



**LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

STANDING COMMITTEE ON PUBLIC ACCOUNTS

(Reference: [Inquiry into Auditor-General's Performance Audit Reports July-December 2023](#))

Members:

**MR E COCKS(Chair)
MR M PETERSSON (Deputy Chair)
MR A BRADDOCK**

PROOF TRANSCRIPT OF EVIDENCE

CANBERRA

THURSDAY, 23 MAY 2024

This is a **PROOF TRANSCRIPT** that is subject to suggested corrections by members and witnesses. The **FINAL TRANSCRIPT** will replace this transcript within 20 working days from the hearing date, subject to the receipt of corrections from members and witnesses.

**Secretary to the committee:
Ms S Milne (Ph: 6205 0435)**

By authority of the Legislative Assembly for the Australian Capital Territory

Submissions, answers to questions on notice and other documents, including requests for clarification of the transcript of evidence, relevant to this inquiry that have been authorised for publication by the committee may be obtained from the Legislative Assembly website.

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Privilege statement

The Assembly has authorised the recording, broadcasting and re-broadcasting of these proceedings.

All witnesses making submissions or giving evidence to committees of the Legislative Assembly for the ACT are protected by parliamentary privilege.

“Parliamentary privilege” means the special rights and immunities which belong to the Assembly, its committees and its members. These rights and immunities enable committees to operate effectively, and enable those involved in committee processes to do so without obstruction, or fear of prosecution.

Witnesses must tell the truth: giving false or misleading evidence will be treated as a serious matter, and may be considered a contempt of the Assembly.

While the Committee prefers to hear all evidence in public, it may take evidence in-camera if requested. Confidential evidence will be recorded and kept securely. It is within the power of the committee at a later date to publish or present all or part of that evidence to the Assembly; but any decision to publish or present in-camera evidence will not be taken without consulting with the person who gave the evidence.

Amended 20 May 2013

The committee met at 9.31 am.

STANTON, MR BRETT, Acting Auditor-General, Performance Audits, ACT Audit Office

THOMAS, MS LAURA, Audit Principal, Performance Audits, ACT Audit Office

BOWDEN, MR MATT, Audit Principal, Performance Audits, ACT Audit Office

THE CHAIR: Good morning, and welcome to this public hearing of the Standing Committee on Public Accounts for its inquiry into Auditor-General's performance audit reports, July to December 2023. Today the committee will hear from the ACT Audit Office and the Minister for Education and Youth Affairs.

The committee wishes to acknowledge the traditional custodians of the land we are meeting on, the Ngunnawal people. The committee wishes to acknowledge and respect their continuing culture and the contribution that they make to the life of this city and this region. We would also like to acknowledge and welcome other Aboriginal and Torres Strait Islander people who may be attending today's event.

The proceedings today are being recorded and transcribed by Hansard and will be published. The proceedings are also being broadcast and webstreamed live. When taking a question on notice, it would be useful if witnesses used these words: "I will take that question on notice." This will help the committee and witnesses to confirm questions taken on notice in the transcript.

We welcome witnesses from the ACT Audit Office. I remind witnesses of the protections and obligations afforded by parliamentary privilege and draw your attention to the privilege statement. Witnesses must tell the truth. Giving false or misleading evidence will be treated as a serious matter and may be considered a contempt of the Assembly. Please confirm that you understand the implications of the statement and that you agree to comply with it.

Mr Stanton: Thank you. I have read the statement. I understand the implications and I agree to comply with it.

Ms Thomas: I have read the privilege statement. I understand it and agree to comply.

Mr Bowden: I have read the privilege statement. I understand it and I agree with it.

THE CHAIR: Thank you very much. Would you like to make an opening statement?

Mr Stanton: No, thank you. I would just like to thank the committee for their interest in our reports. We are here to talk about four performance audit reports, quite diverse in the subject matter that they consider across the different agencies. We are very pleased to be here today to answer any questions that you might have.

THE CHAIR: Thank you very much, Mr Stanton. I will kick things off today by turning to report No 10 of 2023, *Human Resources Information Management System (HRIMS) Program*. I found the report fairly concerning in that what the audit seems to have done very well is set out a time line of when different stages happened. There was clearly a very rapid escalation in the cost associated with that program. Over the course

of two years, I think it went from around \$15 million to more than four times that, in terms of total cost. What I am keen to understand is: how early were the problems associated with that program—which are outlined very well in the audit report—apparent and is there any evidence that that was considered in terms of the escalating cost?

Mr Stanton: To start off with, chapter 2 of the report talks about the evolution of the business cases, as it were. In fact, it goes back a little further into it, back to 2011 and 2013, to the feasibility studies that were undertaken in relation to the program—or, should I say, a human resource information management system. That led to the different business cases.

We outline in some detail the evolution of those business cases. We did see, for example, the 2017-18 business case, which had a figure of \$15 million associated with the program. That was almost certainly too low, too small and inappropriate for the program that was envisaged. Almost two years later, we had the next business case, which certainly did ramp up the costs. Between that first business case, kicking off that program, and the second business case, which was in that 2019-20 period, clearly the scale of the program and its implementation became known. We know that that happened over the course of that period of time.

As for how and when it was understood by the different participants, I am sure it was understood very well by some participants fairly early in the piece. I am sure it was understood very well by other participants a little bit later in the piece. In that respect I point to the governance arrangements, the project board and the steering committee. We make some comments around the efficacy of those particular bodies in having a handle on and dealing with issues associated with the program. Over that period of time, as to who knew what and how it was known, we are not in a position to answer specifically.

THE CHAIR: Ultimately, the cost continued to increase. At what stage should there have been some red flags that, ultimately, this program would not be delivered?

Mr Stanton: That is a really good question. We cannot answer that with any specificity. But we can point to all of the program management issues, the governance issues and the challenges and problems they had in relation to program management and governance. You would like to think that if you had better program management, better governance arrangements in place for the program, you would get a handle on the issues, the problems and the challenges associated with the program earlier than it occurred.

THE CHAIR: Okay. Was there any evidence that any of those issues had been incorporated into the government's consideration of the additional funding?

Mr Stanton: The requests for additional funding through the newer and updated business cases talked about the challenges of the implementation of the program and the challenges that were becoming apparent as the program was being managed and implemented. The later business cases talked about those challenges, and they were becoming more widely known and more widely understood. Does that answer your question?

THE CHAIR: Yes.

MR CAIN: To the best of your knowledge, was the minister frequently briefed on the progress of the HRIMS program?

Mr Stanton: We did not look specifically at the briefings to the minister. We looked at the program management and the governance arrangements. In that respect, we looked at the program board and the steering committee, and the role of the program board and the steering committee. What we also did, to a certain extent, was look at what information reports went up to the Strategic Board. I think it is chapter 4 where we comment on the program reporting arrangements and the reports that were produced for both the board and the steering committee, and produced for the Strategic Board.

MR CAIN: Would it be safe to assume that the minister must have been kept informed of the progress of this program?

Mr Stanton: We are not in a position to answer that.

MR CAIN: Was anyone subject to disciplinary action, to the best of your knowledge, as a consequence of this waste and mismanagement?

Mr Stanton: That was not specifically part of the audit. We did not seek to answer that question. As we did the audit and looked at the matters associated with that period of time, no, to the best of our knowledge, there was not any disciplinary action.

MR CAIN: Are you aware of any of the maladministration that you have alluded to and commented on being referred to the Integrity Commissioner?

Mr Stanton: We are not aware of any matters associated with the HRIMS program being referred to the Integrity Commission. For the purpose of this record, this report does not use the phrase “maladministration or referred maladministration”.

MR CAIN: Thank you.

MR BRADDOCK: I want to go to the shortfalls of governance. In the course of this audit, were you able to identify any individual or individuals who were responsible for ensuring that the governance was fit for purpose and effective?

Mr Stanton: Chapter 4 of the report does go into the governance arrangements, the program management and the reporting arrangements. We try to identify the roles. We talk about the program manager or program director, I think.

Ms Thomas: Yes.

Mr Stanton: Then we talk about the role of the program board and the steering committee. All of those groups had some sort of responsibility for the program, according to the governance documents. I would add that those governance arrangements did change over time, and the terms of reference and the remit of the different boards and steering committees changed over time. We outline those changes

in governance arrangements in chapter 4. Many individuals in these groups had responsibilities for and roles in the program. We talk about, in the best way that we can, how that was actually done and achieved.

MR BRADDOCK: I am trying to look for where we had failures in governance, through multiple individuals and entities. Who was it or who collectively was responsible for the governance in total and its shortfalls, noting the lack of clarity between some of these governance mechanisms?

Mr Stanton: We do talk about all of that. In chapter 3 of the report, we talk about the program being a significant whole-of-government, cross-agency program that involved elements of business processes and administration across the agencies, not only in relation to ICT implementation. To that extent, we do talk about the role of the Strategic Board and whether it had sufficient oversight of the program. The conclusion in chapter 3 talks about the HRIMS program not being effectively oversights by the Strategic Board.

MR BRADDOCK: So it would have been the individuals who made up that board who should have been responsible for ensuring that the governance was fit for purpose?

Mr Stanton: The Strategic Board, according to its remit, would have had a responsibility to ensure that a whole-of-government, cross-agency initiative such as the HRIMS program had sufficient and satisfactory governance arrangements.

MR BRADDOCK: Thank you. Going to report No 5 of 2023, on the Government Procurement Board, again this is where I am trying to seek that individual accountability. Ensuring that there is a robust procurement board providing robust advice is key, but there also needs to be accountability for the delegate, whoever is making the decision. Is that an issue: people are not utilising the Procurement Board or following its advice when they are making procurement decisions?

Mr Stanton: It is quite a detailed report. It goes over the activities of the Procurement Board for a five-year period, through to June 2022. In that period, in the order of 400 procurement proposals went up to the board. There are almost two parts to this report. One is how procurement proponents interacted with the board, in terms of the preparation of the advice, the preparation of the procurement documentation that went up to the board, and the other is how the board deliberated on that advice. That is in chapter 3. Chapter 4 of the report goes into the advice that was provided by the board, how the board actually phrased its advice, conveyed its advice and—to the best of our knowledge, through the audit process—how that was responded to by the agencies. That is the first part of the report.

The second part of the report goes into a little bit of detail. It provides colour and detail in relation to three particular agencies. It looks at case studies and how those procurement proposals were dealt with in those agencies. That provides a bit of colour and a bit of an explanation on those systemic processes that we looked at in the first half of the report. We do make comment. I think your question is in relation to whether and how agencies have taken on that advice from the board and acted on the advice of the board?

MR BRADDOCK: Or been accountable for their actions and whether it may or may not be in accordance with that advice.

Mr Stanton: What do you mean by that, please?

MR BRADDOCK: By “accountable” I mean being able to justify their decision-making. There might be a good reason not to follow the advice, but it needs to be documented and a rationale needs to be available—

Mr Stanton: Yes.

MR BRADDOCK: All too often it seems that in these audit reports we are seeing that individual accountability, where someone is called to justify their decision-making process, is diluted through governance failures across a multitude of people and entities to the point that no-one is actually held accountable for a bad decision.

Mr Stanton: Sure. In terms of taking on that advice, the Government Procurement Board’s advice is advisory. Under the FMA Act, the responsibility lies with the delegate or the proponent in the agency making the procurement decisions. It is within their remit not to follow the advice of the Government Procurement Board. We would expect, in those instances, for them to have documented that reasoning and be strong in terms of their rationale for not following the advice of the Government Procurement Board. It is perfectly within their remit to do so.

Chapter 4 talks about what we saw in the agencies: whether they did take that advice on board or not and how they actually acquitted it. We did that as best we could, because the Government Procurement Board did not, at the time, have a systemic process to go back and check to see how its advice had been taken on board. But it is fair to say that, as reported in chapter 4, for many of the procurement proposals—the ones that we could look at—in terms of how they acquitted the advice, we did not see particularly strong processes to acquit or otherwise justify why they did not go with advice from the board.

To a certain extent, though, that is influenced by the way the board couches its advice. We talk about this in chapter 4 as well. We go into some detail on whether the board’s advice is very specific and explicit or whether it is just a gratuitous comment on the procurement proposal which does not necessarily lend itself to any action. There are a couple of other categories as well. We do make comments on whether the board’s advice is as explicit and clear as it should be. We make some comments on that in chapter 4.

THE CHAIR: In terms of accountability, there seems to be an issue that is coming up across many of these reports, which is churn, and the staff that are involved at the start of the project not being there halfway through or at the end or afterwards. Is that presenting problems or challenges across some of these projects?

Mr Stanton: I think there are two ways to answer that question. In terms of whether it has actually had an impact on the project and the conduct of the project, yes, it would almost certainly suggest that if you had that changing of personnel in the course of the program or a project it would impact the conduct of the project.

The second way to answer the question is in terms of our audit process and whether and how we have access to people or understand, through that dialogue with people who were involved, what happened, how it happened and the like. When there is some turnover in a program or a project and we come along later, inevitably, to do an audit process, we do not necessarily get the picture from the people that were there at the time. That is a natural constraint and/or outcome of an audit process.

THE CHAIR: In terms of the accountability side and trying to resolve issues, my concern is that it seems that there is the potential for some of the people who set things up, where things have not gone well, to move on to another area where there is an equal potential for things to go badly. Have you seen evidence that there are mitigations to stop that sort of risk? It may be beyond what you have had the capacity to look into.

Mr Stanton: To be honest, I think our experience is that people move out of the service. That is probably the key experience that we have had in some of the recent audits that we have done: people moving out of the service.

MR CAIN: Staff moving is not an infrequent occurrence. Were you able to identify, for example, procedural guidelines or policies that were adequate to enable someone who came into the job to pick it up and run pretty seamlessly with it, or was there an absence of any such guidelines?

Mr Stanton: The appropriate governance arrangements—those programs, plans, policies and standard operating procedures—are very useful and a very important control in ensuring continuity of program and project delivery. Through some of these audits and through other audits that we do, we talk about and call out where that is absent. It is a problem if they are absent.

MR CAIN: In your opinion, was it absent to a significant degree with the Procurement Board responsibilities and advice?

Mr Stanton: There has been an effort on the part of Procurement ACT to develop and improve upon policy and procedural guidance for procurement generally.

MR CAIN: That is going forward, but, in the matters you surveyed, was there evidence of adequate procedural guidelines?

Mr Stanton: Going forward there is. Probably at the outset of the program, in 2017, no, there was not. At the outset of the audit period that we looked at, in 2017, no, there was not, but that improved over time.

MR CAIN: When do you think the improvements commenced to a satisfactory level?

Mr Stanton: I do not think we are in a position to say whether it is satisfactory or not at the moment. But, where relevant, and where policies and procedures have been developed and implemented, particularly with respect to the GPB audit, we will have highlighted that and identified that in the report.

MR CAIN: Could you confirm that, for the period that you analysed the board procedures, there were inadequate guidelines to assist new staff to continue with the

functions?

Mr Stanton: It depends on what we are looking at. I think the conversation has been around how agencies have reacted to or adopted the advice of the Procurement Board. It is very much up to the agencies as to how they actually do that. It is very much up to the procurement delegate as to whether they do take the advice of the board or not. We know that there is policy and procedural advice, or standard operating procedures, from Procurement ACT on how to interact with the board. But, to the best of our knowledge, there is not guidance from Procurement ACT on what an agency should do with the advice of the GPB. Quite frankly, Procurement ACT is not in a position to put out advice to tell an agency how to deal with the advice of the Procurement Board, because that is very much within the remit, the authority and the accountability of the agency and the delegate there.

MR CAIN: You are saying that the agencies themselves did not really have adequate guidelines on the responsibilities of dealing with advice from the board for the period you covered?

Mr Stanton: We did not look specifically at agencies and their policies and procedures. What we did look at was how the agencies interacted with the board and any Procurement ACT policies and procedures guiding that scenario. That is what we looked at there.

MR CAIN: I refer to page 24 of your report No 10, on the HRIMS project. It says:

Actual expenditure on the HRIMS Program does not include all costs associated with the time and effort of directorates and their input into the HRIMS Program. These costs are not known with any certainty, as there has been no reliable mechanism for the HRIMS Program or the directorates to account for the costs.

Given that the costs seem unknown, could you provide an informed estimate of what you actually think those internal expenses were?

Mr Stanton: No, we cannot. What we can say is that we do know, with some degree of certainty, the direct cost associated with the program. That is the cost borne by DDTS and/or CMTEDD in terms of the management program. We do know that there was a lot of involvement from personnel and staff across the directorates over the course of that program, over a number of years, toing and froing, and participation in the project board and the steering committee—all of that administrative effort to engage with the program and be part of it. We are not in a position to provide any estimate on that. Suffice to say, there were many people involved across the directorates and the agencies over a sustained period of time, and the costs would have been substantial.

MR CAIN: Do you believe the government had adequate mechanisms in place to ascertain the costs to its directorates?

Mr Stanton: No. There was no intent to do so for the purpose of the HRIMS program.

MR CAIN: The government really did not have, in your opinion, an adequate means of estimating the costs to the directorates in running this program?

Mr Stanton: To the best of our knowledge, it was not attempted to ascertain the costs across the directorates.

MR CAIN: That must be a concern. Could you please outline on how many occasions HRIMS exceeded expenditure caps as part of the four business cases approved by cabinet?

Mr Stanton: What do you mean by that?

MR CAIN: The business cases approved obviously would have had dollar figures associated with them. Are you aware of where the actual expenditure exceeded any of those or all of them?

Mr Stanton: In chapter 2 of our report we talk about the costs associated with the program. In chapter 2 we say that, as at 30 June 2023, the total cost of the program was \$77.63 million, and at that time the total approved funding was \$72.2 million.

MR CAIN: Given that it seems that the government did not have an adequate means of estimating the directorate costs, arguably the directorate costs were a lot higher than that, as part of that figure of expenditure?

Mr Stanton: The directorate costs were substantial, but we are not in a position to make any estimate on that.

MR CAIN: And it is your view that the government did not have adequate mechanisms to come up with that figure?

Mr Stanton: Yes. To the best of our knowledge, there was no attempt to understand or identify what those costs were across the directorates.

MR CAIN: Thank you.

THE CHAIR: One of the other things that stand out, reading through the report, is that there seems to have been very little understanding of the human systems and the issues that needed to be overcome at the outset. It seemed to be an IT solution without full understanding of what the complex human interactions and the business systems were. Has that led to disruption for people in directorates throughout this process? Has there been an impact on people trying to adapt their systems to meet an IT need?

Mr Stanton: To the best of our knowledge, no agency or directorate systems have been significantly or substantially adapted for the purpose of the HRIMS because, to the best of our knowledge, there was no agreement reached on what that future state was.

Ms Thomas: That is correct; yes.

Mr Stanton: There was a lot of effort, and a lot of discussion between the program managers and the agencies to try to understand what the business processes were in the first place and what they could actually move to, across the entire service. But that was never agreed and never resolved. To the best of our knowledge, no changes or impacts

were made in the agencies or directorates during that process.

THE CHAIR: So the actual work to align business practices, which is what an IT system would sit on top of, was not done before the IT attempt?

Mr Stanton: No. A lot of effort had gone into trying to understand what the business processes were, to work out where those processes could be aligned, or perhaps not aligned and where individual directorate or agency practices might continue. A great deal of discussion went into that, but that was never resolved and a future state was not agreed to.

Ms Thomas: That is correct. The directorates and the areas that were involved in the transformation, or attempted transformation, were never able to agree on a future state.

MR CAIN: I refer to page 31 of report 10 into the failed HRIMS project:

The Audit Office notes the Chief Minister's comments relating to the information associated with the *2023-24 Budget Business Base*. The Audit Office considers that including this information in the report is necessary and in the public interest.

It would appear that the Chief Minister made efforts to have the financials of the business cases hidden from public scrutiny. To the best of your knowledge, was this the only example of the Chief Minister or the Special Minister of State attempting to obscure the details of HRIMS?

Mr Stanton: This derives from part of our legislation, which allows us to refer to and access executive deliberation. Broadly speaking, we are allowed to include that material in the report, provided we consult with the Chief Minister and take into account the Chief Minister's views. If we disagree with those views, we are required to give the Chief Minister sufficient notice that we are going to proceed with the report.

Comments similar to this have happened before in relation to audit reports. I am specifically recalling an audit report some time ago—I think it was the first light rail audit report that we did in 2016—which had some conversation between the Auditor-General and the Chief Minister on the use of that material in the report. We always take any advice that the Chief Minister provides. We give that consideration and we do what we need to do with the report.

MR CAIN: I am a bit puzzled. Given that you are able to access otherwise confidential information, why would the Chief Minister try to block your attempt to access that?

Mr Stanton: It is not a matter of blocking. We are able to access that material. The question is whether and how that material is referred to in the report. That is what this part of the report and this section of the act deal with, and that is the conversation and the communication we had with the Chief Minister.

MR CAIN: Were there other examples of where the Chief Minister or the Special Minister of State attempted to deny you access to information?

Mr Stanton: No, there was no attempt to deny access to information by the Chief

Minister or any minister.

MR CAIN: Did you have full access to the entirety of the SAP review into this program?

Mr Stanton: Yes.

Ms Thomas: Yes, we did.

MR CAIN: Why is this not published?

Mr Stanton: The SAP review?

MR CAIN: Yes.

Mr Stanton: In our report or on the part of the—

MR CAIN: By the government. And should it have been?

Mr Stanton: I do not know. We had access to that. We referred to it as necessary. We took the information on board. Whether and how that is released publicly is a matter for somebody else to answer.

MR CAIN: I guess it does look a bit unusual that you were able to access the report and provide comment in your audit report on the SAP review, but the review itself is not available for public scrutiny. Does that seem a bit unusual?

Mr Stanton: That is a question that is best answered by the relevant people, I think.

MR CAIN: Thank you. SAP were commissioned to undertake the review while they were also responsible for the implementation of HRIMS. In the review, SAP recommended that the HRIMS continue, with their proposed solution. Does this not appear to be a conflict of interest?

Mr Stanton: It does not appear to us that it is a conflict of interest. The quality of that report, what it says and how it was undertaken is a matter for whoever commissioned that review and that report to give consideration to. It is for them to consider it appropriate, accept it and continue with the material that came through or to disagree and not proceed with it.

MR CAIN: Did you form a view of the professionalism and rigour of the four business cases, and do you believe that they should have been published?

Mr Stanton: I think it is quite clear, in the first business case, that the figure of \$15 million was almost certainly too low and undercooked in terms of the program and what it was trying to achieve. As for the other business cases, it was not our role to review or assess those. We simply refer to those business cases in chapter 2 of our report to provide information and advice on how the planning for the program evolved over that period of time—how we got from the first one to the last one.

MR CAIN: Given that first business case, and the figure of \$15 million that was too low, from your analysis, what do you think that figure should have been?

Mr Stanton: We cannot answer that.

MR BRADDOCK: Report No 10, in paragraph 4.33, talks about how governance committee members who were part of the governance process had identified or considered that the governance arrangements were ineffective. Did you, in the course of the audit, uncover any evidence that they had elevated those concerns or made their seniors aware of the fact that there was a problem brewing here?

Ms Thomas: There were certainly reports around risks that they were highlighting at various times, but not in that context, no.

MR BRADDOCK: That was risk as in risk to the project, but was governance risk amongst that?

Ms Thomas: No.

MR CAIN: Again, I refer to report 10, into the HRIMS project. Are you aware of any human resource and management systems that have been decommissioned or phased out within directorates or agencies since the launch of the HRIMS program in 2017?

Mr Stanton: That is not within the scope of the audit, but I am not aware of any.

Ms Thomas: I am not aware of any.

MR CAIN: Is it something you would take on notice or do you just not think you would have that information?

Mr Stanton: I do not think that was part of the scope of the audit. I do not think we would have that information.

Ms Thomas: No.

MR CAIN: Okay. What were the issues that were reported with Frontier's CHRIS21 system that instigated the HRIMS project?

Mr Stanton: That is going back into some level of detail. We do know that assertions were made that CHRIS21 was not suitable and/or appropriate or effective for what was trying to be achieved at that moment with HR information management. We are not in a position to verify or otherwise agree to those assertions that were made, other than to recognise that that was key—those assertions being made—in the rationale being put forward in that first business case for a new HRIMS.

MR CAIN: Given the issues uncovered with CHRIS21, are you satisfied that the PCHRM program, or HRIMS 2.0, can move ahead?

Mr Stanton: We are not in a position to answer that. It is early in terms of the program.

MR CAIN: Are you aware of who was the program manager for HRIMS? I think this got touched on a bit earlier. Are you aware of who the program manager was?

Mr Stanton: From the governance documentation and the management documentation that we have, I think we have the names of people that were involved in the project and the program.

MR CAIN: Who was the key responsible person?

Mr Stanton: We would have that in our material.

MR CAIN: Do you have that name at hand, or would you take that on notice?

Mr Stanton: We would take that on notice.

MR CAIN: Okay; thank you. Are you aware of who is the program manager for the PCHRM?

Mr Stanton: This is the new program?

MR CAIN: Yes.

Mr Stanton: I do not believe we have material associated with that new program. We looked at what we looked at in terms of this audit and the so-called first HRIMS program. We got that material but not material associated with the new one.

MR CAIN: Do you have confidence that the ACT taxpayer is still getting value for money from CHRIS21, which was previously discounted for being end of life?

Mr Stanton: CHRIS21 is what the ACT public service has. It is working at the moment, as far as we understand, but we are not in a position to answer your question directly.

THE CHAIR: Your audit seems to have looked at the business case that led to this PCHRM. It looks as though that is essentially the same system that is currently in place, with a couple of upgrades. Is that an unfair assessment?

Mr Stanton: What do we think?

Ms Thomas: We have not looked at that in detail, but it would appear that that is the case, yes.

THE CHAIR: There being 30 seconds left, is there anything that you would like to add?

Mr Stanton: No, thank you. We think the reports are comprehensive. Each deals with its own issues—the issues that we looked at for the purpose of the audit. We hope that they are useful and informative for this committee, the broader Assembly and the community.

THE CHAIR: Yes. On behalf of the committee, I thank our witnesses for your

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attendance today. If you have taken any questions on notice, please provide your answers to the committee secretary within five business days of receiving the uncorrected proof *Hansard*.

Mr Stanton: Thank you very much.

Short suspension.

BERRY, MS YVETTE, Deputy Chief Minister, Minister for Early Childhood Development, Minister for Education and Youth Affairs, Minister for Housing and Suburban Development, Minister for the Prevention of Domestic and Family Violence, Minister for Sport and Recreation and Minister for Women

MOORE, DR NICOLE, Executive Branch Manager, Strategic Policy, Education Directorate

NAKKAN, MR JOHN, Executive Branch Manager, Assessment Management and Delivery, Education Directorate

SIMMONS, MS JANE, Deputy Director-General, Education Directorate

THE CHAIR: We welcome Ms Yvette Berry MLA, the Minister for Education and Youth Affairs, and officials. I remind witnesses of the protections and obligations afforded by parliamentary privilege and draw your attention to the privilege statement. Witnesses must tell the truth. Giving false or misleading evidence will be treated as a serious matter and may be considered a contempt of the Assembly. Please confirm that you understand the implications of the statement and that you agree to comply with it?

Ms Berry: Yes.

Ms Simmons: Yes.

Dr Moore: Yes.

Mr Nakkan: Yes.

THE CHAIR: Minister, do you have an opening statement?

Ms Berry: Yes. This is the inquiry into the ACT Auditor-General's report of 2023 titled *Supports for students with disability in ACT public schools*. The report was useful for the Education Directorate. It focused on some of the effectiveness of ACT government practices for providing supports for students with disabilities in ACT public schools, and it considered a range of factors.

The ACT government has agreed to four recommendations and agreed to four in principle. It goes to the work that the ACT government is doing to strengthen inclusion across all of our public schools. We have been consulting widely with school communities and stakeholders, as well as researching international and national best practice to develop an inclusive education strategy, which is titled *A Disability Inclusion Strategy for ACT Public Schools 2024-34*. That is available online; we can send a link to that strategy to the secretary's office.

The strategy goes to three principles: the right to education, a whole-of-system commitment, and continuous improvement. We are happy to see that the Auditor-General's report aligns itself with the government's work that it has already done to improve supports being provided to students with a disability. We acknowledge some of the key themes that have been raised in the Auditor-General's report. These themes have been considered in the responses that we have provided.

The officials and I are ready to take questions on the inquiry.

MR PETTERSSON: Something that has been raised with me by constituents goes to the content of the audit report. When they tried to enrol their child in a school, it was required in the enrolment form to list any conditions that the child may have. They were then required to provide supporting evidence of that. As the audit report goes to, sometimes getting a diagnosis can be quite challenging. These parents have reported to me that they feel like they have to lie on the enrolment form because they do not yet have the diagnosis, but they know that this is an issue. Is there a particular reason that the enrolment form would require information as to diagnosis?

Ms Berry: Yes, there are a couple of reasons for that. Obviously, it is about preparing for the student and ensuring that there are not any infrastructure accessibility requirements or other materials needed to support that particular child and their family. I will ask Dr Moore to provide a little bit more detail on that.

Dr Moore: The first thing is that, as the minister said, the reason we ask for the information is to prepare the school for the student. It is not a requirement that you have a diagnosis to enrol. It is just a matter of providing the information that you have, so that we can prepare the school to support your young person. That being said, we know that the current approach to requiring a diagnosis to access particular programs is something that the Auditor-General has picked up on as being problematic. It is something that we are looking to change under the inclusive education strategy.

MR PETTERSSON: Going to the specifics of the circumstance that I am alluding to, when they have gone to enrol, they have gone to tick the boxes that applied; the next step is that they have been required to submit documentation to support that. Because they do not yet have that documentation, they had to go back and untick all of the boxes, send their child to school and, as far as the school is aware, there are no issues here. Later, down the path, when the diagnosis comes through, the school then becomes aware. But the parents have tried to do the right thing from the very beginning of, say, high school, so that they know this child will have these issues.

Dr Moore: That is really helpful feedback. It could be a problem with the form that we need to look at. Certainly, it is not a requirement to enrol. If the form is forcing them to provide that information, that is something that I have not heard, but it is good feedback. We will definitely take that on board.

Ms Berry: One of the things we are doing to address that communication between parents and families in schools starts with our early childhood strategy. I refer to the universal access to three-year-old preschool, and particularly for the vulnerable cohort, which was the group that we piloted in the first instance. There are good transition plans between early childhood education and the start of primary school. That was part of the plan. Parents and teachers told us that that communication, before a young person starts their more formal education journey in kindergarten, prepares the school in a way that is probably different from another kind of enrolment, maybe to a high school or a primary school, where they have not accessed early childhood education.

We are already seeing that that is making a huge difference to a young person and their family being ready for when they start school, because all of the diagnosis, advice and assistance is happening much earlier, before they start kindergarten. In a longitudinal

study of that, you will see the influence that it has and the positive impact that it will have on that child's journey in education, their family, and on the school being ready for that young person. It is not something that might be identified immediately, but we are doing a longitudinal study of three-year-old preschool, to understand the impacts and improvements that it is having on children's lives. Starting earlier is an important part of this.

Dr Moore: With the specific process that we now have for all of our three-year-olds in the three-year-old targeted program, the service, the families and the children themselves are involved in developing a transition and continuity statement. It looks at: what are all of the needs of the child? What are the things they enjoy about learning? What are the things that they find challenging and the supports that they need? That is then provided to the school that they are enrolling in. That is not diagnosis based at all, but it does have components whereby allied health professionals that are working with the child can also provide information. All of that information then supports the school to be ready to receive the child.

THE CHAIR: It sounds like some of the issues that we are talking about are emerging in the transition to high school rather than the transition to primary school. Given that that is already an established transition, it should be happening relatively seamlessly, I would expect. Why are we seeing those issues there? If the three-year-old preschool is the solution, what is the—

Dr Moore: Transitions are something that we heard about in our community conversation to develop the inclusive education strategy. You are absolutely right; it is an area that we need to improve on. It is an area that we have prioritised in the strategy to work on. At the moment, certainly in primary school, there are plans developed for children and young people, and they do provide those as a child progresses to a new school.

When you are transitioning to primary school, usually children are moving from the preschool connected to the school to the school itself, so there is a less significant transition. When they move to a high school, children and young people can go to a range of high schools. Our schools do a lot of work around physically taking children, and particularly children with a disability, to the high school to have those induction days and to do onsite transition support work with those children. But it is not as seamless as it needs to be, and it is certainly an area that we are working on.

Ms Berry: We heard about it in the development of the Future of Education strategy, and through the inclusive education strategy. We are piloting right now, starting with Tuggeranong schools, the inclusion coaches. That will help with that transition. It will particularly support teachers and parents to understand inclusive practices within schools and how they can be provided with professional development across the board. It is about mentoring teachers and others to support those young people and their families. Dr Moore can talk a bit more about the inclusion strategy in that respect.

Dr Moore: The inclusion coaches in particular?

Ms Berry: Yes.

Dr Moore: That is a new initiative under the strategy. We have eight inclusion coaches working in Tuggeranong schools. It is a try, test and learn approach. What they are doing in each school looks a little different, and we are trying to learn what will work best.

To give an example in the transition space, we have one inclusion coach who is working with a primary school and a feeder high school, specifically to support those transitions. We have an inclusion, transition and careers coach who is specifically supporting students moving from high school to college.

There is a combination of approaches. Coaches are working within an individual school, and they will be working on individual goals that that school identifies to build their inclusive education practice. Another model that we are trying involves that transition support, where we work across schools, or through feeder schools, so that we can prepare the young people, their families and the schools as the student is moving through. That kicked off in February this year, in the school term. We are looking to evaluate that approach and use that to inform what a future model could look like for other networks.

MR BRADDOCK: Can I please have a progress report on the development and implementation of the new needs-based funding model? What is happening with the trial and what is the time frame for rollout of the replacement model?

Dr Moore: We have been doing a lot of work in the background, looking at how the model can change. We are in the process of pulling together some material to be able to start consultation around changes to the model. We have been working with our inclusion principals advisory group, which is a group of 12 principals who have been helping us to develop the strategies—seeking their advice around what would work for schools.

We have also spoken about this with our Disability Education Reference Group, who have representatives of disability advocacy organisations, parents groups, unions and schools, to make sure that we are building the model based on what they are telling us. The next stage, where we start to consult on what would actually change as part of the model, is yet to happen. It is a commitment under the first action plan under the inclusion strategy. It is certainly something that we are focusing on in the first two years.

MR BRADDOCK: For how much longer will the SCAN model still be in use?

Dr Moore: That is still subject to government decision-making and consultation. We need to consult with staff because it is a change in practice. Industrially, we need to consult, and we are preparing to do that shortly.

THE CHAIR: On the SCAN model, has there been any move to change the language on the SCAN template from the negative deficiency-focused language to describe students' characteristics and behaviours to one that is more focused on the heightened level of functional needs that must be met through adjustments?

Dr Moore: Yes, that is absolutely work that we are doing. It will not be so much about

changing the language of SCAN; it will be about moving to a new model that adjusts that language to be more around the adjustments that students need.

THE CHAIR: Will that also move to include students' own voices, aspirations and goals?

Dr Moore: Absolutely.

Ms Berry: Yes. A really important part of the inclusion strategy is having a student voice in the negotiations around implementing the strategy itself. That is an important part to talk about—the plans we have for making sure that students have a voice in all of this.

Dr Moore: One of the commitments in the strategy is to develop an inclusive education student voice forum. We have three forum events planned for this year, focusing on different aspects of people, practice and place. It is about focusing firstly on the relationships and supports that students experience, the practice changes that they are interested in, and then the infrastructure, the place—what physical environments look like to support students with disability. Establishing those forums is a key part of making sure that we have not just heard from students in the development of the strategy, but that we will continue to hear from students in the implementation of the strategy.

THE CHAIR: A key finding from the report, on page 1, is around the Education Directorate not providing sufficiently clear and accessible written information for students and families about the Disability Standards for Education 2005. What has been done since this audit report was released to change the accessibility, the content and consistency of the information that is available on the directorate's website?

Dr Moore: We have gone through the website and made the information that is there clearer. Our media and communications team have done some work to clarify the messaging within our website. There is also broader whole-of-government work to look at accessibility of website materials. This is a recommendation not only in the Auditor-General's report but also in the Disability Royal Commission report, about making information more accessible. It is certainly a focus. Some of the work under the strategy also goes to this point around how we work better with parents and communities. To answer your question, initially we have done a clean-up of the website as it currently stands, but there is more work to be done. That is what we will do with the whole-of-government approach as well.

THE CHAIR: You say you have made it clearer. In what way is it clearer? Are we talking about plain English?

Dr Moore: That is right.

THE CHAIR: What are the actual changes?

Dr Moore: The changes have been more around plain English—taking what was there and making the wording simpler and easier to understand. The other thing that we have done with the strategy and the first action plan is provide easy English versions so that

people with disabilities and all abilities can understand, read and engage with those materials. That is the kind of approach we are taking: looking at how we can make information as accessible as possible, and then how we can continue to improve. What we have not done yet is add more information which goes to some of the recommendations. The first step has been making the information that is there as accessible as possible.

Ms Simmons: I could add to what was previously there is and what is there now. Individual schools would have different information. It is also about consistency of information. That is going to be rolled out to schools this term. As Dr Moore has said, we are ensuring that we have a consistent approach that is clear and accessible for people, and that is what we have started with. Information will gradually be added in that context.

THE CHAIR: Very quickly, in terms of accessibility of information, I have seen previous government projects on accessibility, particularly at the federal level, lean to the side of removing information if it is not accessible. Can I get some assurance that, through this project, we are not going to lose information and documents, and that documents will actually be brought up to accessibility standards?

Ms Berry: That is definitely the plan. Of course, we want to do all of this in consultation with all the groups that Dr Moore has referred to previously, particularly having a student voice in it, because we want students to understand what is happening in this space and keep it student-centred as well. But, also, we want to remove some of the language which really does not make sense to anyone and is not helpful—change it so that everybody can understand the strategy and what is available in schools, in supports and in the education system.

Ms Simmons: Having things like videos and stories to tell, rather than just a narrative about what is involved or the information we are able to provide. It is really about accessibility so that different people can access it.

THE CHAIR: Specifically, my concern is around things like PDF files, which are not W3C accessible. Sometimes it is easier to just take them off a website rather than provide accessible versions.

Ms Simmons: We will need to meet ACT government accessibility requirements. That is the plan and that is our intention. That is something that takes some time to do to get that right. As Dr Moore says, it is about what we are doing with all of the ACT government.

MR BRADDOCK: I have a supplementary. As we are talking about websites, recommendation 7 of the audit report talks about physical accessibility, minimum standards and modifications, and it recommends that this is readily available on the Education Directorate website. A quick and dirty search by this simple MLA last night could not find it. Are there plans to put that there?

Ms Simmons: I might refer to Mr Nakkan.

Mr Nakkan: It is not currently there. We are working out the level of content we should

have there for information. Part of the process is obviously about the communication relationship with the family and the school. Our adjustments are generally student related. When a new need is identified, we work with the family to provide the adjustments that are necessary. We have to make sure the information is targeted and in the right place.

MR BRADDOCK: Is the intent, though, at some point for this information to be readily available on the website?

Mr Nakkan: Absolutely.

Ms Simmons: Yes.

MR BRADDOCK: What consultation process will you go through to make sure you have the right information there?

Mr Nakkan: We will discuss it with both our allied health people—our occupational therapists, who provide us with the detailed adjustment information for physical changes—and some of the families represented in that process.

Ms Berry: We have also committed, in our response to recommendation 7—which applies in our strategy, in the first action plan—to establish an Inclusive Education Infrastructure Working Group, which Dr Moore has already referred to, and engaging the Inclusive Education Student Voice Forum to provide advice on these infrastructure decisions. We well understand and agree with the recommendations that have been provided and they align really well with our strategy.

MR BRADDOCK: Thank you.

THE CHAIR: Mr Pettersson.

MR PETTERSSON: What work is underway to provide more support to LSAs in their professional development?

Ms Berry: That is a really good question. I will go to Dr Moore again to provide some advice on that. We have been working on ensuring that learning support assistants are being provided with professional development opportunities.

Dr Moore: I am finding the detail on that.

Ms Simmons: While Dr Moore is finding her notes, a university training package for learning support assistants was developed in 2023, so that is already in train. That was refined and reviewed, and that continues to be offered in 2024. So far, 317 LSAs have completed the training in 2024. Some further training is occurring in term 3 this year. Training is certainly occurring. Some work is also being undertaken in relation to three-year-old preschool—for LSAs that support students in preschool—and planning is underway, subject to processes around procurement, in relation to LSAs and scholarships. That work is currently underway.

Ms Berry: That kind of crosses over with the work that we have been doing with the

ANU and the CPSU around supporting our school staff with professional development and ensuring that we have enough staff that have qualifications of some sort or professional development of some sort to support them in their work, and on how we transition to needs based.

Dr Moore: Ms Simmons covered what we have been doing with LSAs.

MR PETTERSSON: Do you have any indication of the number of LSAs that are pursuing teaching qualifications?

Ms Simmons: We would have to take that on notice. I am not sure that we actually have that particular information, depending on the circumstances, but we will take that on notice.

Ms Berry: It is certainly the case that learning support assistants might start in school. It is often students who leave college during their gap year or people who have been out of the workforce for a while and come back to work or work part time. After they start working as a learning support assistant, they then may decide that education is the career that they want. The Education Directorate, working with the University of Canberra, then provides those kinds of opportunities for learning support assistants to be able to transition towards doing an education degree.

MR PETTERSSON: Are there incentives in place, like paid time and financial support, for current staff to complete a teaching qualification?

Ms Simmons: One of the recommendations under the Teacher Shortage Taskforce was to look at incentives for current staff in schools, as the minister just referred to, and look at how LSAs can have a trajectory to teaching. We definitely know—I have seen this with people who are LSAs in schools—that they are studying at university and also working. We know that they are definitely there. We want to have some opportunities to provide incentives for more of that, because the LSA work is actually a great foundation and preparation for teaching. Often we find that our LSAs who undertake a teaching degree and then come back as teachers are very good teachers because they have had that really good grounding.

Ms Berry: The federal government just announced the Prac Payment placements for teachers who are doing prac placements in their third year and in their fourth year—to have that paid. That has been very warmly received by beginning teachers in our ACT government schools. We also have the Permit to Teach, which provides opportunities for teachers to start education in our schools much earlier than they normally would, recognising they are in their third year. Being able to teach in our schools also gives them experience on the ground with mentors to really hone their craft.

MR PETTERSSON: Great. Thank you.

THE CHAIR: I have a supplementary. What I am hearing, and maybe I have missed something, is that there seems to be a lot of aspiration. I am really keen to understand exactly what has been implemented in terms of improving the opportunities for LSAs to access professional learning.

Ms Berry: The transition coaches were already in place prior to the Auditor-General's report, I think.

Dr Moore: Perhaps the induction would be worth talking about. We have established a learning support assistant induction training package, which is a new track that all LSAs will go through. They cannot all do it at the same time, because we cannot have them all out of school at the same time. Around 300 went through that program in term 1. Maybe it was term 2. More are enrolled for next term. We are going through a cycle of providing LSAs with the base training that they need to be able to perform their role. That is an initial thing we are doing now.

Ms Simmons: And there are the scholarships I was referring to earlier in relation to certificate IV and certificate III qualifications.

THE CHAIR: When were those scholarships introduced?

Ms Simmons: We are undergoing the process for that to progress through procurement.

THE CHAIR: That is one of those things that is intended to be there but is not implemented yet?

Ms Simmons: It is in the process of going through a procurement process so we can engage someone to deliver the training and the scholarships.

THE CHAIR: Thank you. That makes it clear for me.

Ms Berry: This is something that was discussed well before the Auditor-General's report—

Ms Simmons: Correct.

Ms Berry: as part of our work on the workforce strategy with the Australian Education Union, the CPSU and the United Workers Union, who all have coverage with the teachers and school principals associations around how we manage this workforce crisis that we are in. LSAs are part of that work. We had already been doing the planning and design work to provide—

THE CHAIR: I think it has been made clear. Noting the time, Mr Braddock, do you have a quick question?

MR BRADDOCK: It is hopefully quick. Recommendation 3 talks about “reducing routine, administrative, coordination and liaison work for school psychologists”, and it was agreed in principle to explore and evaluate modes of service. Has any progress been made in actually reducing that routine work for psychologists so they can focus on being child psychologists?

Ms Simmons: Yes. We were looking at the onsite social work service delivery model. We were already trialling that in 2023. That was already a commitment that we had. Evaluation of that has actually occurred and has been completed. Essentially, two service offerings were provided as part of that pilot. That was really about onsite social

work—social delivery in a senior youth work team. It is connected to our social and youth workers program. The evaluation methods certainly indicated that it was really effective. The bit that was effective was the fact that it was expanding the onsite staff to support in schools. That was really effective. We will be expanding that. That program has actually taken the load off school psychologists doing some of that work. It is actually spreading the workloads so it is not just school psychologists undertaking that work.

MR BRADDOCK: Thank you.

THE CHAIR: On behalf of the committee, I thank witnesses for their attendance today. If you have taken any questions on notice, please provide your answers to the committee secretary within five business days of receiving the uncorrected proof *Hansard*. On behalf of the committee, I would like to thank witnesses who have assisted the committee through their experience and knowledge. We also thank broadcasting staff and Hansard for their support. If a member wishes to ask questions on notice, please upload them to the parliament portal as soon as practicable and no later than five business days after the hearing.

The committee adjourned at 10.51 am.