mr BAXTER: When we bring our staff in, we would love them to have or we want them to have the qualities and attributes that recommendation 5 refers to. We built a capability around understanding. A program that has been used in a lot of schools was around understanding poverty, because many of our staff do not come out of backgrounds where they have really experienced that sort of thing. Going into many of the communities in regional Western Australia and now in the metropolitan area, children present to school with so many risk factors, that really one of the connects of all those things is that they come out of disadvantage and what could be described as situations of poverty. But that is a real challenge for many our teachers—middle-class people.

Mr HALE: Another really contemporary example—now you have raised that, because I have just been visiting a number of schools yesterday and talking about these very matters—is the growing take-up of professional learning in relation to trauma-informed practice and the importance of that not only in how you deal with children and young people, but often how you deal with families and community members as well. There are those sorts of really quite targeted approaches to developing the sorts of skills people need, and not even the skills, the understanding they need so that they can have some empathy for the people they are dealing with.

Ms O'NEILL: Country and remote inductions I think do this a little more. I have been involved in quite a few, as have these guys, too. If you are particularly going to a remote community, I think

there is quite a bit of work done, particularly going into a remote Aboriginal community, to understand the kind of cultural nuances, the context you are going into. There is, I guess, more understanding and capability around that and resources. But they are more specific; they are quite different in the school and community context that you are going into.

The CHAIR: I just want to take up one of those points, if I can, which is that we heard some evidence from parents and citizens and parents and friends a couple of weeks ago, and both those groups told us that it is very rare for teachers to get involved in P&Cs and P&Fs. Do you think that there is potential there to build those relationships through the operation of those groups by encouraging teachers to join those groups?

Ms O'NEILL: It is different in different places: some teachers in some places are involved; other teachers might choose not to. Some P&Cs do not necessarily need or want teachers to be involved. Sometimes they want a forum where they can talk about what is happening at the school, not with teachers there. It is important to remember that parents and citizens have a particular function that they provide under their particular constitution, and school boards and councils under the School Education Act have a different role to play, which is around input into policy making. We cannot compel teachers to be involved in extracurricular activities, but many that I know do. We do not have a position that people have to be involved in P&Cs, we could not compel them to, anyway, but some people do. P&Cs and P&Fs are but one way to be involved and primarily, under the constitution, P&Cs are involved in supporting the school through fundraising and other mechanisms, so I would not want to limit—I am not suggesting that you are going to limit, but it is one way of being involved.

Mr HALE: As an example, I think often perhaps teachers would not see that there really is much of a role for them in a P&C and maybe the P&Cs often feel that too, but there can be other parent groups. For instance, many schools would have, and particularly secondary schools might have, a music student parent support group, and you would usually find in those sorts of groups, because it is directly linked to the learning of the kids and the practice of what they do in the school, that then teachers are heavily involved in those sorts of groups. It might be something about people's sense of what the purpose of what different groups is.

Ms O'NEILL: There are teacher representatives on school boards. I think the requirement of the school board council is that there are teacher representatives,

Mr HALE: And that they be in the minority.

The CHAIR: Yes, both groups, from memory, said that they were aware of some teachers being on P&Cs and P&Fs, but they tended to be teachers who had children at the school, so they were wearing their parent's hat when they were there. They did seem to ask, though, that perhaps that is another avenue of engagement that is not on the radar that could just be gently brought into focus as a potential avenue for building those relationships.

Mr BAXTER: Often teachers will engage in those additional activities with the community, specific to their need, in a sense. This week, for example, we have 3 500 country students up at country week playing a whole range of sporting activities, and 400-odd teachers who would have all engaged broadly with the community because most of those schools do fundraising in preparation for it. There will be all sorts of activities, along with the coaching, of course, out of school hours for these sorts of things. Often teachers will make that commitment but to something that connects more to their activity. As a teacher, I did used to go along to P&Cs, but I gave it up because mostly it was around fundraising and the occasional things they have had problems with.

Ms O'NEILL: If you go to any school fair, teachers will be running a lot of the stalls with parents. I would certainly be happy to see teachers on P&Cs, but it would be one opportunity.

The CHAIR: Yes, we always know its country week when it starts to pour with rain!

I just want to ask you a couple of other quick questions, because we are running out of time. You were probably aware, to the extent of what this committee does, that we have taken up the issue of the opt in, opt out, in relation to this report. Do you have any comments to make about that? We are very keen to see the opt out.

Ms O'NEILL: There is a process, and I have met, understanding some of those concerns, recently with TKI and the commissioner. The process we do use—we always get it around the wrong way—is passive consent. Have I got it around the right way now?

The CHAIR: Yes. Currently it is opt in; you have to do something to be counted.

[10.00 am]

Ms O'NEILL: We use active consent but we also use passive consent in some circumstances. The process, as it has always been, is that the group put their application to us—because you cannot assess something to be passive or active consent unless you know what it is that people are going to be asking, because we have a responsibility, obviously. We assess what is being asked to determine whether active or passive consent can be used. It very much comes into what the research is about, remembering that parents have given us information on the basis of its being used for some thing and not other things. We met with TKI and the commissioner. I asked if we could have our person on the group that is developing the work so that you do not do all this work and get to the end and then we say no we cannot give that. We have some concerns around some of the questions and whether passive consent would be reasonable in the circumstances, but we are working those through as an active member of that group now. That process will come to us, but I have a responsibility to exercise around whether it is reasonable for parents to know or not know that some more controversial questions are being asked of their children. I have to exercise appropriate responsibility over that. We are not against passive consent—we use it—but it will all come down to what children are being asked and whether any reasonable parent would expected to know if their child is being asked those questions.

The CHAIR: Do you have any concerns in relation to the questions that were asked?

Ms O'NEILL: The questions have not been asked because the application has not been put forward.

The CHAIR: No. The questions that were asked in this consultation.

Ms O'NEILL: Not that I am aware of.

Mr HALE: We were involved in the development of the work. Where there might have been some concerns, they were raised. My memory of that, because I was involved in a number of those meetings myself, is it was more at the state of the genesis of the approach and what was sought. The discussion was more around, “Are these the right questions to ask? Are they going to be asked in an appropriate way for our environment in WA?” This is because it was worked on in New Zealand. There were a lot of questions around how do we approach this to be as inclusive as possible of all young people here. The commissioner had set up a process. We were all at the table from early on exploring those things together. It was not ever really a debate. It was: how are we going to contribute to get this right?

Ms O'NEILL: Some other collections that are put to us involve people seeking passive consent. We have had, in the past, concerns where, for example, children are being asked to potentially

incriminate themselves. I have to make a judgement about whether parents ought to know about that.

The CHAIR: This is in relation to other research projects—not this one?

Ms O'NEILL: Not this one. The work that, for example, the commissioner and TKI want to be doing, they are asking about the possibility of passive consent. That is one that we are working through because some of those questions, obviously, are more far-reaching.

The CHAIR: Was the question considered in relation to this piece of work that we are considering?

Ms O'NEILL: Passive consent?

The CHAIR: I do not know off the top of my head.

Mr HALE: I am not sure, but I would imagine, probably, it must have been because that would be part of the normal process. That would always be one of the issues raised in engaging in any sort of research process. When it went to our evaluation people, I imagine that would have been one of the things they considered, but we would have to check the exact details of what happened there.

The CHAIR: Would you mind checking it out and letting us know? That would be very helpful—by way of a question on notice.

Mrs J.M.C. STOJKOVSKI: I have a quick question around the student-centred funding model and the census. I see that you are doing a review at the moment on that funding model. I have had some feedback locally that if a student with special needs is at another school, for example, on census day then moves to your school, unfortunately, the funding attached to that special needs student does not move. I wonder if that is going to become caught in your review of the student-centred funding model.

Ms O'NEILL: Perhaps if I answer it more broadly, the evaluation is looking at whether the intended outcomes or the structure of that model is appropriate. That review is underway at the moment and we do not have the final report with that. I just need to check whether it goes down to that sort of level.

Mr BAXTER: Those are matters for consideration. The funding does not move with the student at all times, but, certainly in the area of disability, sometimes the funding is quite significant. Clearly, the funding must follow the student.

Mrs J.M.C. STOJKOVSKI: It is not necessarily disability always, either. It could be Aboriginal children moving around as well—particularly those who are in care and moving.

Ms O'NEILL: That is a different category.

Mr BAXTER: The challenge for us, of course, is that once a child is enrolled at census within a school, the additional funding for Aboriginality goes to that school and some of these families are quite transient. They may see three or four schools within a calendar year. What we could do, of course, if we had the credit card model with a student going, is that it is transportable. That is not how it is. We do not take the money away from the original school, because they have used their one-line budget to put staffing on. It is not a simple exercise and we have a finite budget.

Ms O'NEILL: Just to be clear about the model, every child is funded. Regardless of what school they are in, they are funded per student. In the kind of characteristics that you are talking about, the only one of those that is attributed to the individual is the disability funding. My understanding is that if you are a child who has an IDA—individual disability allocation—regardless of where you are, you are funded if you are one of the eight diagnosed categories. If you have a specific example, we could respond with more detail.

The CHAIR: You might be able to take that up.

Thank you very much. That has been extremely useful and I do appreciate your time. I will just read the closing statement so you are reminded of the formalities. A transcript of this hearing will be forwarded to you for correction of minor errors. Any such corrections must be made and the transcript returned within 10 days from the date of the letter attached to the transcript. If the transcript is not returned within this period, it will be deemed to be correct. New material cannot be added via these corrections and the sense of your evidence cannot be altered. Should you wish to provide additional information or elaborate on particular points, please include a supplementary document for the committee's consideration when you return your corrected transcript of evidence. Thank you very much.

Hearing concluded at 10.06 am
