

# SECRETARIAT REPORT

## Federal Council

### August 2021

## Introduction

### Courage Together

*Sometimes courage is nothing more than gritting your teeth through pain, and the work of every day, the slow walk toward a better life. **Veronica Roth, Allegiant***

To view courage, we need to look no further than to the actions of our members and the IEU Branches as we endure the pandemic.

It was March 2020 when the World Health Organisation declared a pandemic and the coronavirus rapidly spread across the world. From that date, IEU members have stepped up to ensure that their colleagues and the children they teach are protected and supported through the delivery of quality education.

We have seen our members face the many snap lockdown decisions with resilience.

IEU members have shown that they are adaptable and the fact that they continue to meet the various challenges that have occurred in schools, to firstly operate under a pandemic, then to manage transitions to remote education, to conduct that remote education and then to resume operations under a COVID 19 safe environment is nothing short of remarkable!



Many employing authorities have been very slow to respond to the circumstances. It has been the IEU who has fought to have the employers recognise the risks to workers and have them provided with amended working arrangements, paid leave, and other safety precautions.

### Fighting Back

And while this is happening, employers in some schools and centres have chosen to stand down casual teachers and support staff. In the worse cases, we have seen employers seeking to use the pandemic for widescale reorganisation and downsizing of staff.

These employers considered it reasonable to pass the cost of the pandemic onto the lower paid and more vulnerable employees. These actions are outrageous, and our union has fought and won on many cases.

### Vaccination Rollout Failing Teachers and Education Support Staff

Pure courage is simply not enough to ensure the safety of all IEU members, their families, and communities.

The vaccination rollout has been too slow, too inefficient, and badly organised. It is plagued by inadequate supply and its design has failed to properly take into account the needs of workers and their employers. To date, staff in schools and early learning centres have only been included in priority categories in a few states, despite the essential nature of schools and early childhood education centres and the ongoing demands from the IEU for national priority.

The IEU, joined by AEU and UWU, called upon the Federal Government for priority access to vaccinations for education staff as a mechanism to minimise the impact of future Covid-19 outbreaks on millions of families and children who rely on schools and early childhood education centres.

In joint correspondence to the Federal Minister of Health, Greg Hunt, the three unions called for the Federal Government to prioritise access to vaccination for teachers, educators and support staff in schools and early learning centres in order to keep these frontline essential workers and those they educate safe.

However, the situation remains where too many IEU members are struggling to gain access to vaccination, and this has left schools and early childhood education centres unsafe, and society without a clear path out of the Covid-19 mess.

### **Paid Vaccination Leave**

Even where the vaccine is accessible, many IEU members cannot access appointments outside work hours and paid leave is not accessible. Nationwide, one in three Australian workers have no access to paid sick leave.

No worker should have to choose between being vaccinated and paying bills. However, for many Australian workers in insecure employment this is a reality.

Financial hardship for insecure and low paid workers is a genuine risk that could leave many workers unable to access the rollout program.

The lack of a universal industrial solution involving paid time to attend vaccinations and time to deal with any routine side effects is a design fault in the rollout.

The IEU has joined with the ACTU in calling for special paid vaccination leave for all employees. Such paid leave would allow for the two injections necessary and would also provide employees with time to recover from any side effects of the vaccine if needed.

**IEU members have at all times met the challenges of the pandemic with professionalism and commitment to their students and communities.**

**They too, deserve to be safe and protected**

## **2021**

The following provides an outline of the issues and challenges which the IEU has been actively addressing through 2021.

### **Direct Measure of Income: School Funding**

The full implementation of the Direct Measure of Income (DMI) method to determine a school community's capacity to contribute score (CtC) will commence in 2022.

Over the past two years, the Commonwealth Department of Education, Skills and Employment (DESE) has been phasing in this new measure by using a 'best of' method from the 2011 Census, 2016 Census and the 2020/2021 DMI scores to determine a school's CtC, and from there, its base SRS (Schooling Resource Standard) funding.



### *What is the Direct Measure of Income?*

The DMI is based on the median income of parents or guardians of students enrolled at a non-government school. Each school's median income is used to rank non-government schools and then converted to a **Capacity to Contribute (CtC)** score. This ensures that funding is distributed according to need. Schools with low CtC scores receive higher levels of government funding than schools with high CtC scores.

### *What will be the impact of change?*

Several non-government schools' CtC score will increase in 2022 and this could affect the funding they receive from Commonwealth and state/territory governments. Generally, these schools would have been funded on a 'best of' SES score of the 2011 Census or 2016 Census for the 2020 and 2021 school years.

An increase in CtC could mean that schools that had been previously transitioning up to/already at their legislated Commonwealth proportion of 80% would now be above this level.

In May 2021, the **IEU Federal Office** met with DESE officials to clarify how this change to funding would be resolved. It was informed that:

- Schools that are moving onto the DMI methodology in 2022 will have their transition reset. This will be based on their notional share for 2021.
- Non-government schools receiving SRS funding in 2022 above the legislated Commonwealth proportion of 80 per cent will transition down to 80 per cent by 2029.
- Non-government schools receiving SRS funding in 2022 below the legislated Commonwealth proportion of 80 per cent will transition up to 80 per cent by 2023.
- Systems receive the gross amount of funding made up from individual SRS funding amounts of member schools.
- Systems' funding will also transition up or down in the same timeframe as individual schools.
- Systems will still be able to distribute funding to their schools according to how they see fit.

It is important to remember a school's CtC only affects its base funding. It does not apply to any loadings, such as the student with disability loading and the socio educational disadvantage loading, the school receives.

## Education

### Quality Initial Teacher Review

On 11 March 2021, the Hon Alan Tudge MP, Australian Government Minister for Education and Youth, delivered a speech that announced his intention to launch a review looking at the next evolution of reforms to initial teacher education (ITE). In his speech, Minister Tudge focussed on Australia's "*declining Programme for International Student Assessment (PISA) outcomes in both absolute terms and relative to other countries and identified quality teaching as one of the key areas of focus to return Australia to the top group of nations*".

**Once again, instead of engaging with the IEU on the issues significantly impacting the profession, the Federal Government has sought to make political gain from education policies.**



In July 2021, the **IEU Education Committee** developed a submission to the Quality Initial Teacher Education Review. The review, focussing on attracting and selecting high-quality candidates into the teaching profession and preparing ITE students to be effective teachers, was deemed necessary by the Australian Government to build on reforms currently being implemented from the previous ITE review, TEMAG.

**The IEU, in its response to the draft terms of reference and further, in its submission, strongly rejected the need for the review while arguing that many recommendations in previous reports have been ignored, partly implemented or still in the process of implementation. Also:**

1. The IEU strongly believes that programs and/or policies which are aimed at attracting and retaining a high-quality teaching workforce must also acknowledge that there are significant issues around public perceptions of teaching. There needs to be a long-term commitment to recognise and reward the work of teachers and other education professionals.
2. The IEU supports the principles that there should be a range of high-quality pathways into initial teacher education (ITE) to ensure that disadvantage is not a barrier to entry, and that candidates reflecting the diversity of the community can enter the profession.
3. The IEU believes there is a need for transparency and consistency in respect to entry into teacher education and the profession from multiple pathways, and for rigorous monitoring of the standard of bridging or pathway programs.
4. The IEU believes mainstream ITE practicum and early career mentoring programs should be resourced and supported to the same extent as alternative pathway programs such as Teach for Australia.
5. The IEU believes that now is not the time for more change in the ITE field when the TEMAG reforms are still being embedded.

In its conclusion, the IEU stressed that both politicians and the general public underestimate the intelligence, creativity and resilience required of teachers. The timing and limited timeframe for the review restricted consultation with practitioners and once again, the IEU highlighted the disconnection between such reviews and the profession.

## **NCCD Reporting Adjustments Required**

### **Background**

Since 2018, the Nationally Consistent Collection of Data on School Students with Disability (NCCD) has been used to calculate a school's Federal Government funding allocation which is now based on the estimated cost for reasonable adjustments that schools make to meet students' needs.



The broader definition of disability under the NCCD has significantly increased the number of students with disabilities attracting Federal Government funding.

The growth in student numbers, along with the three funded loading amounts differentiated by level of adjustment (supplementary, substantial and extensive), means funding for students with disability will continue to increase.

2020/2021 has not seen 'business-as-usual' in schools as teachers and school officers worked to make a new model of remote learning available and accessible for all students. Therefore, the requirement for teachers and school officers to collect, moderate and submit quality, detailed NCCD data on top of this was improbable and, in many instances, unachievable.

IEU members had reported that the lack of clarity and consistency in reporting NCCD had impacted workload resulting in additional stress and confusion.

### **IEU Member survey**

In early 2021, the **IEU NSW/ACT Branch**, concluded a widespread member survey, into the effects of the NCCD process on teacher workloads, and the delivery of support to students and classroom teachers in schools.



The report arising from the member survey identified significant issues regarding:

- Work intensification.
- Inadequate staffing and release time.
- Negative impact on support for students.
- Duplication of data requirements.
- Deficiencies in data collection platforms and Learning Management Systems.

Further, the report made the following recommendations:

- Measures should be taken to staff the NCCD process appropriately at the school level.
  - Staffing ratios need to be sufficient to allow the core role of learning support to take place.
  - Release time must consider the workload impact of the NCCD process, in addition to regular programming and assessment responsibilities.
- Exemplars to be provided and published on the NCCD website to provide clarity around the evidence template requirements and avoid layering of expectations.
- Schools and systems to review documentation and processes to ensure that they are not exceeding the requirements of the NCCD.
- The school's information or learning management system would ordinarily contain the necessary student information for the NCCD, and other purposes, for both classroom teachers and learning support staff. Any requirements to provide additional documentation, eg personalised planning tools, are superfluous and contribute to unnecessary workloads.
- Eliminate or substantially reduce the requirements associated with reporting on students in the quality differentiated teaching practice (QDTP) category.
- Evidentiary requirements should be streamlined across all categories. In particular, the annual and recurring evidentiary requirements for students likely to remain in the NCCD Extensive category should be subject to review.
- Refine the evidence management process and improve the efficiency of the digital platform in order to reduce the need for ongoing and extensive PD related to the NCCD. This should allow learning support staff to concentrate on PD that relates to their core role of supporting students with disabilities.
- Ensure that any necessary system or version upgrades to the digital platform are minimal and are enacted prior to the point when users will be expected to engage with the platform. The capacity to allow the bulk uploading of data should be facilitated.

#### **Where to now?**

As a result of discussions with employer groups and the Department of Education Skills and Employment (DESE), there has been significant recognition of the discrepancies identified by the IEU report, and new guidelines are being drafted in consultation with the IEU.

**It is intended that these new expectations will be ratified and distributed nationally by October 2021 for use by all IEU Branches where needed.**

## **Australian Government Automatic Mutual Recognition of Occupational Registrations**

In a submission, authored by **IEU-QNT**, the IEU provided feedback to the Australian Government's *Automatic Mutual Recognition of Occupational Registrations Exposure Draft Legislation*.

**The IEU questioned the fundamental premise that the issue affects large numbers of teachers and that existing mutual recognition provisions are inadequate, or overly cumbersome.** The IEU stated it would not support any process that would diminish registration requirements or standards of the teaching profession including changes that could erode existing child protection provisions. In summary, the proposed automatic mutual recognition scheme was seen to not meet the quality assurance processes necessary and was seen to have significant additional red-tape, inefficiencies, and costs for the second state/territory where a teacher wished to teach.

This legislation was passed by the Commonwealth Government in June 2021 and came into effect on 1 July 2021. It will now be up to individual state/territory education ministers to use exempting sections in the legislation that allow an occupation to be excluded from the operation of automatic deemed registration, so teacher registration authorities know who is teaching in their jurisdiction.

## NAPLAN

In July 2021, the **IEU Education Committee** met with ACARA to receive a short report on 2021 NAPLAN. ACARA reported that online access was more successful than in previous years, with over 70% of students being able to complete the test online. While the NAPLAN 2021 summary information will be made available in August, the national report will be made at the end of the year



At the meeting, the IEU Education Committee questioned the outcomes of the July Education Ministers forum where the concept of exploring the use of NAPLAN testing in other subject domains. ACARA confirmed that this is not an immediate consideration for ACARA. However, they will investigate the feasibility of incorporating critical and creative thinking in English and Mathematics into the existing NAPLAN domains.

ACARA further confirmed that the Education Ministers confirmed that they will work with the jurisdictions to explore the feasibility of shifting the test as early as possible in the school year. However, they indicated that other external contingencies namely school attendance census data may inhibit this from occurring.

On 17 August 2021, the IEU received an embargoed briefing from ACARA regarding the 2021 NAPLAN Summary Data. The information has been embargoed until 0100hrs AEDT Wednesday 25 August.

## Australian Curriculum Review

In July 2021, the **IEU Education Committee** met with ACARA to receive a report on the consultation period for the Australian Curriculum Review which was held from 29 April to 8 July 2021

At the meeting, ACARA reported that the review sought to improve the Australian Curriculum by refining, realigning, and decluttering the content so it would focus on the essential knowledge and skills students should learn and would be clearer for teachers on what they need to teach.

Due to the online nature of the consultation process, IEU members had been encouraged directly to make comments on the outcomes and content proposed by the Curriculum reform, and also to provide additional comments to ACARA regarding each of the different learning areas and workload implications

**The IEU has raised for many years that, particularly in the primary years, the Australian Curriculum is overcrowded and agrees that many schools and teachers want a curriculum that in addition to being less crowded, provides flexibility and scope for greater depth of learning, and one that provides more meaningful connections within and across its three learning dimensions – learning areas, general capabilities, and cross-curriculum priorities. However, doubts remain as to whether this review will deliver such positive outcomes.**

## **AITSL Australian Teacher Workforce Data (ATWD)**

In August 2021, the **IEU Education Committee** met with ATWD Secretariat of AITSL to receive a report on the ATWD data.

The ATWD is a national initiative that aims to provide comprehensive, de-identified data on the teaching workforce – across all systems and sectors, from initial teacher education (ITE) through to end of teaching career. It provides insight on topics such as working hours, the prevalence of out-of-field teaching, and access to professional learning.

Established in 2017, the ATWD has been built out iteratively over the course of the initial four-year implementation period. Teacher Regulatory Authorities in seven jurisdictions now provide teacher registration data to the ATWD (legislation allowing WA to share their teacher registration data is forthcoming).

In May 2021, Ministers agreed to fund the ATWD for a further four years from July 2021 to June 2025.

The largest survey of Australian teachers, the ATWD Teacher Survey was fielded in all states and territories for the first time in 2020. The *National Initial Teacher Education Pipeline, Australian Teacher Workforce Data Report 1* (the Pipeline Report) was the first of several ATWD reports to be published on annual basis.

The second report, *Teacher Workforce Characteristic Report* will be published in September 2021 and will consider workforce characteristic of those within the registered teaching workforce of NSW, NT, SA and Victoria. This report will identify characteristics such as employment status, working hours, contractual arrangements, and employment qualifications. A more complete National report will be published in 2022.

**The IEU questions to what extent such data reports are considered by government policies to bring about positive change for teachers.**

## **Federal Government Fails ELICOS and VET sector**

The ELICOS and VET sector is almost unrecognisable since the pandemic caused the closures of colleges. Countless IEU members employed in these sectors have lost their jobs, or their workplace has closed altogether, because of border closures.

In June 2021, the Federal Government's announced \$53.6 million in funding for the ELICOS and VET sector. This amount falls well short of what is needed to ensure job security, improved wages and improved working conditions.

The funding is an inadequate, superficial solution to the highly complex problem. It does not assist in improving wages and conditions of unpaid and overworked ELICOS and VET members nor will it address the insecurities of employment so entrenched in this sector.

Professional pay and conditions are essential to ensuring the quality education needed to attract and retain students. Without this, there will be no future for the sector.

**The IEU will continue to lobby the Federal Government for clear and more substantial commitments to the sector.**

## **Australian Government's Australia Strategy for International Education 2021 – 2030 Review**

In May 2021, the IEU made a submission to the review and emphasised the devastating impact of COVID-19 on IEU members due to the reduction of international student numbers in Australia and outlined the short-term and long-term strategies needed to rebuild the sector.

**The IEU key recommendation was that Federal and State/Territory Governments must extend wage subsidies to the VET and ELICOS sectors in the short term to ensure teachers, trainers and assessors are able to resume teaching when international students return.**

## **Early Childhood Education and Care**

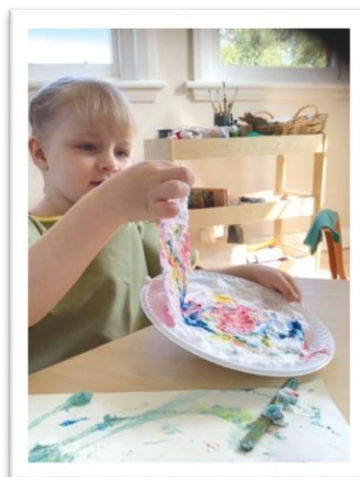
### **IEU Wins Pay Rise For Early Childhood Teachers On Modern Award**

For the past eight years, the **IEU NSW/ACT** has been pursuing two cases at the Fair Work Commission (FWC). One essentially argued that early childhood teachers were underpaid because the sector is female-dominated. The other application argued that the modern award undervalued the work of teachers.

While the gender undervaluation argument was dismissed by the Commission due to the restrictive nature of the legislation, it concluded *“there have been substantial changes in the nature of the work of teachers and the level of their skills and responsibilities since 1996. This constitutes a significant net addition to their work value which has to be taken into account in the rates of the pay in the modern award”*.

#### **FWC views the professional skills and judgment of early childhood teachers**

The FWC Full Bench found that “the exercise of professional skills and judgement, the overall work value, involved in early childhood teaching” was the same as that of school teachers. *“The rates of pay do not recognise that teachers are degree qualified professionals,”* it said.



The awarded pay rise of 5–10% will mainly benefit teachers in long daycare centres and preschools without enterprises agreements under the modern award. There will be also significantly higher increases for some teachers if they have responsibilities as educational leaders. Nationally, this decision will benefit approximately 12,000 teachers in about 8000 long daycare centres.

**Achieving arbitrated increases of this magnitude is a significant achievement, given that the opportunity to conduct such a case presents itself infrequently.**

#### **Government responsibility**

Significantly, the Commission had also asked both Federal and State/Territory Governments to examine their capacity to fund the wages of early childhood teachers.

The Commission has yet to determine the date of the pay rise. A further hearing will examine more submissions and evidence on the impact of the decision on the sector and how the pay rise will be phased in.

### **Certainty of Universal Access Funding is Needed.**

While the May 2021 budget provided \$1.6 billion for early childhood education over the next four years, funding still falls short of delivering high quality universally accessible and affordable early learning for every child. It also fails to recognise the immense need for professional rates of pay for early childhood education teachers as recognised by the recent IEU work value case.

The 2021 Budget announcement also fails to recognise the overwhelming evidence supporting two years of high quality, play based learning in the years before children starting school. While some states have already commenced implementing early childhood education for three years old, it seems that the Federal Government is not that forward thinking.



For too long kindergartens and preschools have suffered because of a lack of certainty regarding funding. The short-term nature of Universal Access funding has adversely affected the efficiency of funding arrangements in that it led to cautious decision making about investment in staffing and programs

While the four-year commitment to funding is a welcomed improvement on a yearly provision, early childhood education must be viewed as a right for all children, just as primary and secondary education is a right and funded accordingly.

**Ongoing, guaranteed funding through Universal access has been a consistent and persistent campaign by the IEU and our union will continue to fight.**

### **IEU Schools Federal Education Minister in Early Childhood Education**



In June 2021, IEU NSW/ACT members, Gabrielle Connell, Amy Martin supported by IEU NSW/ACT Branch Organiser Lisa James and IEU Assistant Federal Secretary, Christine Cooper met with Federal Education Minister Alan Tudge at Parliament House.

At the meeting, IEU members challenged the Minister by highlighting the extreme difficulties in staffing centres and the unmanageable workloads which was causing burnout. They challenged his use of ‘childcare’ and converted his focus to “early learning”

Members further outlined the importance of the Fair Work Commission’s decision in the Early Childhood Equal Remuneration/Work Value case and the need for more secure and adequate funding.

While appreciation was expressed for the minister’s decision to extend Universal Access National Partnership Funding for four years, IEU members highlighted that more was needed to give greater certainty going forward. Concerns were also raised regarding the Ministers comments on children’s “school readiness”

and how this would be assessed as an accountability measure for funding. While the Minister rebutted the ‘*NAPLAN for four year olds*’ comments currently circulating in the sector, he indicated that no further consideration on the matter had been undertaken.

From this meeting, it was clear that Minister Tudge’s priorities were focussed more on general workforce participation rather than supporting quality early childhood education and qualified early childhood education staff. Funding for equitable salaries and remuneration was continued to be met with “the Federal Government is not the employer” comments.

**The IEU knows too well that it is this Government rhetoric which has brought the crisis to the sector.**

### **Australian Children’s Education and Care Quality Authority. ACECQA Towards a National Workforce Strategy 2021-2030**

Since October 2020 and throughout 2021, the IEU has been extensively involved in consultations with ACECQA and other early childhood education sector stakeholders to develop a new National Workforce strategy. The new National Workforce Strategy is a proposed 10-year plan which aims *to ensure that Australia’s children’s education and care sector has a sustainable, high-quality workforce that meets the needs of children and their families, the requirements of the National Quality Framework (NQF) and promotes positive education and developmental outcomes for future generations.*

While there are many aspects of the new National Workforce Strategy that are important for the early childhood education sector's success, attracting and maintaining qualified and experienced early childhood education teachers and assistants is essential for the future of the profession and the sector and as such has been the central point of the IEU's advocacy.

**The IEU has persistently advocated that for the new strategy to be a long-term success, it must be supported by consistent and guaranteed federal funding for the sector; so that appropriate remuneration of early childhood education teachers and assistants can be delivered.**

The draft workforce strategy is currently with the Education Ministers Meeting (formerly COAG) and will be published later in the year.



## Industrial Issues

*It's not a lie if you believe it.* - George Costanza

### Award Review Completed

Last year's report set out the award variations, mostly mildly beneficial, 'achieved' through 6 years of work on the 4-yearly review of modern awards. The review continues into its seventh year, but our involvement has concluded. Final versions of the awards have now been published.

Prior to finalization the most significant outstanding matter remaining to be determined in 2020/2021 was our claim for overtime penalty rates for casuals employed under the General Staff Award. This claim was opposed by the collective AIS's, who were supported by ABI, who sought to exclude a range of classifications, including boarding staff and sports coaches, from overtime payments. The Associations claimed that the cost of paying overtime rates was excessive but brought no evidence of any incapacity on the part of employers to do so.

The Commission varied the award to include overtime penalties for all casuals.

### Changes To Federal Legislation

In December last year the government introduced the *Fair Work Amendment (Supporting Australia's Jobs and Economic Recovery) Bill* – the 'Omnibus' legislation. Federal Council delegates will recall that the bill proposed a raft of changes adverse to workers, including;

- New modern award 'flexibilities'.
- The removal of key employer obligations around bargaining;
- Provisions designed to undercut state legislation which had criminalized wage theft and
- Measures aimed at eliminating any capacity for employees wrongly classified as casual to pursue foregone entitlements.

The IEU made submissions to the inquiry established to consider the Bill by the Senate Standing Committee on Education and Employment. We also contributed to the extensive lobbying campaign organized by the ACTU.

Ultimately only the provisions relating to casual employees became law. In summary, this has meant the insertion of a statutory definition of casual employee and a regimen for conversion of casual employees to permanent. As both measures cut across existing entitlements in Awards, the legislation

required the Commission to review them to ensure that their terms were varied to ensure consistency with the amended Act. Parties to Agreements can apply to vary them to the same effect.

As peak employer bodies and the AIS indicated that they proposed removing restrictions on the engagement of casual and fixed-term employees we retained counsel for the Commission's review.

To date the Commission has reviewed only the Teachers Award, which will retain its existing limitations on casual and fixed-term employment.

## Rules

Since the last meeting of Council, the Federal Executive has approved 3 separate series of rule changes.

- Consequent to successive reports from AEC returning officers identifying omissions - an alteration, approved by the Commission in October last year, enabling candidates for election to rectify remediable deficiencies in their nomination (required by s143(1)(c) of the *Fair Work (Registered Organisations) Act*) and also giving candidates the capacity to withdraw their nomination
- Alterations varying and expanding the union's objects, recently submitted to the Commission for approval.
- A significant and wide-ranging alteration to our eligibility rule, removing long-standing exemptions from eligibility for many General Staff classifications

This last alteration to eligibility rules seeks to formalize the fact of our having, near universally, been the sole provider of representation for all employees in our sector of the industry and is currently under consideration by the **IEU Industrial Committee**.

Prior to the application being lodged, we will consult with other unions through the ACTU.

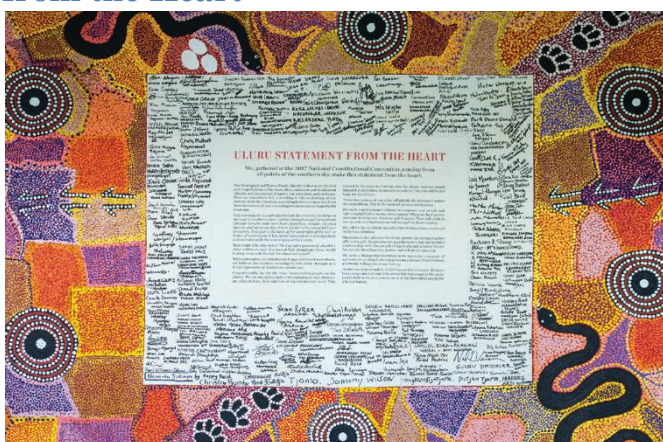
## Equity Issues

### First Nations

#### Support for the Uluru Statement from the Heart

On 26 May 2017, exactly fifty years after the historic 1967 referendum which included Aboriginal people in the national census, the Uluru Statement from Heart was released. The statement followed extensive consultation with Aboriginal and Torres Strait peoples around Australia and was released by the First Nations National Constitutional Convention.

The Uluru Statement from the Heart calls for a voice in the national constitution for First Nations peoples and a 'Makarrata Commission' to facilitate agreement-making and truth-telling between Australian governments (and the people they represent) and Australia's First Nations peoples.





Disappointingly, the Statement quickly became a political football, particularly among the more conservative elements of the Liberal and National Parties, further delaying Australia's long journey between Australia's First Nations and non-indigenous peoples.



**The IEU is proud to support the Uluru Statement from the Heart and have IEU members join the largest First Nations delegations to Parliament on 16-18 March 2021.**

The delegation together with ACTU President Michele O'Neil, met with Labor Senator Malarndirri McCarthy from the Northern Territory and Senator Pat Dodson from Western Australia, along with Labor MPs Linda Burney, Tanya Plibersek and Bill Shorten.

### **Indigenous Voice Co-design Process Interim Report**

In March 2021, the IEU welcomed the opportunity to provide feedback regarding the Indigenous Voice Co-design Process Interim Report.

The IEU recognises Aboriginal and Torres Strait Islander peoples have been present in Australia for over 65,000 years and, despite their enormous diversity and enduring presence they have had little voice in the decision making processes that influence and govern our daily lives. It is now time for this to change and the IEU supports the mechanism of an Indigenous Voice that will provide a system in which Aboriginal and Torres Strait Islander peoples and their communities will be heard across all levels of government.

The IEU firmly believes that the legislative design of the Voice cannot be decoupled from its constitutional enshrinement.

For this reason, it is essential that:

1. The government honour its election commitment to a referendum once the model for the Voice has been settled.
2. Enabling legislation for the Voice to be passed after a referendum has been held in the next term of Parliament; and
3. The membership model for the National Voice must ensure previously unheard Aboriginal and Torres Strait Islander people have the same chance of being selected as established leadership figures.

### **Closing the Gap. Annual Data Compilation Report July 2021**

The National Agreement on Closing the Gap was finalised in July 2020.

Central to the National Agreement are four Priority Reforms that aim to change the way Federal and State/Territory governments and the various cooperation's work with Aboriginal and Torres Strait Islander people.

These four **Priority Reform Areas** are:

- Strengthen and establish formal partnerships and shared decision-making
- Build the Aboriginal and Torres Strait Islander community-controlled sector



- Transform government organisations so they work better for Aboriginal and Torres Strait Islander people
- Improve and share access to data and information to enable Aboriginal and Torres Strait Islander communities to make informed decisions.

The Agreement also sets out 17 socio economic outcomes important to the wellbeing of Aboriginal and Torres Strait Islander people, including health, education, employment, housing, safety and strength in culture and language.

In July 2021, the first report on data from the Agreement's socioeconomic outcome areas was released.

It is important to note that many of the 17 Targets do not have new data available since the baseline year, so no assessment of progress is available. This is largely due to the frequency of the source data collections with many updated infrequently. However, as the target end date becomes closer and the longer term trend becomes apparent, it will be clearer to determine whether a target is to be met. It is currently possible to assess for seven of the targets as to whether they are on track as the table below outlines.

#### Summary of National Assessment

Target	Assessment	Outcome
<b>Target 1</b> Close the Gap in life expectancy within a generation, by 2031	Nationally, Aboriginal and Torres Strait Islander boys born in 2015–2017 are expected to live to 71.6 years and girls to 75.6 years, and non-Indigenous boys and girls to 80.2 years and 83.4 years respectively. This results in a gap of 8.6 years for boys and 7.8 years for girls.	Nationally, based on the most recent year of data, the target is not on track to be met.
<b>Target 2</b> By 2031, increase the proportion of Aboriginal and Torres Strait Islander babies with a healthy birth weight to 91 per cent.	Nationally in 2018, 88.8% of Aboriginal and Torres Strait Islander babies born were of a healthy birth weight. This is similar to 2017 (the baseline year).	The target is on track to be met.
<b>Target 3</b> By 2025, increase the proportion of Aboriginal and Torres Strait Islander children enrolled in Year Before Fulltime Schooling (YBFS) early childhood education to 95 per cent	Nationally in 2020, 93.1 % of Aboriginal and Torres Strait Islander children in the Year Before Full time Schooling age cohort were enrolled in a preschool program. This is an increase from 76.7 per cent in 2016 (the baseline year).	Nationally, based on the most recent year of data, the target is on track to be met.
<b>Target 10</b> By 2031, reduce the rate of Aboriginal and Torres Strait Islander adults held in incarceration by at least 15 per cent.	Nationally at 30 June 2020, the age-standardised rate of Aboriginal and Torres Strait Islander prisoners was 2081.0 per 100 000 adult population. This is an increase from 2077.4 per 100 000 adult population in 2019 (the baseline year).	Nationally, based on the most recent year of data, this target is not on track to be met.

<b>Target 11</b> By 2031, reduce the rate of Aboriginal and Torres Strait Islander young people (10-17 years) in detention by 30 per cent	Nationally in 2019-20, the rate of Aboriginal and Torres Strait Islander children aged 10-17 years in detention was 25.7 per 10 000 children in the population This is a decrease from 31.9 per 10 000 young people in 2018-19 (the baseline year).	Nationally, based on the most recent year of data, this target is on track to be met.
<b>Target 12</b> By 2031, reduce the rate of over-representation of Aboriginal and Torres Strait Islander children in out-of-home care by 45 per cent.	Nationally in 2020, the rate of Aboriginal and Torres Strait Islander children aged 0–17 years in out-of-home care was 56.3 per 1000 children in the population. This is an increase from 54.2 per 1000 children in 2019 (the baseline year).	Nationally, based on the most recent year of data, this target is not on track to be met.
<b>Target 14</b> Significant and sustained reduction in the suicide of Aboriginal and Torres Strait Islander people towards zero	In 2019, the suicide rate for Aboriginal and Torres Strait Islander people was 27.1 per 100 000 people (for NSW, Queensland, WA, SA and the NT combined) This is an increase from 24.9 per 100 000 people in 2018 (the baseline year).	Nationally, based on the most recent year of data, this target is not on track to be met.

For further information on Closing the Gap, and the complete report; <https://www.pc.gov.au/closing-the-gap-data/annual-data-report> or the *IEU Speaks on Closing the Gap* available at [www.ieu.org.au](http://www.ieu.org.au)

## Federal Government Provides Funding For Closing The Gap National Agreement

On 5 August 2021, the Federal Government released the Commonwealth's first Closing the Gap Implementation Plan, and with it committed more than \$1 billion in new measures to support to help achieve Closing the Gap outcomes. The Implementation plan aims to assist in the delivery of the Closing the Gap National Agreement and includes:

- Territories Stolen Generations Reparation Scheme -**\$378.6 million**
- Developing the Cultural Competence and Trauma Responsiveness of the Indigenous and non-Indigenous Child and Family Sector Workforce -**\$7.7 million**
- Closing the Gap in Life Expectancy of Aboriginal and Torres Strait Islander People -**\$254.4 million**
- Strengthening Aboriginal and Torres Strait Islander Alcohol and Other Drugs (AOD) Treatment Services -**\$66 million**
- Assessing Needs and Increasing the Involvement of Aboriginal Community-Controlled Organisations (ACCOs) in the Child and Family Sector -**\$3.2 million**
- Early Childhood Package -**\$122.6 million**
- Healthy Mums Healthy Bubs -**\$45 million**
- On Country Boarding Schools -**\$75 million**
- Outcomes and Evidence Fund (Try Test Learn) -**\$38.6 million**
- City-County School Partnerships to Improve Remote School Outcomes -**\$26 million**
- Scaling Up Success -**\$25 million**
- Indigenous Languages and Creating Regional Jobs -**\$22.8 million**
- Closing the Gap Coordination and Delivery -**\$10 million**

- Funding for Aboriginal and Torres Strait Islander Legal Services (ATSILS) for Expensive and Complex Cases and to Support Criminal Justice Reform Through Coronial Inquiries -**\$9.3 million**
- Funding for Cultural Safe and Appropriate Family Dispute Resolution for Aboriginal and Torres Strait Islander People -**\$8.3 million**
- Justice Policy Partnership -**\$7.6 million**

Further information: <https://www.pm.gov.au/media/commonwealths-closing-gap-implementation-plan>

## IEU joins with First Language Australia

In February 2021, the **IEU Federal Executive** endorsed a partnership with First Nations Language Australia (FLA). Founded in 2013, the goal of FLA is to achieve a future where First Nations' language communities have full command of their languages. The organisation aims to communicate, advocate, and educate Australians and international audiences as to the importance of First Languages and the urgent need to maintain and revive these languages, many of which are endangered.

For further information: <https://www.firstlanguages.org.au/>



## Gender Equity

### Sexual Harassment in Australian Workplaces. **Respect@Work Not Achieved.**

Fifteen months after receiving the AHRC Report *Respect@Work: National Inquiry into Sexual Harassment in Australian Workplaces* from Sex Discrimination Commissioner Kate Jenkins, the Federal Government has failed to deliver any real rights to women at work enshrined in legislation.

The *Respect@Work* report found that the current legal and regulatory systems did not appropriately address workplace sexual harassment. It recommended a new evidence-based, victim focused model that was framed through a gender and intersectional lens. The report sought to improve the coordination, consistency and clarity between the anti-discrimination, employment and work health and safety legislative schemes already in place.

Importantly, the new model proposed would ensure transparency, accountability, and leadership from employers as it shifted from the current reactive model, that requires complaints from individuals to a more proactive model which would require positive actions from employers.

### Roadmap to Nowhere

However, the Federal Governments response, the “Roadmap to Respect”, specifically ignored the recommendations for stronger powers to investigate new regulations under Work Health and Safety Law and changes to the Fair Work Act.

The Federal Government did not recommend any enforceable protections for workers experiencing sexual harassment or violence.

While the Government’s roadmap commits to the importance of education, training and awareness, it stops short on delivering the essential elements that would ensure safety in the workplace from sexual harassment.

### Do not be misled by the title of the Parliamentary Bill.

On Wednesday 11 August 2021, the Federal Government put forward the *Respect@ Work* Bill to Parliament.

Despite its name, the Bill is a watered-down version of what the AHRC report had recommended. The Federal Government has cherry-picked some recommendations but ignored the very ones that would make the biggest contribution to ensuring women are safe at work.

While the Bill commits to the importance of education, training and awareness, it fails to deliver:

- Greater scope and powers to the Sex Discrimination Commissioner to commence investigations.
- Amendments to the Fair Work Act to explicitly prohibit sexual harassment, preferring instead to continue the current ‘stop bullying order’ provision in the context of sexual harassment.
- Stronger powers to investigate new regulations under Work Health and Safety Law and changes to the Fair Work Act.
- Any enforceable protections for workers experiencing sexual harassment or violence nor places any positive responsibility on employers to ensure safe, harassment-free workplaces.
- 10 days’ paid family and domestic violence leave within the NES provisions.

**IEU members have joined with Australian Unions to lobby MPs and Senators to call for the Bill to be amended with provisions which will safeguard workplaces from sexual harassment.**

## **Federal Government Fails to Act on ILO Convention 190(Violence and Harassment at Work)**

The first international treaty on violence and harassment in the world of work came into force on June 25th 2021, two years after it was adopted by the ILO’s International Labour Conference (ILC)

To date, six countries have ratified the Violence and Harassment Convention, 2019 (No. 190) Argentina, Ecuador, Fiji, Namibia, Somalia and Uruguay. Ratifying countries are legally bound by the provisions of the Convention a year after ratification.



Together with Recommendation No. 206, Convention No. 190 recognizes the right of everyone to a world of work free from violence and harassment and provides a common framework for action. Importantly ILO C.190 encourages States to place a positive duty on employers to prevent violence and harassment in the workplace, by obligating States to adopt laws requiring employers to take steps, commensurate with their degree of control, to prevent violence and harassment in the world of work, including identifying hazards and assessing the risks of violence and harassment (with the participation of workers and their representatives) and taking measures to prevent and control them.

While the Australian Government voted in favour of the ILO Convention 190 and the associated Recommendation 260 to eliminate gendered violence at work, it is yet to ratify the ILO Convention or even speak to Australian Unions about the matter. **IEU members have continued to call upon the Federal Government to ratify C190 and R206. Until they do so, this essential convention will remain purely aspirational for Australia society.**



## March 4 Justice

On March 15, 2021 the IEU joined with tens of thousands to protest the sexual abuse and harassment of women. The protest rallies, known as **March4 Justice**, formed from across 40 cities and towns in Australia.

Protestors wore black and carried placards calling for politicians and law makers to act. In Melbourne, protesters carried a long banner listing the names of women killed in acts of gendered violence in the past decade.

### What led to this national outcry?

These rallies did not manifest in a vacuum, but rather from rising frustration with the toxic environment of ongoing gendered violence and inactivity from lawmakers and politicians.

The gendered violence cases in parliament shone a light on the sexist culture and how inadequately, sexual harassment is dealt with not just within the Parliament sphere, but also more broadly across all areas of Australian society.



## BOLD – Building Our Leadership Development

**BOLD Professional Development Sessions** are continuing via online zoom sessions. These BOLD sessions provide an opportunity not only to speak with some amazing feminists and gain professional development on issues affecting women, but they also provide an opportunity to network with other IEU BOLD women from across the country.

Each session co-ordinated and managed by a member of the **IEUA Women and Equity Committee and their BOLD group**. The recent 2021 sessions are outlined below.

### Stepping Up to Leadership was hosted by IEU VIC TAS on Monday 10 May 2021

Loretta Cotter, Deputy Secretary of IEU VICTAS Branch discussed her experiences of moving from activist to union leader. In discussions with over 30 participants, Loretta highlighted the advice that could be given to new BOLD women when applying for new leadership positions. One significant takeaway from the session was Loretta's advice on stepping up. *“you may not feel 100% ready, but you don't need to be 100% perfect. You just need to do it”*

The sharing of Loretta's journey and experiences was empowering, and members found themselves reflected in each other's stories, identifying how the personal became political.

### I'm Every Woman. BOLD Support Staff Lead Change, facilitated by IEU NSW/ACT BOLD

focused on our Support Staff members and their role in leading the change for the employees other than teachers in the non- Government education sector. Presenters for the session were BOLD IEU members from both the **IEU NSW/ACT branch and IEUVIC TAS Branch**.

This was a highly successful session with over 45 participants in attendance. Support Staff women are leaders; they may not



immediately consider themselves as such, yet their stories of engagement and empowerment of others lay proof that they are. BOLD participants readily identified with the issues and experiences raised by the presenters and conversations are ongoing regarding strategies on engagement and recruitment of other support staff.

## BOLD Around the Country

Despite the limitations imposed upon us due to COVID, BOLD activities are continuing around the country.

On 19 August 2021, the **IEU QNT BOLD** held an online women's conference *Be BOLD For Change* which connected IEU members from across Queensland and the Northern Territory to talk, learn and reflect on workplace issues that matter the most to them as women. The Conference provided a series of informative and interactive workshops on empowering women at work and focussed on such issues as reproductive health, gendered violence, mental health and coercive control with the aim to building safe and respectful workplaces and achieving change through action. In term 2, **IEU SA BOLD** returned to holding Feminism in Pub sessions. The sessions are very successful and featured the SA Women's Centre coordinator who spoke on reproductive rights and paid leave. A further event is planned for term 3 with topics relating to selfcare. As well, the 2021 **IEU SA BOLD Women's dinner** has held in June - before another lockdown. The only issue experienced was that with current Covid restrictions not everyone who wanted to come could be



accommodated!

The guest speaker was Sally Scales a young Pitjantjatjara woman from the APY lands in remote SA. She is the youngest person ever elected as Chairperson of the APY Executive Board Council and has opened an art gallery in Sydney then Adelaide for the women from her community to exhibit and sell their artwork. She is a fearless advocate for her community and was an inspiration to those who had the privilege to listen to her.

**IEU WA BOLD** is currently reviewing their network and discussing ways on how more IEU women can be engaged to strengthen and grow our network. Planning is also underway for *Securing Your Future* an event in partnerships with Slater and Gordon, NGS and ME Bank to be held in term 4.

The **IEU VIC TAS BOLD** is continuing to roll out **WRAW** chats in schools for member conversations about gendered violence and through these guided conversations an “agenda for change” is being developed. Plans are also underway for the 2021 Anna Stewart Memorial Project (ASMP) as an ‘in person’ course this October. Last year several IEU Women participated in an online ASMP and were really happy that the course was able to be adapted to the COVID world of lockdowns and restrictions. The IEU VICTAS BOLD Network Group is also undertaking an audit, focusing on how to engage younger people to be part of the network and to increase the numbers in the BOLD group.

The **IEU NSW/ACT BOLD** group organised a *Gender Respect and Consent Panel* for the NSW/ACT branch June Council which was composed of IEU NSW/ACT teaching and principal members. There is currently a Bill before the NSW Parliament, (Parental Primacy Bill) which

restricts discussion of gender diversity or fluidity issues in schools. Within that context, the panel focussed on how we can talk about gender, and respect and consent in schools.

## Organising Campaigning

### Organisers Workshop 2021

#### Organising for a Better World (during a pandemic...)

The IEU Organising/ Campaigning Committee is developing the 2021 Organisers' workshop for approximately 35 IEU organisers from across all Branches, with a focus on those new to the role. The workshop will be held in Sydney on 18-19 November 2021.

In the past this has been scheduled annually. Unfortunately, as with many other excellent initiatives last year, the workshop was cancelled due to COVID-19.

#### Theme for 2021:

Organisers face many challenges in organising during the pandemic; whether organising at school level issues, organising to build support around an EBA or organising to implement a sector wide campaign. Organisers use a variety of skills and resources to meet these challenges and in recent times have been called upon to exercise these skills remotely.

The aim of this workshop is to consider the various challenges experienced in organising and analyse the issues and apply strategies and resources to developing the WIN. By the end of this workshop, participants will have reflected on their current organising practices, exchanged strategies and skill learnings, and identified potential changes to their practices.

## Supporting Good Governance

The **IEUA Federal Executive** has continued to meet during the year using the zoom platform and one face to face meeting in April.

A considerable amount of the deliberations and work of the Federal Executive continues to revolve around good governance issues. Discussion and amendment to IEUA rules continue to ensure efficient operation have taken place

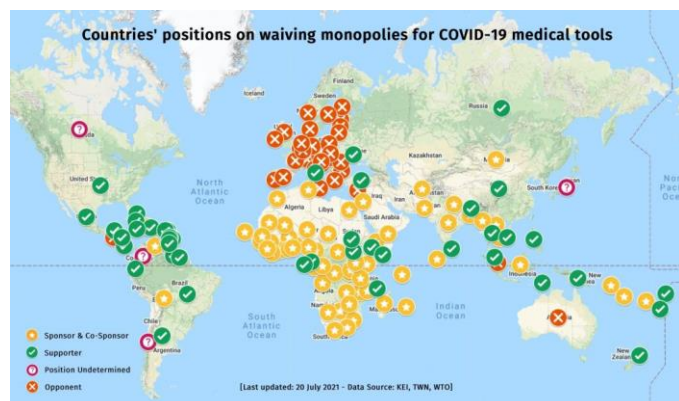
This year, the Federal Executive farewelled Loretta Cotter Deputy Secretary of VICTAS and Cathy Hickey VICTAS Assistant Secretary and thanked them both for the years of dedication to our union.

## International

### Greater Access To Vaccines In Low-Income Countries.

The lack of access to COVID-19 vaccines is set to further entrench global inequality and threaten millions more lives.

As it currently stands more than 85 developing countries will not have widespread access to COVID-19 vaccines before 2023. Residents of wealthy and middle-income countries have received about 90 percent of the nearly 400 million vaccines delivered so far.



Under World Trade Organization (WTO) rules, pharmaceutical companies have a 20-year monopoly on COVID-19 vaccines and treatments, and each government must negotiate with them on prices and quantities. Developed countries are first in line. Low-income countries must wait years while the pandemic rages.



South Africa and India are proposing the World Trade Organisation waive certain provisions that give the owners of the intellectual property exclusive rights over the manufacture and sale of COVID vaccines. The waiver would only apply to COVID-19 medical products and only for the duration of the pandemic. This would allow these countries and others to produce COVID-19 vaccines and ensure vaccines more readily available to poorer countries and at less cost. Their proposal is supported by 118 of 164 countries on WTO, including NZ and USA.

Australia is currently siding with the big pharmaceutical companies in protecting their exclusive patents and huge profits even in the midst of this global emergency. Big Pharma used public funding and technology to develop these vaccines but are refusing to temporarily share the patents to speed up access for all. Just three of these companies distributed \$26 billion in profits to shareholders in the last year.

The Australian government has been under pressure from the Australian Unions, the not-for-profit sector and health economists to come out in support of the patent waiver policy, which is still being considered by the World Trade Organisation and is backed by more than 100 countries, including the United States.

Despite initially welcoming the US decision, Australia has since gone quiet. Prime Minister Scott Morrison's government told Senate Estimates in June that Australia is not opposed to the negotiation of the TRIPS waiver but has not yet made a decision to support it.

**IEU will join with other Australian unions to lobby Federal Minister for Trade Dan Tehan to support the temporary waiver to allow low-income countries access to vaccines.**

## Council of Pacific Education (COPE)

At the international level, the pandemic has meant the IEU has limited contact with our colleagues in the Pacific. COPE Executive and Women Network meetings have been held via zoom, but this has proven to be far from successful due to the lack of internet access. On 16 August 2021, the **IEU Federal Office** met via zoom with the COPE President and COPE Network Coordinator to plan a further meeting of the COPE Women's Network. We will continue to provide support as our Pacific colleagues struggle with the challenges of the pandemic and the impact of climate change.



## COVID Crisis in Fiji

Fiji's spiralling COVID 19 crises reached a terrifying new milestone in August with the World Health Organisation reporting that the country's spread of infection was the highest number of infections per capita in the world.

Although Fiji had early success with keeping the virus at bay by closing its borders, controlling the highly transmissible Delta variant has posed a major challenge to health authorities. With a population of about 900,000, Fiji is now recording as many as 300 new cases a day as part of a wave of infections linked to the highly transmissible Delta strain.

Though the Government has not introduced a widespread lockdown, curfews and limits to public gatherings have been put in place and areas where active cases are spreading have been declared containment zones.

Schools have remained closed since April and some students have been able to access worksheets on the Education Ministry's website. In addition, educational video programs have been aired on the country's Education Channel 9 and radio lessons have continued. Despite this, challenges still remain with the country's limited internet access, particularly in the country regions. Many students continue



to miss out on instruction. Many parents struggle to assist their children with school work. Families remain anxious about their child's future

And while communities are endeavouring to implement the new hygiene arrangements for COVID 19 prevention, it has proven to be difficult in situation where running water is limited.



The Fiji government has started a vaccination drive, making vaccination compulsory for all public sector workers. According to official data, about 58 per cent of Fijians in the targeted population to receive the vaccine have had at least one dose of AstraZeneca, and under 12 per cent have received a second dose. But with cases still surging, there are concerns this strategy isn't working.

**IEU has been in contact with COPE Secretariat General and COPE President Neselinda Meta offering support and solidarity.**

## Myanmar

The **IEU through the ACTU International Committee** has been working closely with APHEDA and the ITUC to provide solidarity and support to Myanmar.

Over 900 people including children have died in continuing protests against the military coup since February this year. Workers and trade unions are the frontline of the civil disobedience movement in Myanmar and to date 33 trade unionists have been arrested. The military regime has issued a warrant for the arrest of a further number of trade unionists, including the CTUM Central Committee members, and several trade union leaders who are now in hiding. A further 16 unions and workers' organizations have been named as illegal and a further 6000 people have been arbitrarily detained.

Many protesters were in the health care system, which has collapsed amid a massive surge in Covid-19 infections. Myanmar has so far reported 300,000 cases and 9,300 deaths, although the limited testing available suggests those numbers are vast underestimates. It is estimated that 300 people have died per day in the past month and reports are showing that half the country is now infected.

## Education

It had been reported that the military has suspended more than 150 000 of the 350,000 education workforce, just days before schools were to open in May. The remaining teachers are worried about decreasing academic freedom and autonomy of schools under the SAC. Ultimately, students and teacher find themselves in the unenviable position; having to choose between fighting for democracy that they so strongly believe in and their livelihoods.

## The response of the Australian Government overall

**has been dismal**, and the ACTU International committee has been working with a range of other organizations outside the union movement to try and coordinate pressure on both the Federal Government and on various companies working in Myanmar, most notably Woodside.

**IEU Branches continue to provide support to Myanmar through Education International and APHEDA. For more information: <https://stand-with-myanmars-workers.raisely.com/>**



## Afghanistan

**In the wake of the increasing violence in Afghanistan, IEU shares grave concerns with colleague education unions of Education International regarding the safety of educators and about equal access to education for all, especially for girls.**

On 17 August 2021, Education International expresses its full support to its member organisation, the National Teachers Elected Council of Afghanistan (NTEC) and the Afghanistan Teacher Support Association (ATSA), and reiterated that schools are centres of learning, inspiration and growth and must never be targets of terrorism and violence.

EI calls for the implementation of the Education International's Declaration on schools as safe sanctuaries voicing the collective demand by teachers and their unions worldwide that education should be protected in times of conflict, and schools should be respected as zones of peace where children, youth and adults can build healthy communities.

Education International also reaffirms the right of girls to go to school and take full advantage of education opportunities.

Governments around the world have the responsibility to do everything in their power to protect the right of girls to go to school and to thrive free of prejudice, harassment and violence. Protecting the rights of girls to go to school is a fundamental step to ensuring quality education for all.