



**Australian Education Union**

**Tasmania Branch**

**Submission**

**Review of the**

**Tasmanian State Service**

**(October 2020)**

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The Australian Education Union (AEU) - Tasmanian Branch represents 5,150 members working in Public Education. The AEU is the union for teachers, principals and education support staff working in government schools, colleges and TAFE.

We have extensive experience supporting members in the context of the State Service as it currently operates.

The AEU welcomes the opportunity to make this submission.

### **The process leading to a revision of the Terms of Reference**

It is of concern to the AEU that due to time constraints, AEU representatives have not been able to meet with Dr Ian Watt regarding the terms of reference. We hope this does not reflect the extent to which the AEU, our members and the wider community will be consulted going forward.

The AEU notes the risk factors of poor consultation and rushing this review at this time are significant.

The following is the AEU's response to the revised terms of reference.

### **Objectives and Background of the Review**

The AEU recognises that it is incumbent on any organisation to review its effectiveness periodically. A full consultative review that positively engages with those within the public sector and those impacted by it and its services would be supported by the AEU.

The AEU questions the timing of this review; its limited focus; and the capacity of the review to achieve fully considered conclusions that are based on contributions from all the groups impacted including thorough consultation with all stakeholders.

The AEU is concerned that this review, in its current form, will fail to achieve the widespread support that a better timed and fuller process could achieve.

This review is described as focusing *“primarily on the governing framework of the TSS. It will identify structural, legislative and administrative improvements that will transform current structures, services and practices to deliver a more efficient and effective public service and reflect on the lessons learned during the COVID-19 pandemic to identify improved ways of working”*.

The scope of what is being *“focused primarily on”* is a transformation of the governing framework of the whole State Service. The AEU notes that the Department of Education and TasTAFE form part of the state service but are unique entities that need to be viewed and treated as such.

Decision making in the DoE is and should be different to other departments and agencies, as it is in TasTAFE. Principal and school autonomy is an essential part of decision making in the DoE, as is teacher autonomy in their classroom. Any review must consider and respect these unique and important department characteristics and structures.

In order to properly consider the unique structures and attributes of the DoE and how it relates to other departments and agencies, it is clear that any comprehensive review of the Tasmanian State Service will need more time for consultation.

### **“Lessons learned”**

The AEU questions whether the lessons of the COVID-19 pandemic are yet evident.

The COVID-19 pandemic is not over and therefore the “*lessons*” of the pandemic are yet to be appreciated, let alone understood such that the “*lessons*” could justify transforming “*current structures, services and practices*”.

The AEU notes just two clear lessons of the pandemic that are already evident:

1. the great value and importance of a properly resourced and supported independent State Service.
2. Disruptive events such as the COVID-19 pandemic magnify disadvantage and existing social and economic inequities. Our state service members have significant and ongoing connection to those Tasmanian families most deeply affected by disadvantage, trauma and disruption and the state service has a significant role to play in addressing these issues if and when policies are put in place to do so.

### **Key Areas of Focus**

The AEU notes generally that it is not clear if any of the key principles underlying our successful State Service are at play in this review. This is a significant omission in the process that causes concern. In our view this needs to be clarified without delay as without such action a great deal of potentially unnecessary additional stress and anxiety will occur within the State Service. This process should be carried out with due regard for the mental health of those employed in the State Services.

We note Premier Gutwein’s statement of August 27, 2020: “this is not the time to cut the public sector. Every job is valuable. Every job in our community will assist our broader economy.”

This submission will address each of the nine areas of focus for the review separately:

1. *Facilitating public service change and innovation that improves the delivery of public policy and services to support the aims of government and meet the needs of the community;*

Any review of the state service needs to start by ensuring the State Service is free from political interference and able to provide the best advice to government without fear or favour. AEU members have expressed strong concerns about politicisation of the State Service and implied or actual restrictions on their right to an independent opinion and voice.

The “needs of the community” is something our members know very well as they work with them every day. AEU members see the higher rates of disadvantage and trauma experienced by Tasmanian children and families and understand their needs.

The AEU believes the short time frames and limited consultation proposed in this review will not allow for full and thorough consultation with AEU members and the wider community to properly review how the state service responds to those needs and how those needs could be better met.

Addressing disadvantage and trauma is complex and requires cross-department and agency responses and cooperation. Getting this right deserves more time for consultation and a more thorough review. If our members voices are not heard in this review and affected communities are not consulted, the resulting review will be deficient.

Teachers, principals and education support personnel know their students and communities. Any attempt to improve “the delivery of public policy and services” developed without the broad involvement of those delivering services or benefitting from services is likely to fail.

*2. Identifying opportunities to improve the delivery of government services, programs, projects and other initiatives, including information technology platforms;*

AEU members share concerns about any move towards privatisation and a focus on cost rather than quality of services and the importance of building relationships. The recent use of COVID-19 to justify a shift to increased online delivery of learning at TasTAFE is an example members point to of shifting away from quality learning built on relationships to so-called ‘efficiency’.

The AEU submits that this review explicitly dismiss any further privatisation in the delivery of education and recommend that a well-funded and resourced TAFE system be the centrepiece of economic recovery, quality adult vocational education and training for all Tasmanians.

*3. Identifying ways to promote collaboration and partnerships including to support more flexible movement of employees between the private sector, non-government and community organisations, and the public sector;*

AEU members are heavily engaged in their communities and schools work closely with organisations in their communities for the benefit of students. The AEU does not see an expanded role for the private sector in education – we are proud of our public education system and recognise the strong focus on public benefit that the system provides.

It is not clear to us that the movement of employees outside of the public service is viable or within the scope of the review. The focus should remain on attracting and retaining the best people to the public service.

The AEU has seen a rise of teacher burnout and workload challenges in recent times, with consistent data showing that over two in five beginning teachers abandon the profession in the first five years of their career. The Tasmanian State Service would benefit from providing more flexible leave provisions and changes to policy that enables employees to move across agencies while maintaining their current conditions.

Many Agencies require employees with an education qualification and/or experience to run specific projects and programs, or present vacancies for roles where the skills of principals and teachers can be

easily transferred. More flexibility for Department of Education and TasTAFE employees to take up these roles should be encouraged, with a clear benefit to the Department of Education and TasTAFE upon their return with broader work experiences and skills.

4. *Achieving greater economies and efficiencies in TSS administration, including opportunities to streamline bureaucracy and services where suitable;*

The AEU supports efforts to improve management and structural deficiencies that negatively affect staff, services and students. AEU members consistently raise concerns about an increasing workload that results from administrative requirements and bureaucracy.

Teachers need time to teach and principals need to be able to focus on learning and leadership. The AEU is already working with the DoE to identify areas where teacher workload can be reduced and implement changes to deliver those improvements. We would welcome support and recommendations from this review in that regard.

The AEU has long campaigned to increase funding to public schools, colleges and TasTAFE. Funding agreements with the Federal Government and inequitable education policy means 99% of Tasmanian public schools will not meet the minimum level of funding required to meet the educational needs of children (School Resource Standard). The AEU would expect any efficiency gains would need to directly flow to the funding of public schools, colleges and TasTAFE and recruiting more staff where they are most needed.

5. *Examining the effectiveness and efficiency of government services, including the appropriateness and feasibility of further decentralisation.;*

Any examination of the effectiveness and efficiency of government services as it relates to education would again require a far more thorough and extensive review with commensurate resources and timeline.

This criterion in large part is not relevant to most AEU members as the location of schools and TasTAFE facilities is driven by student enrolment in population centres.

An example of inefficiency and waste involving the movement of a government service is the shift of the Launceston CBD TasTAFE campus to Alanvale. Having vacated the public adult education option from the Launceston CBD, the Tasmanian Government is now contributing a large sum of money to a private education provider to set up a campus in the CBD.

This example of privatising education should serve as a warning that education should remain publicly funded and in public hands and that campus locations should be based on student need and accessibility. There are numerous examples of how funding private vocational education providers has caused devastating waste, rorting of public funds and exploitation of vulnerable students.

Campus moves or new locations should be considered only with extensive consultation and the strong support of teachers, students, education staff and communities.

6. *Facilitating areas of cultural change within the TSS (e.g. promoting risk-based decision making, increasing diversity, promoting innovation, improving accountability and identifying ways to enhance performance)*

On the face of it, this is an area worthy of support. The AEU would emphasise that the Department of Education and TasTAFE form part of the state service but are unique entities that need to be viewed and treated as such. They have unique cultures, decision making processes and other processes.

Decision making in the DoE is and should be different to other departments and agencies, as it is in TasTAFE. Principal and school autonomy is an essential part of decision making in the DoE, as is teacher autonomy in their classroom. Any review must consider and respect these unique and important department characteristics and structures.

In order to properly consider the unique structures and attributes of the DoE and how it relates to other departments and agencies, it is clear that any comprehensive review of the Tasmanian State Service will need more time for consultation.

7. *Identifying ways to help develop the long-term capability and agility of the TSS;*

The AEU support positive steps in this regard and highlight the importance of this in regard to demographic changes and the availability of qualified education professionals.

We note that capability and agility in the TSS is largely determined by our ability to attract and retain the most capable and best qualified people. While this review says it will not consider “Wages policy and conditions for public sector employees that are negotiated through awards and agreements”, we do not see how the goal of improvement in capability and agility can be divorced from the wages and conditions that attract and keep people in the TSS.

Workplaces that find employing quality staff a challenge and staff in isolated and remote areas need particular attention. The capability to deliver quality education and the agility of the TSS in these areas is contingent on attracting and retaining the best people. Addressing these issues cannot be achieved without improving incentives, wages and conditions.

8. *Implementing enhanced workforce management processes across the employee life cycle, including opportunities to implement improvements to how the TSS recognises, develops and manages employee performance; and*

The AEU supports a review in this respect and highlights the need for protocols to facilitate transfers between Agencies as mentioned in our response to focus area 3.

It is also important that management of mental health injuries and the management of rehabilitation of workers compensation mental health claims is considered by the Review.

As a union, the AEU is consistently required to support members with issues and situations stemming from poor performance management practices. We strongly encourage this review to ensure that all TSS managers and human resources staff across all departments are appropriately trained and supported to undertake performance management. Losing good staff through inappropriate performance management, damaging relationships across the TSS and retaining under performing staff as a result of a poorly managed process are all the results of insufficient training and support for proper performance management.

Our experience is that record keeping on TSS employees is neither transparent or comprehensive. For example, there is little understanding from the DoE of what qualifications staff have and whether they are working in their field of speciality. Furthermore, regarding the employee life cycle, we understand little recognition is given to employees for milestone events in their TSS career.

9. *Attracting, developing and retaining a skilled public sector workforce with the capacity to meet emerging economic, social, environmental and technological opportunities and challenges.*

As mentioned under focus area 7, the ability to attract and retain the most skilled, capable and best qualified people cannot be separated from wages and conditions. We do not see how this criterion can be addressed by this review while maintaining “Wages policy and conditions for public sector employees that are negotiated through awards and agreements” will not be considered.

We encourage the review to reconsider the exclusion of wages policy and conditions for consideration and recognise their centrality to meeting emerging challenges.

The AEU submits that ending stand down for education support staff is considered as part of this review. Permanent jobs, certainty and 52 weeks of pay per year ensures staff can focus on their job and contribute to a longer-term vision that takes into account future trends and challenges.

The AEU Tasmanian Branch has recognised the climate emergency we all face and submits that this will be a dominant economic, social, environmental and technological opportunity and challenge that should form a central part of this review.

## **Closing statement**

The AEU supports a broader and measured State Service review and sees significant risk in proceeding as intended, through the COVID-19 pandemic. Despite some attempt as assurances to the contrary, it is of major concern to our members that this review avoid political objectives such as limiting an employee's right to participate freely in democratic processes and political discourse separate from their employment. We expect to see assurance of this nature at the earlier opportunity, namely the initial report.

The AEU questions the timing of this review; its limited focus; and the capacity of the review to achieve fully considered conclusions that are based on contributions from all the groups impacted including thorough consultation with all stakeholders.

In order to properly consider the unique structures and attributes of the DoE and how it relates to other departments and agencies, it is clear that any comprehensive review of the Tasmanian State Service will need more time for consultation.

We submit that secure public service jobs, good wages and conditions and increased resources to address disadvantage and trauma across the Tasmanian community should be the overriding recommendations of this review.

The AEU acknowledges that there are improvements that can be made to the TSS, but submit that the timelines, resources and scope of this review is insufficient to achieve these aims.

Adam Clifford

Acting State Manager

On behalf of AEU Tasmania