

# 100 Preschool Site Selection Assessment

PROBITY REPORT

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## CONTENTS

<b>A. EXECUTIVE SUMMARY</b>	2
<b>B. PROBITY REVIEW</b>	3
1. Objectives of the Probity Review	3
2. Scope of the probity Review	3
3. Probity Principles relevant to the Probity Review	3
4. Methodology for the Probity Review	3
<b>C. BACKGROUND TO THE 100 PRESCHOOLS SITE SELECTION PROGRAM</b>	9
1. Background as described in 100 Preschools Site Selection documentation	9
2. Election & subsequent Government commitments	10
<b>D. 100 PRESCHOOLS SITE SELECTION METHODOLOGY</b>	13
1. 100 Preschools site selection methodology	13
2. The Site Selection Assessment Data Guide	14
3. The Site Selection Assessment Criteria Rubric	14
4. The Power BI Dashboard	15
5. Briefings provided to decision makers	15
6. The Assessment Panel	17
<b>E. THE 100 PRESCHOOLS SITE SELECTION ASSESSMENT AND APPROVAL PROCESS</b>	21
1. 24 November – Introductory session for the Assessment Panel	21
2. 1 December 2023 - Brief for decision by Site Selection Assessment Panel	21
3. 6 December 2023 – First Assessment Panel Meeting	21
4. 14 December 2023 - Brief for approval to Deputy Premier and Secretary - 100 Public Preschools site selection: Schools recommended as suitable for a new preschool build – DGS23/2151	24
5. 17 January 2024 – Second Assessment Panel Meeting	24
6. 23 January 2024 - Brief for approval for Deputy Premier - 100 Public Preschools site selection: Final list of schools recommended as suitable for a new preschool build – DGS24/19	26
7. 31 January 2024 - Brief for approval for Deputy Premier - 100 Public Preschools site selection: Final list of schools recommended as suitable for a new preschool build – DGS24/19	28
<b>F. ASSESSMENTS BY THE INDEPENDENT EXPERT REVIEWER AND PROBITY ADVISOR</b>	30
1. Independent Expert Reviewer	30
2. Probity Advisor	31
<b>ANNEXURE A - The 100 Preschool Site Selection Assessment Data Guide</b>	32

## **A. EXECUTIVE SUMMARY**

### **1. The purpose of the Probity Review**

To undertake an independent assessment of the site selection methodology and decision-making process used in the selection of sites for the development of 100 new public preschools in NSW.

### **2. The methodology for this Probity Review**

The Review was based on the voluminous documentation provided to me that comprehensively covered every aspect of the site selection process, and the briefings provided to and decisions made by decision makers at various levels.

### **3. The site assessment data methodology**

The methodology for the site assessments utilised multiple data sources and evaluation criteria. The data collected appears to me to be of an excellent quality.

### **4. The site selection process**

The site selection process was well thought out and documented in detail from the outset. The process adopted proved to be effective to achieve the objectives of the program.

### **5. The data and decision-making documentation provided to the Assessment Panel**

The documentation provided to the Assessment Panel was of a very high quality presented in an easily understandable form.

### **6. The Assessment Panel decisions**

I am satisfied that the assessments and decision making by the Assessment Panel were compliant with the *Assessment Panel Decision Making Framework* and the *Addendum second panel Assessment Site Selection Methodology*.

The decisions of the Assessment panel appear to me to have been well considered and based on the considerable data made available to the Panel.

### **7. Overall conclusions**

Based on my assessment of the relevant documentation and interviews with some of the people involved, in my opinion the site selection assessment process was disciplined and objective, rigorously and impartially implemented, resulting in robust evidence based decision making and solid outcomes.

In over 40 years of reviewing decision making processes in State and local governments, the assessment and decision-making methodology, processes and documentation used in the 100 preschools site selection assessment process is without question the best I have seen.

## **B. THE PROBITY REVIEW**

### **1. Objectives of the Probity Review**

The Department sought an independent assessment to review the site selection methodology and decision-making process used in the selection of sites for the development of 100 new public preschools in NSW.

### **2. Scope of the Probity Review**

The Specifications for this Review relevantly require the supplier to:

- Review the documentation related to the Assessment Panel.
- Review all relevant data and decision-making documentation that was provided to the Assessment Panel.
- Review the processes used to make recommendations to the Assessment Panel.
- Review the decisions of the Assessment Panel.
- Undertake necessary conversations and interviews with relevant participants to undertake independent assessment.

The Specifications for the Review included that the supplier would undertake the following responsibilities:

- **Data methodology review:** Review the methodology used to decide the initial sites and the methodology for consultation with schools and local ECEC services.
- **Recommendations to panel:** Review the methodology used to decide the sites recommended to the Assessment Panel.
- **Panel documentation review:** review all relevant data and decision-making documentation given to the Assessment Panel.
- **Review Assessment Panel decisions:** ensure site assessment is compliant with the Department of Education's (DoE) governance processes, and that the Panel's deliberations and decisions were compliant with the documented processes.
- **Reporting:** provide an assessment report, which will document any material issues that have been identified as not meeting the documented processes, and the supplier's conclusions on these issues.

### **3. Probity Principles relevant to the Probity Review**

The processes, documentation and decision making relating to the 100 Preschools Site Assessment Program were assessed against the following Probity Principles (as applicable):

1. Complying with relevant policies and practices.
2. Ensuring accountability and transparency of decision making and implementation processes.
3. Ensuring honesty, impartiality and fairness.
4. Managing conflicts of interests appropriately.
5. Maintaining appropriate confidentiality and security of Information.

### **4. Methodology for the Probity Review**

#### **4.1 Documentation reviewed:**

The 100 Preschools Site Assessment Program generated a considerable amount of very detailed and high-quality documentation, including:

- The methodology to be used for the identification and selection of suitable sites.

- The internal Departmental arrangements for the management of the Program and subsequent implementation of the Program.
- The criteria and rankings to be used in the identification and selection of sites.
- Detailed guides for the Project Team. Assessment Panel members, ECE Sub Executive members etc re the Power BI Dashboard designed to assist decision making, data and criteria to be used in the assessment of sites, etc.
- The framework for decision making, including the terms of reference for the Assessment Panel and the roles of the Independent Expert Advisor and Probity Advisor.
- The monthly briefings prepared for the ECE Sub Executive Committee.
- The briefings prepared for the Minister.
- The briefings prepared for the Assessment Panel.

The documentation reviewed for the purpose of this probity Review included:

- 01. MAY 2023 Brief to Deputy Premier Selection Methodology – *Increasing preschool places for families* – Signed by Secretary on 25 April and by Deputy Premier 29 May 2023:
  - TAB 1 – Minister Briefing - Preschools election commitment.
  - TAB 2 – Universal Preschool-Key Design Choices.
- 02. MAY 2023 Meeting with the Ministers Office – 100 New Public Preschools – MO Meeting, 18 May 2023.
- 03. JUL 2023 Deputy Secretary Brief Consultation Approach – *Group of schools meeting site methodology data criteria* – 19 July 2023:
  - TAB 1 – Group of schools identified for consultation.
- 04. JUN - DEC 2023 Sub Executive Meeting – Election Commitment Status Report – 14 June 2023:
  - ECE [Early Childhood Executive] Minutes Extract, 14 June 2023.
  - 100 Public Preschool Delivery Roles, 14 June 2023.
  - Jun- Dec 2023 early Childhood Outcomes Sub-Executive, 14 June 2023.
  - 100 Preschool program update, 12 July 2023.
  - ECE Minutes Extract, 12 July 2023.
  - ECE Minutes, 23 August 2023.
  - ECE Minutes and Meeting Papers, 9 September 2023 {provided separately}.
  - 100 Public Preschools - *100 Public Preschool – Workforce RACI; Operating Service Model RACI; and Governance*, 23 August 2023:
    - Appendix 1: Consultation Matrix (\*Mandatory).
    - 100 Public Preschools - Site Selection Process.
    - Pathway to reach 90 school sites.
    - Threshold questions.
    - Proposed Criteria and weighting.
    - Appendix - Assessment Panel Site Selection Summary.
    - TAB 1 – 100 Public Preschools Site Selection Assessment Panel Terms of Reference 2023/2024.
    - TAB 1 A – Appendix B - Table detailing the role of Assessment Panel, Independent Expert Reviewer / Independent Chair, Probity Advisor, and Advisory Members.

- TAB 1 B – APPENDIX C - Preschools Site Selection Assessment Panel - CONFLICTS OF INTEREST DECLARATION.
    - TAB 1 C – APPENDIX D - 100 PRESCHOOLS SITE SELECTION ASSESSMENT PANEL Confidentiality Deed Poll.
    - TAB 2 – Assessment Panel Decision Making Framework.
  - ECE Minutes Extract, 1 November 2023
  - 100 Public preschools Site Selection - *100 Public Preschools – Site Selection Methodology Governance*, 3 November 2023
  - ECE Minutes Extract, 14 December 2023
- 05. NOV 2023 Deputy Secretary Brief Tranche 2:
  - TAB 1 – Group of schools identified for Tranche 1.
  - TAB 2 – Group of schools identified for Tranche 2.
- 06. OCT 2023 Decision Making Framework:
  - 100 Preschools - Site Selection Assessment Panel Terms of Reference:
    - Appendix A – Code of Conduct.
    - Appendix B – Table of roles and responsibilities.
    - Appendix C – Conflict of Interest Declaration.
    - Appendix D – Confidentiality Deed.
      - [**Note:** 18 signed Confidentiality Deeds, Conflict of Interest Declarations & Start Strong Capital Works Program Confidentiality and Declaration of Interest Agreements were provided separately]
  - Assessment Panel Decision Making Framework and Addendum – January 2024.
  - Addendum Second Assessment Panel Assessment Site Selection Methodology – January 2024.
- 07. DEC 2023 Data Process Methodology:
  - Power BI Dashboard – User Guide
  - 100 Preschools NSW - DATA – FINAL [Excel Spreadsheet]
  - 240118\_PostPanel\_DA UPDATED\_DATA [Excel Spreadsheet]
  - School for consideration - working document [Excel Spreadsheet]
  - Site Selection Assessment Data Guide
  - Site Selection Assessment Rubric – User Guide.
  - SSM Initial Site Selection Methodology – August 2023.
  - SSM Revised Approach to Site Selection – January 2024
  - SSM Overview – October 2023.
- 08. DEC 2023 First Assessor Panel Meeting:
  - Assessment Panel - meeting minutes 061223
  - BRIEF FOR INFORMATION - Recommendation for Assessment Panel 061223
  - EMAIL Assessment Panel Minutes.
  - FOR REVIEW TO PREPARE FOR 6 DECEMBER 100 PUBLIC PRESCHOOLS PANEL MEETING:
    - BRIEF FOR INFORMATION - Recommendation for Assessment Panel 061223.
    - TAB 1 - Schools recommended for inclusion.
    - TAB 2 - Schools not recommended for inclusion.
    - TAB 3 - Schools not recommended for inclusion.
    - TAB 4 DOC23 1807314 100 Public Preschools Site Selection – Assessment panel Decision Making Framework.

- TAB 5 – DOC23 1807344 100 Preschools Site Selection Assessment Panel Terms of Reference.
    - TAB 6 - 100 Preschools Power BI Dashboard - User Guide
  - TAB 1 - Schools recommended for inclusion.
  - TAB 2 - Updated - Site Selection - All For Discussion Sites for Information.
  - TAB 3 - Schools not recommended for inclusion.
  - TAB 4 - Assessment Panel Decision Making Framework.
  - TAB 5 - Assessment Panel Terms of Reference.
  - TAB 6 - 100 Preschools Power BI Dashboard - User Guide.
- 09. DEC 2023 Deputy Premier and Secretary Brief - 75 Preschools DGS23/2151 - RECALLED:
  - ADVICE TO CLOSE – ECO:
    - RE: DGS23/2151 – BRIEFING FOR DEPUTY PREMIER – 100 PUBLIC PRESCHOOLS RECOMMENDATIONS FOR SCHOOL SITES.
  - BRIEFING - APPROVED SO.
  - TAB 1 - List of recommended schools.
  - TAB 2 - List of Additional Schools Under Consideration.
  - TAB 3 - Geographical distribution of recommended schools.
  - TAB 4 - Schools not recommended for inclusion.
  - TAB 5 - Assessment Panel Decision Making Framework.
  - TAB 6 - Independent Expert Reviewer Report.
  - TAB 7 - Probity Report.
- 10. JAN 2024 Second Assessor Panel Meeting DRAFT:
  - 100PS Assessment Panel (Email):
  - Agenda – Assessment Panel Meeting 17.01.2024.
  - OneDrive\_2024-01-15.zip.
  - FW: Assessment Panel Minutes – Outlook item:
    - DOC23 2039974 DGS23 2151 – FINAL – 100 PUBLIC PRESCHOOLS RECOMMENDATION FOR SCHOOL SITES – ECO(2).
  - Assessment Panel - meeting minutes – 17012024
  - Briefing for Decision - Recommendations for second assessment panel meeting
  - TAB 1 - Schools Recommended for Inclusion.
  - TAB 2 - Schools recommended for additional discussion.
  - TAB 3 - Schools not recommended for inclusion.
  - TAB 4 - Geographical distribution of schools.
  - TAB 5 - Addendum Second Panel Assessment Site Selection Methodology.
- 11. JAN 2024 Deputy Premier Brief DGS24/19 - *100 Public Preschools site selection: Final list of schools recommended as suitable for a new preschool build* - RECALLED:
  - Tab 1 – New build sites.
  - Tab 2 – List of recommended schools.
  - Tab 3 – Geographical distribution of recommended schools.
  - Tab 4 – Reserve list of schools.
  - Tab 5 – Schools not recommended for inclusion.
  - Tab 6 – Assessment Panel Decision making framework with Addendum.
  - Tab 7 – Independent Expert Reviewer Reports, December 2023 & January 2024.
  - Tab 8 – Probity Reports, December 2023 and January 2024.

- DEC 2024 Deputy Premier Brief DGS24/19 – *Final list of schools recommended as suitable for a new preschool build* - FINAL
  - Tab 1 – New build sites
  - Tab 2 – List of recommended schools
  - Tab 3 – Geographical distribution of recommended schools
  - Tab 4 – Reserve list of schools
  - Tab 5 Schools not recommended for inclusion
  - Tab 6 – 100 Public Preschools Site Selection – Assessment Panel Decision Making Framework
  - Tab 7 – Independent Expert Reviewer Report
  - Tab 8 - Probity Reports.
- IPART - Final Report - *IPART S12A Early Childhood Education and Care Review* - December 2023.
- Public Preschools Sites Selection - Independent Assessor - Procurement Specifications
- 100 Preschools - Media Release – Premier and Minister for Education and Early Learning, 18 September 2023.
- Election Costing Request Form, 24 February 2023.
- 18 signed Confidentiality Deeds, Conflict of Interest Declarations & Start Strong Capital Works Program Confidentiality and Declaration of Interest Agreements.

#### **4.2 Review of software:**

The Power BI preschool Site Assessment Tool was reviewed. This is an impressive tool developed to assist the Department’s Service Excellence Directorate in their site selection work.

#### **4.3 Interviews:**

Interviews and conversations were conducted with 3 Departmental staff and 2 independent advisors who worked on the Program:

- Sarah Hurcombe Executive Director, Service Excellence, Early Childhood Outcomes, who led the Assessment Program.
- Karen Smith, Manager Readiness Partnerships | Sector & Community Readiness | Early Childhood Outcomes.
- Poppy Brown, Director, Universal Preschool Delivery, led the 100 Preschool Project Team.
- Abigail Goldberg, Independent Expert Reviewer, *GoldbergBlaise*. The *GoldbergBlaise* website refers to Ms Blaise having public and private sector experience including as a Commissioner for the Independent Planning Commission NSW; CEO of Metro Transport (Sydney’s privately owned light rail and monorail company) and General Manager, South Sydney Development Corporation (SSDC), Chair of a number of Boards and Panels, a Fellow of the Australian Institute of Company Directors as well as the Planning Institute of Australia.
- Heath Jess, Probity Advisor, Managing Director with *ProcurementCo*.

In an effort to elicit frank views about the Program, each interviewee was advised at the outset that I did not intend to quote them but may refer in general terms to views expressed. Interviewees were then asked a series of questions, including about:

1. At what stage they became involved in the Program and the general nature of their role.

2. Questions about which of a list of specific aspects of the Program they were involved in.
3. Whether they had access to the Power BI Site Assessment Tool and if so whether they found it helpful.
4. Whether at any point in their involvement in the Program they had any concerns about a list of key aspects of the process and decision making.
5. How they would describe their view about the assessment of school sites for the purposes of the Site Assessment Program in relation to:
  - the overall appropriateness of the process and decisions made,
  - the transparency and accountability of the process and decisions made,
  - the impartiality and fairness of the process and decisions made,
  - the management of any disclosed conflicts of interests [**Note:** No such conflicts were disclosed by the 18 persons who lodged Conflict of Interest Declarations], and
  - the maintenance of confidentiality and secrecy of information.
6. Whether prior to or during their involvement in the Program they were approached by or had any contact or communication relating to the Program (other than any formal minuted briefing session) with: any Minister or member of staff of a Minister, any MP or member of staff of an MP; any lobbyist; or any other person who expressed an interest in or a view about the Program (other than persons formally involved in the Program).

The answers to questions 3, 4 & 5 above were all positive. The only circumstances identified in answer to question 6 by the Departmental interviewees were that a number of (unnamed) MPs had written to the Minister advocating for a preschool in their electorate and in each case were sent a standard non-committal response.

## C. BACKGROUND TO THE 100 PRESCHOOLS SITE SELECTION PROGRAM

### 1. Background as described in 100 Preschools Site Selection documentation:

The *100 Preschool Site Assessment Data Guide Jan 2024* described the background to the 100 Preschool Site Selection Program in the following terms:

*‘Prior to the election, the NSW Government committed to the delivery of 100 new Department of Education (DoE) public preschools on public primary school sites for the benefit of families and children across the state by 2027. Children and communities who would benefit the most were prioritised. The Department used data derived from the Socio-Economic Indexes for Areas (SEIFA), the Australian Early Development Census (AEDC), demand and supply modelling to determine a list of schools under consideration for a new DoE public preschool (Tranche 1).*

*September 2023, the first ten locations for new public preschools were announced. These ten preschools were allocated to new DoE primary school builds.*

*October 2023, concerns were raised that once assessment was undertaken by the Independent Assessment Panel, not enough schools would meet the final selection criteria to deliver the remaining 90 new public preschools. At this time, an additional list of schools for consideration was introduced (Tranche 2). This list was determined by expanding the existing AEDC, SEIFA, and net demand criteria and by selecting schools with either ‘low’ or ‘moderate’ infrastructure complexity and with 20 or greater kindergarten enrolments. Schools recommended by DELs during the first consultation round were also considered.*

*Of note, the initial list of schools for consideration (Tranche 1) was prioritised over the additional list (Tranche 2). A school on the Tranche 2 list could only be selected if not enough schools from the initial list met the final selection criteria.*

*December 2023, a decision was made by an Independent Assessment Panel on 75 of the required 90 public preschools. A decision was then made to reassess requirements for the final 15 public preschools (Tranche 3).*

*Two further school sites were identified by applying the approved site selection methodology to the department’s updated ECEC System Stewardship supply and demand data (Tranche 3). This updated data was newly available from the NSW Independent Pricing and Regulatory Tribunal (IPART), commissioned by the Childcare and Economic Opportunity Fund. School sites identified met required levels of need (SEIFA and AEDC) and have low infrastructure complexity.*

*Previously considered schools not initially recommended by the Panel due to enrolment size or other factors were identified for possible re-consideration pending further analysis. Schools which did not meet threshold criteria in relation to infrastructure complexity or that would likely displace an ACCO were excluded from the reassessment to ensure consistency. 19 school sites were identified as suitable for reconsideration in accordance with the approved site selection methodology and assessed against insights gained from further discussions with DELs, updated IPART*

*demand data, and other relevant data including NDIS data, predicted 2024 enrolments and local development applications.*

*January 2024, a final decision was made by an Independent Assessment Panel on the remaining 15 public preschools’.*

## **2. Election & subsequent Government commitments:**

### **2.1 5 February 2023 - Labors Fresh Start Plan:**

#### ***‘The best start for our children***

*Our Fresh Start Plan will build 100 public preschools co-located with government primary schools, in our first term in office.*

*We will also invest in 50 new and expanded preschools at NSW’s non-government schools, ensuring we expand the availability of co-located preschools.*

*Labor’s plan to build more preschools will boost the availability of preschool places for families, provide stronger connections between early learning and primary education, and help end the double drop-off’.*

### **2.2 24 February 2023 - Election Costing Request Form:**

*‘Labor will build 100 preschools co-located at all new primary schools and at existing primary schools that have surplus land or spare classrooms and buildings’.*

*‘The policy would include a co-located preschool at every new primary school promised by Labor, as well as new primary schools promised in the 2022-23 budget which are still in the planning phase and can be added in, such as South Nowra Primary school and Nirimba Fields Primary school.*

*Any existing commitments by Labor, for example building a preschool at Carter Street, should be offset.*

*Schools undergoing upgrades can also be assessed on a case-by-case basis for the suitability to host a preschool.*

*The preschool would be the same size as an existing Kindergarten grade at the schools. There are 489 public primary schools with 25 or more vacant student spaces.*

*This means these schools have space that is not being used for primary school classes and could be converted into a preschool.*

*260 of these have 100 or more vacant student spaces.*

*It is anticipated that 10 preschools can be opened and operational for the 2024 school year, a further 25 for the 2025 year and a further 30 for the 2026 school year. The balance would be built for the 2027 school year'.*

### **2.3 18 September 2023 - NSW Government Media releases:**

Released by: The Premier and Minister for Education and Early Learning

[**Note:** Text related to selection criteria highlighted in yellow]

*'The first locations for 100 new public preschools on public school sites have today been unveiled as the Minns Labor Government progresses its mission of boosting access to early childhood education and works towards the goal of providing universal access to preschool.*

*Tomorrow's Budget will reveal the State Government is investing \$769 million to deliver 100 new public pre-schools, including building a pre-school on the grounds of every new public primary school built in NSW.*

*Today's list (below) of new or redeveloped primary schools shows Labor is using the Budget wisely and getting on with the job of delivering essential services to communities across NSW.*

*Labor's commitment to increasing access to high-quality early childhood education will ensure more children are set up for a life of learning and strengthen existing service provision.*

*The first tranche of the 100 public preschools will be built by the Minns Labor Government alongside primary schools at:*

- *Nirimba Fields in North West Sydney*
- *Gables in North West Sydney*
- *Melonba in North West Sydney*
- *Carter Street Precinct near Sydney Olympic Park*
- *Melrose Park Public School near Ryde*
- *Gulyangarri Public School in South West Sydney*
- *Wilton Junction in South West Sydney*
- *Nowra on the South Coast*
- *Lennox Head Public School on the North Coast*
- *Albury Thurgoona in southern NSW*

*The remaining 90 sites are being selected based on a rigorous analysis of educational need, child development outcomes and projected future demand for preschool access.*

*A consultation process with local school principals and current service providers was launched in August.*

*An independent expert reviewer has been appointed to ensure an equitable selection of sites where preschools will deliver the best outcomes for children and communities.*

*The NSW Government's approach is in sharp contrast to the former Liberal and National Government's thought bubble to build 500 preschools, which it announced last minute without any consultation or proper planning.*

*Australian Early Development Census data shows 1 in 5 children do not start school developmentally on track, and this **proportion is higher for vulnerable children**. Research shows that access to quality preschool education improves lifelong outcomes for children and families.*

*Co-locating preschools with schools will help working families and support children to make a smooth transition to kindergarten.*

**NSW Premier Chris Minns said:**

*"We are committed to universal access to preschool.*

*"We need to invest in early childhood education. Investment in quality early childhood education and care has lifelong benefits for our young kids and is key to getting parents back into the workforce.*

*"Today we've announced the first 10 of 100 new preschool sites. I want more preschools in places **in the areas that need it most.**"*

**Deputy Premier and Minister for Education and Early Learning Prue Car said:**

*"The Minns Labor Government is proud and excited about the progress we are making on delivering more early childhood places across the state.*

*"This is the largest expansion of public preschools in NSW history.*

*"We know that access to high quality, play-based learning in the years before starting school sets children up for success and prepares them to transition smoothly into kindergarten and beyond.*

*"Growing stronger connections between early learning and primary education will help children learn important skills for life and learning, and give parents and carers great choice and flexibility **particularly in those areas of greatest educational need.***

*"This is just the beginning of the NSW Government's mission to shape a positive future for younger generations, with quality preschool a top priority for our government."*

## D. 100 PRESCHOOLS SITE SELECTION METHODOLOGY

### 1. Site Selection Methodology

The Department undertook an initial desktop assessment of potential school sites based on The need for preschool provision and an initial infrastructure feasibility assessment.

A key dataset used was the *System Stewardship Model*, which models the relative level of demand and supply of early childhood education and care (ECEC) services across NSW at an SA2<sup>1</sup> level. The model was preliminary and based on then currently available data, and involved a range of assumptions and limitations which were identified in briefings for the Deputy Premier. The assumptions included that the ratio of demand over supply (Demand-Supply Ratio or DSR) was used to identify undersupplied and oversupplied areas in NSW, and it is assumed that on average, 30% of excess service capacity can be used by children living in surrounding SA2 areas but within the same SA3<sup>2</sup> boundary. Schools in areas with DSR of 80% or above were selected as they were identified as having an undersupply of services based on the model.

Site selection also involved prioritisation of schools based on:

- **Socioeconomic disadvantage:** Socio-Economic Indexes for Areas (SEIFA) data which measures the relative level of socio-economic disadvantage in an area. Schools in areas with SEIFA deciles 1-5 were selected as they were assumed to have higher levels of need.
- **Developmental vulnerability:** Australian Early Development Census (AEDC) data which measures the level of developmental vulnerability of children in an area. A key measure is the proportion of children identified as developmentally vulnerable in two or more domains. Schools in areas with AEDC results greater than 10% were selected as they were assumed to have higher levels of need.
- **Undersupply of preschool places:** Demand-supply Ratio 80% or above in SA2 from the System Stewardship Data Model.
- **Infrastructure feasibility:** Results from the School Infrastructure NSW (SINSW) infrastructure feasibility assessment. The approach involved only desktop assessment and considered the ease of establishing a new build preschool on a school site or repurposing existing spare capacity. Schools which were identified as having 'low' or 'moderate' infrastructure risk (fewer infrastructure and environmental constraints) were considered for site selection.
- **Connected Communities schools.**
- **Preschools on new build school sites:** All new preschools built as part of the NSW government's election commitment to build a co-located preschool within the term of government were included in the commitment to provide 100 public preschools by 2027.

The Early Childhood Outcomes Directorate (ECO) developed a draft methodology between May and July 2023, which was based on a data driven approach plus consultation with:

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<sup>1</sup> SA2 refers to areas similar in size to suburbs and are called by suburb names.

<sup>2</sup> SA3 refers to regions at the council level.

- Principals & DELs re schools selected as possible sites for further consultation (phone), and
- ECEC service providers within a 1km/5km (Metro/Regional) radius of the initial long list of schools (phone).

Data sets were updated drawing on the latest SEIFA 2021 data by the ABS and available net that enabled the estimated number of children requiring preschool places rather than a percentage to be determined.

Due diligence assessments took place to inform the masterplans, concept design and planning applications for each potential school site.

Site selection consultation included:

- FOEI (school level index of educational disadvantage related to socioeconomic background).
- Local knowledge of need for public preschool e.g. ED / DEL / Principal.
- Schools in Connected Communities without an existing service onsite.
- Avoid displacing local services provided by ACCOs and ACFCs.
- Other new builds including Non-Government 50 PS.

## **2. The Site Selection Assessment Data Guide**

The *100 Preschool Site Selection Assessment Data Guide* was developed by the Early Childhood Outcomes, Service Excellence Directorate. The purpose of the document was described in the Guide as providing *'an overview of how and where specific data sets were collected from and the processes in place to ensure consistency and proper management of data, steps undertaken to de-risk these processes and contextual information around the information that has been sourced'*.

This guide is very comprehensive and detailed (examples of guidance in the guide are set out in **Appendix A**).

## **3. The Site Selection Assessment Criteria Rubric**

The *100 Public preschool Site Assessment Criteria Rubric* sets out in considerable detail a comprehensive list of criteria and scales/rankings to be used for assessing possible sites for preschools. The criteria include:

- Threshold questions relating to infrastructure complexity and whether an ACCO would be displaced.
- Education Need:
  - To what extent the site would increase access to preschool children experiencing greater socio-economic disadvantage, including assessments based on: SEIFA - Socioeconomic Disadvantage Decile IRSD 2021; Multicultural Children's Strategy; Culturally and Linguistically Diverse (CALD) by SA2; 2021 Australian Education and Developmental Census (AEDC) - % Vulnerable in 2 or more domains; and community consultation and supporting data.
  - To what extent does the site increase access to preschool for children who are developmentally vulnerable, based on the 2021 Australian Education and

Developmental Census (AEDC) - % Vulnerable in 2 or more domains and community consultation and supporting data.

- To what extent does the site provide access to preschool in areas where there is insufficient supply of preschool programs, including Potential 2031 Demand Minus 2021 Supply and Number of 2023 Kindergarten Enrolments.
- **Community Impact:**
  - To what extent would a new public preschool negatively impact the existing local ECEC services, including Current Provision of Preschool Programs in SA2 Area – 2022 System Stewardship Model (SSM) Supply Number of Children aged 3-5 and community consultation and supporting data.
  - To what extent would a new public preschool impact the outcomes sought through other funding provided to support the local ECEC services, including Capital Works Investment and community consultation and supporting data.
  - To what extent would a new preschool support a geographical spread across the State, including use of the Power BI Dashboard and community consultation and supporting data.
  - To what extent would a new preschool positively support the local Aboriginal and Torres Strait Islander children and community, including Indigenous by SA2 and community consultation and supporting data.

#### 4. The Power BI Dashboard

The Power BI Preschool Site Assessment Tool is an impressive tool developed to assist site selection assessments by the Project Team and Assessment Panel.

#### 5. Briefings provided to decision makers

Briefings included:

- Monthly briefings for the Department’s Early Childhood Education (ECE) Sub-Executive:
  - ECE Minutes Extract, 14 June 2023.
  - ECE Minutes Extract, 12 July 2023.
  - ECE Minutes Extract, 23 August 2023.
  - ECE Minutes, 6 September 2023.
  - ECE Minutes Extract, 1 November 2023. The Minutes included:
    - ‘Decisions:
      - **Approved in-principle** the establishment of 100 Public Preschools Assessment Panel and the guiding Terms of Reference. **Noting** the need to include Megan Kelly, ED, Curriculum and Reform, as part of the Assessment Panel or Advisory Group in her capacity as interim Person with Management or Control (PMC) for department preschools.
      - **Noted** the 100 Public Preschools Assessment Panel decision making pathway.
      - **Approved in-principle** the 100 Public Preschools Assessment Panel Decision making Framework and Criteria weighting. **Noting** that:
        - Infrastructure feasibility assessment to be removed from quantitative assessment stage (currently with 20% weighting under proposed criteria).

- *Infrastructure feasibility and costs will be considered as part of the threshold question stage and final review stage of the assessment process’.*
- ECE Minutes Extract, 14 December 2023. The Minutes included:
  - ‘Key Points
    - *75 school sites have been agreed at this stage for approval by the DPO.*
    - *ECEC Comms working with Service Excellence to develop messaging & process for ECO and School Performance to provide to the sector on the selection methodology.*
    - *Noted the DPO will be briefed that there may be contention on the results from peak bodies. We followed a robust and rigorous process including demand and supply data validated by IPART.*
    - *Alternate options for the additional 15 school sites will be explored early 2024’.*
- Briefings of the Deputy Secretary included the following Briefs:
  - JUL 2023 Deputy Secretary Brief - Consultation Approach – *Group of schools meeting site methodology data criteria*, 19 July 2023.
  - NOV 2023 Deputy Secretary Brief – *100 public preschools site selection Tranche 2 site selection*, 3 November 2023.
 

**Note:** Approval was given for consideration of 42 Tranche 2 schools (listed in the Brief) as possible sites for the 100 public preschools program, if the required 90 additional sites were not identified from the existing 187 schools (listed in the Brief) utilising the criteria set out in the Brief. Nearly all of the identified Tranche 2 schools were selected based on the criteria *‘Net Demand of-39 and above in the SA2’*.

This change was explained to me in the following terms:  
*‘The Tranche 2 process effectively threw the net slightly wider than Tranche 1 to include more schools in the consultation process including those “borderline” schools where the demand/supply data showed that there may be less than 40 places needed in the SA2 area or even supply marginally exceeding demand. The negative net demand figures arise where supply exceeds demand and this was considered for schools where negative unmet demand was up to 39 places.*

*There are lots of complexities in the supply/demand modelling which means that although it provides a good indication of the number of places required, it still has limitations and it covers a whole SA2 area which can be quite broad geographically in terms of area covered, particularly in regional areas, therefore may not represent exactly the level of demand/supply at a particular school site within the SA2 region.*

*The “borderline” schools were added in to enable the subsequent consultation process with local Principals, DELs and local ECEC services to validate the data and give a more nuanced picture of the demand experienced locally to the individual school. This information informed the recommendations to the Panel’.*

- Briefings about progress to the Secretary, Deputy Premier and Minister’s Office included progress reports summarising whether individual election commitments were on track and the following meetings:
  - 25 April 2023 - Brief to Deputy Premier Selection Methodology – *Increasing preschool places for families*, 1 May 2023.
  - 18 May 2023 - Meeting with the Ministers Office – 100 New Public Preschools – MO Meeting, 18 May 2023.
  - 5 November 2023 - Deputy Premier Brief – Tranche 2.
  - 9 December 2023 - Deputy Premier Brief – RECALLED.
  - 23 January 2024 - Deputy Premier Brief – RECALLED.
  - 31 January 2024 - Deputy Premier Brief – FINAL.
  
- Briefings and recommendations for Assessment Panel meetings
  - 24 November 2023 – Introductory session.
  - 1 December 2023 Pre Assessment Brief.
  - 6 December 2023 First Assessor Panel Meeting.
  - 17 January 2024 Second Assessor Panel Meeting.

## 6. The Assessment Panel

### 6.1 Establishment of the Assessment Panel:

The Assessment Panel establishment was approved by the ECE Sub-Executive Committee.

The approved Terms of Reference detailed the function and responsibilities of the Panel. The Panel’s responsibilities were to:

- Conduct an evaluation of the prioritised schools in accordance with the Decision-Making Framework.
- Recommend a list of up to 90 sites suitable for a preschool build alongside the 10 sites already announced which together must be within the available budget envelope of \$552m, along with the Panel’s reasons and basis for its decisions.
- Identify schools from the Prioritised sites with a need for a preschool but deemed unsuitable for a preschool build, for further consideration by ECO of alternative approaches to ensure preschool provision to meet the needs of the community.

### 6.2 Composition of the Assessment Panel:

<i>Assessment Panel Members:</i>	<i>Advisory (Non-Voting) Members (present during Assessment Panel meetings when required):</i>
• Independent Expert Reviewer / Independent Chair (Non-Voting)	• Group Executive Director Operations, SINSW
• Deputy Secretary, Early Childhood Outcomes (ECO)	• Executive Director, Service Excellence, ECO
• Chief Executive, School Infrastructure NSW (SINSW)	• Director Delivery, Service Excellence, ECO
• Deputy Secretary, School Performance (North)	• Director Universal Preschool, SINSW

<ul style="list-style-type: none"> <li>• Deputy Secretary, School Performance (South)<sup>3</sup></li> </ul>	
<ul style="list-style-type: none"> <li>• Executive Director, Curriculum and Reform</li> </ul>	
<p>Independent member (Voting):</p> <ul style="list-style-type: none"> <li>• Independent senior Aboriginal and Torres Strait Islander Member, Director Transforming Aboriginal Outcomes Department of Communities and Justice.</li> </ul>	

### 6.3 Decision making by the Assessment Panel:

The *Assessment Panel Terms of Reference 2023/2024* was very comprehensive, including guidance on:

- 3. Assessment Panel Functions & Scope of Work
- 4. Assessment Panel Composition and Membership Types
- 5. Decision Making Roles and Responsibilities
- 6. Appointment of Members and Advisors
- 7. Assessment Panel Procedural Support:
  - Independent Chair / Independent Expert Reviewer
  - Secretariat
  - Project Team
  - Guests
  - Pre Assessment briefing
- 8. Assessment Panel Meetings
- 9. Code of Conduct
- 10. Conflict of Interest
- 11. Reporting and Deliverables
- 12. Confidentiality and Data Protection.

### 6.4 Decision Making Framework for the Assessment Panel:

The *Assessment Panel Decision Making Framework - 100 Public Preschools Site Selection* (September 2023) was very comprehensive and established a robust process. The Framework included details about the following aspects of the decision making process:

#### 4.1 Site Selection Summary

#### 4.2 Data Driven Prioritisation Methodology

##### 4.2.1 Connected Communities Schools

##### 4.2.2 Election Commitment Schools

#### 4.3 Infrastructure Feasibility Analysis

##### Step 1 Desktop complexity assessment

##### Step 2a Further testing (low, medium, high complexity sites)

##### Step 2b Very high and extremely high complexity sites only

#### 4.4 Local Intelligence and Insights

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<sup>3</sup> The North and South roles these 2 roles were merged due to an organisational structure change for Meeting 2. The new role title is Deputy Secretary Public Schools (refer Minutes Assessment Panel Meeting 2).

#### 4.5 Other supporting data

#### 4.6 Assessment Criteria

##### 4.6.1 Threshold factors

<b>Criteria</b>	<b>Factors include</b>	<b>Data/Insights source</b>
1. Relative complexity of issues for the construction of a preschool on site	<ul style="list-style-type: none"> <li>School sites with a SINSW complexity rating of 'very high' or 'extremely high' will be removed from consideration.</li> </ul>	<ul style="list-style-type: none"> <li>SINSW due diligence site assessments</li> <li>SINSW costing estimates based on build size and complexity</li> </ul>
2. Would the building of a preschool on this school site displace an ACCO?	<ul style="list-style-type: none"> <li>School sites which would displace an ACCO will be removed from consideration.</li> </ul>	<ul style="list-style-type: none"> <li>Insights gathered through ECEC consultation</li> </ul>
3. Would the demand be too small to justify a preschool build? If Yes, is the school site too isolated to be 'grouped' with other small school?	<ul style="list-style-type: none"> <li>School sites with less than 20 kindergarten enrolments which are not located near other possible sites will be removed from consideration.</li> <li>School sites with less than 20 kindergarten enrolments which can be grouped will be reviewed and a cluster lead will be identified. This lead will proceed for consideration.</li> </ul>	<ul style="list-style-type: none"> <li>School Enrolment Data</li> <li>DEL/Principal Consultation</li> <li>Build Complexity</li> <li>Geographic information</li> </ul>

##### 4.6.2 Quantitative Assessment Criteria

Criteria included:

- Educational Need - To what extent does the site address the educational need in the area?
- Community Impact - To what extent does the site impact the community?
- Deliverability/Physical build - To what extent can the site be successfully delivered within the timeframe and with minimal build and financial risk?

#### 4.7 Project Team assessment

#### 4.8 Assessment Panel Site Selection:

##### 4.8.1 Site selection Overview

##### 4.8.2 Preliminary Assessment: Individual Panel Member Review

Each panel member completes an individual preliminary assessment of the recommendations provided by the Project Team.

##### 4.8.3 Panel Sittings, Panel Assessment and Recommendations

Panel sitting and assessment: Panel meets to discuss and identify suitable schools.

#### 4.8.4 Final Assessment Report and Approval.

A final assessment report is prepared with recommendations of sites

Report with recommended sites to be approved will be presented in a brief to the Secretary and Deputy Premier

The above Framework was applied for the first meeting of the Assessment Panel which recommended 75 sites to the Deputy Premier for approval in December 2023. This recommendation, together with the 10 preschool sites announced by the Premier and Deputy Premier in September 2023 and an additional four school sites undergoing major upgrades that had been identified for consideration by the Deputy Premier under the election commitment to provide co-located preschools for new schools, meant that an additional 11 schools need to be identified by the Assessment Panel.

To support the selection of the final group of school sites, a January 2023 Addendum to the Framework addressed an approval given by the Deputy Secretary, Early Childhood Outcomes for the Project Team to review two categories of schools for consideration by the Assessment Panel at a reconvened January meeting. The two categories of schools for the Panel to consider were:

1. A third Tranche of schools to be identified by applying the approved site selection methodology against the Department's updated ECEC System Stewardship supply and demand data (recently reviewed by IPART<sup>4</sup>). Schools identified must meet the required levels of need (SEIFA score of 1-5 and AEDC score of 10% or greater) and have low infrastructure complexity to enable build costs to remain within the overall project budget envelope and meet the site selection threshold criteria (as detailed in the *Decision Making Framework*).
2. **Reassessment of previously considered schools:** In addition, the Project Team were to undertake a re-review of schools from Tranche 1 and 2 not previously recommended by the Panel. This was determined given the substantial due diligence already completed previously for these schools and access to the new supply and demand data (recently published in the IPART review report). The 152 schools from Tranches 1 and 2 not recommended by the Panel were to be first assessed to ensure they met an appropriate infrastructure complexity level and would not displace an ACCO. Data and insights already collected relating to these schools was to be re-reviewed by the Project Team in addition to additional data including additional consultation with DELs.

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<sup>4</sup> IPART S12A Early Childhood Education and Care Review - December 2023

## **E. THE 100 PRESCHOOLS SITE SELECTION ASSESSMENT AND APPROVAL PROCESS**

### **1. 24 November – Introductory session for the Assessment Panel**

This introductory session included:

- An overview of governance and meeting processes from the Independent Chair
- Information about probity issues from the Probity Advisor.
- A briefing on the data to be provided for the decision making process.

### **2. 1 December 2023 - Brief for decision by Site Selection Assessment Panel**

***Recommendation of schools to be selected for a new preschool under the 100 public preschools election commitment.***

The introductory text to this Brief was in the following terms:

***‘Topic:** The 100 public preschools Assessment Panel (Panel) is responsible for recommending 90 public schools to the Deputy Premier to receive a new onsite public preschool, noting 10 sites on new school builds have already been identified and announced.*

***Analysis** This brief outlines the process followed by the project team to identify possible preschool sites and seeks the Panel’s consideration and approval of recommended sites to the Secretary and Deputy Premier.*

*The project team has reviewed school sites in line with the approved Assessment criteria and the team have identified at this stage 58 schools which meet the criteria and which align with the overall ambitions of the 100 public preschool program. Due to the requirement to consider the overall capital funding envelope it is recommended the Panel discuss and agree how many of the schools which meet the criteria can be put forward for approval at this stage. Information about their individual costs and the current average cost ‘run rate’ of sites meeting the criteria is provided and will support the Panel’s deliberations.*

*To support the Panel’s deliberations this brief also includes information about 19 sites recommended for further consideration and 152 sites which are not recommended considering the 100 public preschool program criteria and parameters.*

*Following the Panel’s deliberations on the 6 December the project team will prepare an approach for approval by the Executive project sponsors to identify any remaining school sites required to meet the 100 public preschool program requirements.*

***Approval by:** 1 December 2024. The Assessment Panel will meet on 6 December 2023 to make recommendations to the Deputy Premier regarding school sites identified as suitable to achieve the 100 public preschool commitment’.*

### **3. 6 December 2023 – First Assessment Panel Meeting**

The documentation for consideration by the Assessment Panel at its first meeting on 6 December included:

- **Agenda** for meeting (attached)
- **Panel briefing** including the following TABS (all attached):
  - TAB 1: Schools recommended for inclusion

- TAB 2: Schools recommended for additional consideration
- TAB 3: Schools not recommended for inclusion
- TAB 4: Decision Making Framework
- TAB 5: Terms of Reference for Panel
- TAB 6: User instructions for Power Bi Dashboard if needed (attached)
- **Detailed site information.** Should you require more information on particular schools under consideration to assist your review of the briefing and recommendations from the project team about particular sites an interactive map and deep dive information on each school site is also available at [Preschool Site Assessment Tool - Power BI](#). Please contact Poppy Brown if you require any assistance with this tool.

The meeting was held online via Microsoft Teams and attended by:

- Independent Expert Reviewer/ Independent Chair (Non-voting)
- Probity Advisor (Non-voting)
- Department Panel Members (Voting) x 5
- Independent Member (Voting)
- Other Department Attendees (Non-voting) x 9

The Panel was provided with a summary of the recommendations provided by the project team including:

- Recommendations for sites to be included.
- Recommendations for sites for further consideration.
- Recommendations for sites not recommended for inclusion.

### **Agreed Actions and Decisions:**

#### ***‘Schools recommended for inclusion:***

*All panel members agreed on the 58 school sites recommended.*

#### ***Schools not recommended for inclusion:***

*All schools recommended to not be included were supported by all members of the panel.*

#### ***Schools for additional consideration:***

*All members of the Panel supported the inclusion of all 19 schools for additional discussion to be included in the final recommended list of school sites.*

***The following wording has been agreed by the Panel to be provided to the Deputy Premier:***

#### ***Recommendation 1:***

*Discussed and approved 77 schools for recommendation to the Secretary and Deputy Premier for inclusion as part of the 90 preschools under the 100 public preschools election commitment (TAB 1 & 2)*

*Noting:*

1. *Total available funding envelope is \$552m*
2. *10 sites have already been announced with a total estimated cost of \$55.6m*
3. *The estimated cost of the identified 77 schools is \$429.2m with an average estimated cost of \$5.57m.*

4. *The remaining funding for the 13 school sites still to be identified is estimated as \$67.2m which results in an average of \$5.17m per school.*
5. *All of the above cost estimates are based on achievement of a streamlined statutory planning process based on a complying or exempt development approval pathway.*

**Recommendation 2:**

*Discussed and agreed a list of schools from those considered which will not form part of the schools to be recommended under the 100 public preschools election commitment to the Secretary and Deputy Premier (TAB 3)'.*

**4. 14 December 2023 - Brief for approval to Deputy Premier and Secretary - 100 Public Preschools site selection: Schools recommended as suitable for a new preschool build – DGS23/2151 - RECALLED**

Information in the Brief included the following recommendations for approval:

**'2. Approve** 75 schools for inclusion as part of the 90 required school sites under the 100 public preschools election commitment (TAB 1)

- a. *The total available funding envelope for the commitment is \$552 million*
- b. *10 sites have already been announced with a total estimated cost of \$55.6 million*
- c. *The estimated cost of the identified 75 schools is \$418.7 million with an average estimated cost of \$5.58 million.*
- d. *The remaining funding for the 15 school sites still to be identified is estimated as \$77.7 million which results in an average of \$5.18 million per school.*
- e. *All of the above cost estimates are based on achievement of a streamlined statutory planning process based on a complying or exempt development approval pathway'.*

**'4. Approve** the department undertaking further analysis to ensure the required further 15 school sites are the most appropriate'. [The Brief also included a Note that there was a further list of 15 schools which were undergoing additional due diligence and could be considered by the Panel].

I am advised that the Deputy Premier asked for the Brief to be recalled as she wanted to sign-off on one Brief only.

**5. 17 January 2024 – Second Assessment Panel Meeting**

The documentation for consideration by the Assessment Panel at its second meeting on 17 January included:

1. *Agenda*
2. *Briefing with Recommendations (in OneDrive zip)*
3. *TAB1 – Schools Recommended for Inclusion (in OneDrive zip)*
4. *TAB 2 – Schools recommended for additional discussion (in OneDrive zip)*
5. *TAB 3 – Schools not recommended for inclusion (in OneDrive zip)*
6. *TAB 4 – Geographical distribution of schools (in OneDrive zip)*
7. *TAB 5 - Addendum to 100 Preschools Decision Making Framework (in OneDrive zip)*
8. *Minutes of the 6 December 2023 Assessment Panel Meeting*

The meeting was held online via Microsoft Teams and attended by:

- Independent Expert Reviewer/ Independent Chair (Non-voting)
- Probity Advisor (Non-voting)
- Department Panel Members (Voting) x 4
- Independent Member (Voting)
- Advisory Members (Non-voting) x 4
- Other Department Attendees (Non-voting) x 6

The purpose of the meeting was to agree on a set of recommendations to the Deputy Premier regarding the remaining sites to be built under the election commitment to build 100 new public preschools.

### **Agreed Actions and Decisions:**

#### ***'Schools recommended for inclusion:***

*All panel members agreed on the 9 sites to be included for recommendation to the Deputy Premier.*

*All panel members agreed on two schools from the list of schools for additional discussion (Barrack Heights Public and Crawford Public) to be the final two sites to be included for recommendation to the Deputy Premier, in this way making up the list of 100 sites.*

#### ***'Schools recommended for reserves if needed:***

*All panel members agreed on Greenwell Point Public to be the first 'reserve' in case a site cannot progress for any reason.*

*All panel members agreed the remaining schools for discussion (TAB 2) may make up additional reserve sites.*

*All panel members agreed that, should a reserve site need to be recommended to the Deputy Premier, the Deputy Secretary, ECO and the Chief Executive, SINSW, could jointly make the recommendation from the list of reserve schools'.*

### **Agreed Panel recommendations:**

#### ***'Panel Recommendation 1:***

- *Note the 10 sites already announced.*
- *Note the previous 75 sites that have been recommended.*
- *Note a further four major upgrade sites for inclusion in the 100 preschools.*
- *Approved for recommendation to the Secretary and Deputy Premier for inclusion as part of the 100 public preschool commitment (TAB 1).*
  - *nine schools chosen from TAB 1: Recommended Schools*
  - *two sites (Barrack Heights Public and Crawford Public) chosen from TAB 2: Schools for discussion.*
- *Recommend a reserve list with Greenwell Point Public as the first reserve and other schools on Tab 2 as further reserves.*

- Approve the use of the reserve list for provision of recommendations to the Deputy Premier to replace sites, if needed, to be made by Deputy Secretary, ECO and Chief Executive, SINSW.
- Note: All of the above sites are based on cost estimates dependent on achievement of a streamlined statutory planning process based on a complying or exempt development approval pathway. There will be a significant cost and time impost should the pathway not be achieved.

**Panel Recommendation 2 –**

Approve the updated list of school sites that were previously not recommended by the Panel at the meeting in December 2023. (TAB 3).

**Panel Recommendation 3 –**

- Note the addendum to the 100 Public Preschools Assessment Panel Decision Making Framework outlining the additional process undertaken to review schools to establish the final recommended sites (TAB 5)'.

**6. 23 January 2024 - Brief for approval for Deputy Premier - 100 Public Preschools site selection: Final list of schools recommended as suitable for a new preschool build – DGS24/19 - RECALLED**

Information contained in the Brief to the Deputy Premier included:

**'Recommendations**

1. <b>Approve</b> 4 schools receiving major infrastructure upgrades to receive an onsite preschool under the 100 public preschools election commitment	Approved/not approved
2. <b>Approve</b> 86 schools for inclusion as part of the school sites under the 100 public preschools election commitment (TAB 2)	Approved/not approved
3. <b>Approve</b> the list of 10 schools as a reserve list of replacement sites (TAB 4) which the Deputy Secretary, ECO and Chief Executive, SINSW will draw on to provide recommendations to the Deputy Premier if required	Approved/not approved
4. <b>Note</b> the updated list of schools not recommended as suitable sites under the 100 public preschools election commitment (TAB 5)	Noted/for discussion
5. <b>Note</b> the Addendum to the Assessment Panel Decision (TAB 6)	Noted/for discussion
6. <b>Note</b> the reports from the Independent Expert Reviewer and Making Framework Probity Advisor affirming the site selection process has been in accordance with the Assessment Panel Decision Making Framework and meets probity standards (TABs 7-8)'	Noted/for discussion

**'A list of 86 recommended school sites is provided to the Deputy Premier for consideration and approval**

The Panel has agreed and recommends 86 schools for consideration and approval by the Deputy Premier which are detailed in TAB 2. A summary of the recommended sites is set out in the below table and a map of the geographic distribution of all schools proposed for inclusion under the 100 Public Preschools commitment is in TAB 3.

<b>Summary of schools</b>	<b>Of 86 recommended for approval</b>
Number of schools in major cities	Sydney area – 44 (51%) Regional cities – 17 (20%)
Number of schools in regional areas	23 (27%)
Number of schools in remote/very remote areas	2 (2%)
Number of schools in areas of high Aboriginal population (10% +)	42 (49%)
Number of schools in area of highest disadvantage SEIFA 1 band	37 (43%)
Number of schools in top half most disadvantaged areas (SEIFA bands 1-5)	81 (94%)

### **Reserve list of schools identified for approval by the Deputy Premier**

The panel have also identified 10 schools which meet the criteria outlined in the Assessment Panel Decision Making Framework to form a reserve list (TAB 4).

If the replacement of one of the list of 100 school sites is needed, for example, the site is no longer deemed feasible after further infrastructure due diligence is undertaken as part of the planning and build process, the Deputy Secretary ECO and Chief Executive SINSW will consider the reserve list and make recommendations to the Deputy Premier for approval.

### **A rigorous site selection process has been undertaken to determine sites suitable for a preschool build**

The methodology and process used to identify sites recommended in this brief is set out in the Assessment Panel Decision Making Framework (TAB 6) which is aligned with the site selection methodology (DGS23/488). Schools being considered as a possible site for a preschool build were identified through consideration of:

1. Data driven prioritisation of sites based on need measured by Socio-Economic Indexes for Areas (SEIFA), Australian Early Development Census (AEDC) and an analysis of forecast local preschool demand versus supply (net demand) provided by the department's System Stewardship model;
2. Infrastructure feasibility analysis; and
3. Local intelligence and insights gathered through consultation with stakeholders including Principals, Directors Educational Leadership, local Early Childhood Education and Care (ECEC) services and key Aboriginal stakeholders. The project team connected with over 1,400 stakeholders through this process.

### **Panel deliberations and process**

The 100 Public Preschools Site Selection Panel was formed and met on 6 December 2023 and 17 January 2024 to provide site selection recommendations to the Deputy Premier. Chaired by an experienced Independent Chair, its membership includes Deputy Secretaries from Early Childhood Outcomes, Public Schools (previously named School Performance), Chief Executive School Infrastructure NSW, Executive Director Curriculum and Reform and the Director, Transforming Aboriginal Outcomes, Department of Communities and Justice.

Reports from the Independent Expert Reviewer and Probity Advisor affirm the site selection

process has been in accordance with the Assessment Panel Decision Making Framework (TAB 6) and meets probity standards (TABs 7-8)'.

The Attachments to the Brief were:

Tab	Title
1	List of 10 school sites announced in September 2023
2	List of 86 recommended schools
3	Geographical distribution of recommended schools
4	List of reserve schools
5	List of schools not recommended
6	Assessment Panel Decision Making Framework with addendum
7	Independent Expert Reviewer Report
8	Probity Reports from December 2023 and January 2024

I am advised that this Brief was also recalled on my engagement to undertake an independent Probity Review.

**7. 31 January 2024 - Brief for approval for Deputy Premier - 100 Public Preschools site selection: Final list of schools recommended as suitable for a new preschool build – DGS24/19 - FINAL**

This briefing replaced the recalled DGS 23/2151 from Dec 2023 and the recalled DGS24/19 signed off by the Secretary on 23 January. I am advised that this was due to a request from the Deputy Premier to have the approval for all the remaining 90 recommended public preschools in one brief and for the final approval of the 100 sites to be made by Cabinet in the Expenditure Review Committee on 15 February. The Deputy Premier’s Office asked for approval for the final sites to be sought from the ERC rather than the Deputy Premier herself. This was subsequently agreed with Treasury and the Cabinet Office by the Department.

This 31 January Brief is in largely similar terms to the 23 January recalled brief. The key differences include the highlighted text below:

**‘Recommendations**

1. <b>Endorse</b> 4 schools receiving major infrastructure upgrades to receive an onsite preschool under the 100 public preschools election commitment <b>for approval by ERC</b>	<b>Endorsed</b> /not approved
2. <b>Endorse</b> 86 schools for inclusion as part of the school sites under the 100 public preschools election commitment (TAB 2) <b>for approval by ERC</b>	<b>Endorsed</b> /not approved
3. <b>Endorse</b> the list of 10 schools as a reserve list of replacement sites (TAB 4) which the Deputy Secretary, ECO and Chief Executive, SINSW will draw on to provide recommendations <b>to the Deputy Premier</b> if required	<b>Endorsed</b> /not approved
4. <b>Note</b> the updated list of schools not recommended as suitable sites under the 100 public preschools election commitment (TAB 5)	Noted/for discussion
5. <b>Note</b> the Addendum to the Assessment Panel Decision (TAB 6)	Noted/for discussion

6. <b>Note</b> the reports from the Independent Expert Reviewer and Making Framework Probity Advisor affirming the site selection process has been in accordance with the Assessment Panel Decision Making Framework and meets probity standards (TABs 7-8)'	Noted/for discussion
7. <b>Note</b> that the Secretary has initiated an independent review of the site selection process, methodology and decision-making with a report to be provided to the Deputy premier and ERC'	Noted/ for discussion

The Deputy Premier endorsed and noted, as applicable, each of the above recommendations on 5 February 2024.

**'A list of 86 recommended school sites is provided to the Deputy Premier for consideration and approval endorsement prior to seeking approval of the ERC'**

The Panel has agreed and recommends 86 schools for consideration and approval by the Deputy Premier prior to seeking approval from the ERC which are detailed in TAB 2. A summary of the recommended sites is set out in the below table and a map of the geographic distribution of all schools proposed for inclusion under the 100 Public Preschools commitment is in TAB 3.

<b>Summary of schools</b>	<b>Of 86 recommended for approval</b>
Number of schools in major cities	Sydney area – 44 (51%) Regional cities – 17 (20%)
Number of schools in regional areas	23 (27%)
Number of schools in remote/very remote areas	2 (2%)
Number of schools in areas of high Aboriginal population (10% +)	42 (49%)
Number of schools in area of highest disadvantage SEIFA 1 band	37 (43%)
Number of schools in top half most disadvantaged areas (SEIFA bands 1-5)	81 (94%)

**Reserve list of schools identified for approval by the Deputy Premier**

The panel have also identified 10 schools which meet the criteria outlined in the Assessment Panel Decision Making Framework to form a reserve list (TAB 4).

If the replacement of one of the list of 100 school sites is needed (for example, the site is no longer deemed feasible after further infrastructure due diligence is undertaken as part of the planning and build process), the Deputy Secretary ECO and Chief Executive SINSW will consider the reserve list and make recommendations of alternatives to the Deputy Premier. for approval.

The list of 8 Attachments to this Brief is the same as the list in the recalled 23 January Brief.

## F. ASSESSMENTS BY THE INDEPENDENT EXPERT REVIEWER AND PROBITY ADVISOR

### 1. Independent Expert Reviewer

The Independent Expert Reviewer (IER) was appointed independently from outside the Department. The IER played a crucial non-voting role in the decision-making process and also acted as Chair for the Assessment Panel. Ms Abigail Goldberg FAICD FPIA, a pre-qualified professional service provider from the NSW Government Performance and Management Services Scheme (Scheme), was selected due to extensive Chair experience on large capital infrastructure boards.

The scope of the IER role included:

- reviewing the Assessment Panel processes set up by the project team and secretariat and providing advice on suitability.
- reviewing data and documentation given to the Panel.
- providing a short report regarding whether the Panel has carried out its role in accordance with its processes and Terms of Reference. The report will make up part of the formal sign-off of the site selection process.

The IER also independently chaired key assessment meetings, with the Probity Advisor also present.

The IER produced two detailed reports:

- The first Report in December 2023 following the 6 December Assessment Panel meeting. Comments included in the Report by the IER were in glowing terms, including:
  - *‘Comprehensive professional support has been available to the assessment panel and to ensure the robustness of the assessment process. Project team members all demonstrated high levels of skills and commitment to ensuring an excellent process and outcome’.*
  - *‘Adherence to the Code of Conduct ensured a transparent approach to potential conflicts of interest, which were managed in a disciplined manner from the outset’.*
  - *‘A tightly documented, robust set of processes and protocols structured the collection, analysis and sorting of data. These highly disciplined processes combined socio-economic factors as well as factors relating to site suitability and infrastructure viability, as is appropriate for a site selection process for preschool use. The data was welcomed by the assessment panel members, who commented on its comprehensiveness and usability. As the independent expert, I was impressed by both the quality and clarity of the data’.*
  - *‘A process of structured and professionally chaired meetings, including pre-meetings, as well as the provision of a package of relevant material to the assessment panel for their review ahead of time made a closely managed assessment meeting possible. Preparatory work also made it possible that the meeting itself could be tightly facilitated with a clear purpose and defined agenda assisting in time management and helping ensure that outcomes were achieved’.*

The IER summarised her findings as:

*‘In my view the Assessment Panel has carried out its role in accordance with its processes and Terms of Reference. The Panel was also supported by the provision of:*

- *Skilled and professional project team support*
- *Comprehensive, high quality data inputs*
- *Effective secretariat support, including governance assistance*
- *Oversight by an independent Probity Advisor’.*

The Reviewer also described the Probity Advisor as very disciplined on ensuring compliance with the Site Selection Assessment Data Guide.

- The second IER Report in January 2024 following the 17 January Assessment Panel meeting. Comments included in this Report by the IER were also in glowing terms, including:
  - *‘Various factors were taken into consideration in determining the composition of the assessment panel for both rounds of assessment, including level of seniority and experience in panel assessments, skill sets relevant to the task, state knowledge and diversity across the panel to ensure diversity of thinking’.*
  - *‘Comprehensive professional support has been available to the assessment panel and to ensure the robustness of the assessment process. Project team members all demonstrated high levels of skills and commitment to ensuring an excellent process and outcome’.*
  - *‘A tightly documented, robust set of processes and protocols structured the collection, analysis and sorting of data. These highly disciplined processes combined socio-economic factors as well as factors relating to site suitability and infrastructure viability, as is appropriate for a site selection process for preschool use. The data was welcomed by the assessment panel members, who commented on its comprehensiveness and usability. For the second process, updated data not previously available supplemented decision making and supported robustness of the process.  
As the independent expert, I was impressed by both the quality and clarity of the data, and the analysis undertaken by the project team. It was noted that presentation of the material was clear and comprehensive’.*
  - *‘A process of structured and professionally chaired meetings, including pre-meetings, as well as the provision of packages of relevant material to the assessment panel for their review ahead of time made closely managed assessment meetings possible. Preparatory work also made it possible that the meetings could be tightly facilitated with a clear purpose and defined agenda assisting in time management and helping ensure that outcomes were achieved’.*

The IER summarised her findings in similar terms to the first report.

## **2. Probity Advisor**

The Assessment panel was supported by a Probity Advisor (Heath Jess – Managing Director, ProcurementCo.) who oversaw the assessment process to ensure fairness, impartiality, and compliance with relevant guidelines, policies and the Terms of Reference.

The Probity Advisor produced two reports:

- The first dated 8 December 2023 following the Assessment Panel meeting on 6 December. The Report noted that *'as the Probity Advisor, Procurement Co confirm that we conducted the following functions:*
  - *reviewed the '100 Public Preschools Site Selection Assessment Panel Terms of Reference 2023/2024';*
  - *reviewed the Assessment Panel Decision Making Framework;*
  - *participated in the Pre-Assessment Briefing;*
  - *attended the site selection meeting on 6 December 2023; and*
  - *reviewed the 100 Public Preschools Assessment Panel - minutes which formed the final assessment report,.*
  
- The second dated 22 January 2024 following the second Assessment Panel meeting on 17 January. The Report noted that *'as the Probity Advisor, Procurement Co confirm that we conducted the following functions:*
  - *reviewed the 'Assessment Panel Decision Making Framework (DOC23/1807314) Addendum: Second Panel Assessment Site Selection Methodology';*
  - *attended the site selection meeting on 17 January 2024; and*
  - *reviewed the 100 Public Preschools Assessment Panel - minutes which formed the final assessment report'*
  - *final assessment report'*

The Probity Advisor attended both Assessment Panel meetings and observed that in each case the assessment was conducted in accordance with the Assessment Panel Decision Making Framework, the discussions were balanced and the recommendations were achieved by consensus.

Both Probity Reports included the opinion of the Probity advisor that:

- *'there was compliance with the specified and agreed approach set out in the Assessment Panel Decision Making Framework (DOC23/1807314) Addendum: Second Panel Assessment Site Selection Methodology;*
- *the assessment process was adhered to;*
- *a transparent and equitable approach was undertaken for each potential schools/site;*
- *the principles of probity were observed, and outcomes achieved through processes that were visible, defensible, and auditable; and*
- *all relevant parties were aware of their responsibility to disclose conflicts of interest'.*

## **ANNEXURE A - The 100 Preschool Site Selection Assessment Data Guide**

The *100 Preschool Site Selection Assessment Data Guide* was developed by the Early Childhood Outcomes, Service Excellence Directorate. The purpose of the document is described in the Guide as providing ‘an overview of how and where specific data sets were collected from and the processes in place to ensure consistency and proper management of data, steps undertaken to de-risk these processes and contextual information around the information that has been sourced’.

The information below is taken from the *100 Preschool Site Selection Assessment Data Guide* and included in this Annexure as examples of the detail in the Guide:

### **Data sets**

What is referred to in the Guide as the ‘**Internal DoE data sets**’ includes the following:

- **‘School Sites for consideration (Tranche 1):** Initial dataset was sourced from ECO’s Data and Analytics team based on the above Tranche 1 criteria. This was used to establish the core dataset for the selection of schools nominated for consideration for a new public preschool.
- **School Sites for consideration (Tranche 2):** A revised dataset was sourced from ECO’s Data and Analytics team based on the above Tranche 2 criteria. This was used to establish the Tranche 2 dataset for the selection of schools nominated for consideration for a new public preschool.
- **School Sites for consideration (Tranche 3):** A revised dataset was sourced from ECO’s Data and Analytics team based on the above Tranche 3 criteria. This dataset combined with the re-assessed school sites within Tranche 1 and 2 was used to establish the dataset for the selection of schools nominated for consideration for a new public preschool.
- **Complexity of infrastructure build:** Assessment on school sites for consideration infrastructure complexity, supporting data, files and commentary was sought from SINSW to assess Threshold #1. Has the site been identified as having an ‘Extremely High’ or ‘Very High’ infrastructure Complexity Rating. This data was supplied for both Tranches 1, 2 and 3.
- **Enrolment numbers of refugee children:** Information was sought from ECO’s Multicultural Childrens Strategy to better assess Criteria #1 Educational Need: Socio-economic Disadvantage
- **Commissioned Programs on Capital Works Data:** Information was sought from DoE Sector Growth to better assess Criteria #2 Community Impact: Community Investment.
- **Straight Line distance between schools under consideration and ECEC services:** Information was sought from ECO’s Data and Analytics team to assign ECEC Services to one or more schools within set location proximity parameters.’

What is referred to in the Guide as the ‘**Collection of consultation data by cohort**’ includes the following:

*‘The DoE consulted with the following stakeholders to gather information on the impact any new proposed department preschool builds may have.*

- *Directors of Educational Leadership (DEL) of schools that were identified as potential new build sites, that fell in their catchment. All DEL’s were contacted by DoE staff to complete a survey via a Microsoft Teams interview. Consultations were recorded and scribed by the DoE staff.*
- *Principals of the schools that were identified as potential new build sites, including Principals of the Connected Community schools. All Principals of the school sites under consideration were contacted by either their DEL or DoE staff to complete a survey via a Microsoft Teams interview. Consultations were recorded and scribed by the DoE staff or the DEL.*

- *Early childhood education and care (ECEC) services that may be affected by the placement of a school site within a prescribed proximity band were contacted by DoE staff via email to complete a survey. After completing the email survey, ECEC services were also offered the option for a phone consultation to further discuss any concerns they may have. Consultations were recorded and scribed by the DoE staff.*
- *All Aboriginal Community Controlled Organisations (ACCO) who may be impacted by the placement of a school site within a prescribed proximity band were contacted by DoE staff. Consultations were recorded and scribed by the DoE Staff. Due to data format constraints the results of these consultations were unable to be included in the Power BI Assessment Module.'*

Another example is the text relating to the **'Location coding rationale'**, which includes:

*'ECEC Services were not provided with the names of school sites under consideration of a DoE Preschool. Location proximity parameters were used to assign ECEC Services to one or multiple school sites. These parameters were determined after consultation with DoE's Rural & Remote Education Policy and utilising the distance calculations from the ECO's Data and Analytics Team. The rationale for location proximity parameters was signed off by the Manager of 100 Preschools and the Director of Delivery.*

*The following location proximity parameters were used:*

<b>Regional Classification</b>	<b>Distance School – ECEC Service</b>
Inner Metro	0-2kms
Outer Metro	0-5kms
Inner Regional	0-10kms
Outer Regional	0-20kms
Remote	0-50kms
Inner Remote	0-100kms