
13 Benchmarking in federal systems: the Queensland experience

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During the federation debates in the 1890s, Queensland's contribution to the constitution, through Sir Samuel Griffith, was primarily to ensure the allocation of residual powers to the States and the concept of equal State representation in the Senate. This focus on the rights of the States has been maintained since, with Queensland sometimes forming alliances with other States and Territories, across party political lines, to strengthen its bargaining power and maintain the federal balance.

As chapter 8 details, today's federation is quite different from where Australia started over a century ago (Banks, Fenna and McDonald, this volume). The progressive erosion of the State revenue base, the expansion of the Commonwealth's power, and a lack of extra-constitutional mechanisms to allow for formal collaboration and joint decision-making, has meant that we have transitioned from a coordinate federation to one of policy interdependence and overlap (Fenna 2007). Within this context, benchmarking has a special place. It has become an important part of the contractual process by which funding arrangements are managed and comparisons between and within the other States and Territories made. It has become shorthand for the very complex area of performance assessment.

This chapter details four benchmarking exercises that Queensland is involved in with the Commonwealth. These case studies are as follows:

- Elective Surgery

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- National Assessment Program — Literacy and Numeracy (NAPLAN)
 - The Remote Indigenous Housing Agreement
 - Cape York Welfare Reform.

These encompass a variety of arrangements, each with their own unique histories and sets of relationships and provide a sample of the sundry ways that benchmarking can be used and the diversity of its impacts, on both services, and the relationships between jurisdictions within a federal system.

13.1 Benchmarking

As Fenna (this volume) notes, the term ‘benchmarking’ is used loosely to cover measurement regimes that have a comparator or target and provide:

- accountability for taxpayer dollars through greater transparency
- improvements to services and ultimately the quality of life enjoyed by individuals, families, targeted groups and, hopefully, the whole community.

Given the effort, time and cost involved in setting up data collection and benchmarking systems, it is important that we do not become distracted from these two fundamental goals.

It is a truism to say ‘what gets measured gets done’, but equally, ‘what gets measured *regularly*, gets done *habitually*’. Hence, it is extremely important to select the areas of measurement carefully, so that energy is focused on the priority areas — not just the things that are easy to measure, which may well not be as important, and may take energy away from those things that are.

The decisions we make about what to measure and report on, have a direct and significant impact on the behaviour of front-line staff, even before the reports come in. To ensure that the impact works in the interests of the broader community, we have to think carefully about how the design, analysis, distribution and use of that information will help people do their job better.

Additionally, it is important to acknowledge the limits of benchmarking. There is a persistent myth that somehow science and evidence can simplify our decisions and solve our problems. And this myth persists, despite our experience. To quote Donald Schön:

There is a high, hard ground where practitioners can make effective use of research based theory and technique and then there is a swampy lowland where situations are confusing messes incapable of technical solution. The difficulty is that the problems of

the high ground ... are often relatively unimportant to clients or to the large society, while in the swamp are the problems of greatest human concern. (Schön 1983, pp. 42–3)

Benchmarking and performance measures are extremely useful additions to the repertoire of policy tools, but they are the beginning of a conversation, not the final word. They raise questions that need to be investigated in pursuit of improving what we offer to the community; they rarely, in and of themselves, provide the answers. It's that next step that often appears to be missing.

13.2 Elective surgery

Within the Australian federation, health services are delivered by a variety of government and non-government providers. There is a significant overlap between the Commonwealth and the States, which has been the subject of the recent Health Reform process.

Public hospitals are funded by both levels of government. The Commonwealth currently funds approximately 35 per cent of Queensland's public hospital services, with the bulk of the remainder being made up by the State and a small percentage provided by other sources such as health insurance funds and workers compensation. The administration and delivery of public hospital services, however, is a State responsibility.

When people think about measures for health and hospitals, elective surgery waiting lists are often top of mind. While these may only be a second tier indicator, elective surgery waiting lists are critical to the public perception of the overall effectiveness and efficiency of the health system. Indeed, the intensity of public feeling has led to debates in the media about the potential for the Commonwealth to take over the full management of public hospitals. Hence, there is significant focus from both levels of government on ensuring that waiting lists are kept down.

Measurements in regard to elective surgery — ostensibly the time from when patients are added to a waiting list to the date on which they are admitted, classified into clinical urgency categories — have been reported on for many years. Currently they are the subject of the *National Partnership Agreement on the Elective Surgery Waiting List Reduction Plan* between the Commonwealth and States and Territories to be reported to and on by the COAG Reform Council (on which, see O'Loughlin, this volume). But prior to the Agreement, Queensland and other jurisdictions have been contributing data on elective surgery voluntarily to the *Report on Government Services* (RoGS) for over a decade (on which, see Banks and McDonald, this volume). Additionally, Queensland Health publishes quarterly hospital performance

reports that include elective surgery wait times on its website, along with a specific report that focuses on the quarterly performance of Queensland against the Partnership Agreement.

Elective Surgery wait times were a particular feature of the major *Queensland Health Systems Review* in 2005, sparked by the *Patel Inquiry* — an Inquiry into a health practitioner’s clinical outcomes at the regional Bundaberg Hospital. Queensland was found not to be meeting the established benchmarks — not only in comparison to other States, but more importantly, in relation to the clinically recommended wait periods for particular surgical categories.

Public Hospital/Health System crises have the capacity to galvanise political will. In response, significant resources were redirected to deal with this issue. In addition to *Surgery Connect*, there was also significant business process reengineering and as a result, Queensland now has a much more streamlined process for patients and a much more effective and efficient use of surgery theatres across the State.

Queensland is now performing well against the key indicators. the State government has allocated significant financial and human resources to reducing wait times including initiating the *Surgery Connect* program whereby Queensland Health has paid for public patients to have their operation in the private system, as a means of clearing some of the backlog, and increasing system capacity/throughput. In itself, *Surgery Connect* provides a basis for benchmarking the costs and effectiveness of public compared to private provision.

This is a very positive benchmarking story. Benchmarking helped highlight a system deficiency that was affecting quality of life; improvements were made; performance against the benchmark improved; people are now getting their surgery within clinically recommended times; and Queensland, along with most other States, has received a reward payment under the Partnership Agreement. All in all, it has been a win–win situation. That said, it is important that other factors are considered.

The RoGS report provides comparative data across States and across time-series on elective surgery waiting times for clinical urgency categories 1, 2 & 3. However, different States include different things in their categories, and, of course, it is in the interest of the State to include as little as possible in Category 1, as that has the shortest time frame. Hence, it could be argued that the very act of reporting begins to influence behaviour. Consequently, comparisons across jurisdictions are often not valid. The Productivity Commission is extremely clear about this in its report, but once something is in a table the subtleties are often lost, and a judgement is made regardless.

Secondly, one needs to understand the context and history of waiting lists. Being added to a public waiting list for elective surgery is a process in and of itself. During the *Queensland Health Systems Review*, it was discovered that there were waiting lists behind the waiting lists — that is, to get onto an elective surgery waiting list it was necessary to see a surgical specialist, but there were long waiting lists to see the surgical specialists. The people on the surgical specialist waiting lists were technically waiting for elective surgery, but they were not showing up on the official elective surgery lists, as they did not meet the technical precondition for that list.

Additionally, at that time Queensland Health regions offered financial incentives to hospitals on the basis of a 5 per cent long wait performance benchmark, that led to some gaming of the system. Those loopholes were closed, but any system can be gamed. The people gaming the system in this case were doing so to try and maximise the operation of their hospital in an environment of resource constraint. The purpose of the gaming was to procure necessary resources for the whole of the patient population, but the end result was that the publicly available reporting was not accurate.

Finally, elective surgery waiting lists are a second tier indicator. To quote Peter Forster, who undertook the Health Review in 2005:

The current community and media focus on elective surgery waiting lists whilst understandable at one level, is not the best overall indicator of health service performance nor is it necessarily in the best interests of all patients. Waiting lists are an imprecise indicator of the level of access to public hospital services and place undue focus on certain kinds of surgical activity sometimes to the detriment of medical services. Due to budget and workforce constraints the community's need is not being met which is resulting in less than optimal patient outcomes. Surgical waiting lists reflect Queensland Health's attempts to manage finite resources where demand for services exceed supply. (Forster 2005, p. 122)

This raises the question of the extent of the opportunity costs associated with such a focus on elective surgery. Does such an intense focus come at the detriment of other more important facets of the health system? It is important that these questions remain at the forefront of our efforts, so that we drive whole-of-system improvement.

13.3 National Assessment Program — Literacy and Numeracy (NAPLAN)

Australian State and Territory governments have responsibility to ensure the delivery of schooling to all school-age children and provide the bulk of the funding

for that provision. The Commonwealth provides supplementary funding for government schools through the National Education Agreement (NEA), and for non-government schools through the *Schools Assistance Act 2008*. Additionally, the Commonwealth Government has been working with States and Territories to implement a National Curriculum. Like health, education not only represents a large part of government spending, it is an area of intense public focus.

The NAPLAN test is an annual, census-style test that was first administered across Australia in 2008. Results are reported for each of the domains of Reading, Writing, Spelling, Grammar and Punctuation, and Numeracy, with six bands of achievement being used for reporting student performance in each year level (Years 3, 5, 7 and 9).

There are three performance measures used to describe NAPLAN results:

- National Minimum Standard (NMS) — which represents the attainment of only the basic elements of literacy and numeracy for the year level
- Mean (Average) Scale Score (MSS)
- Upper Two Bands (U2B) — which shows the proportion of students achieving in the upper two bands for each year level.

NAPLAN occurs in the context of a National Partnership Agreement on Literacy and Numeracy, which has a budget of \$540 million with an additional \$30 million allocated to fund Literacy and Numeracy pilots in low SES communities. This Agreement operates for four years from 2009 and contains both facilitation and reward payments. Reward payments are dependent on evidence of literacy and numeracy progress and achievement, monitored through:

- NAPLAN results — Years 3, 5 and 7
- progress on P-9 Literacy and Numeracy indicators
- validated teacher judgements through formal assessments (Assessment Bank) and annotated samples of student work
- progress on ESL Bandscale for students from non-English speaking background.

Queensland's results in the initial NAPLAN testing were disappointing, and consequently the Premier commissioned an independent study into Primary Schooling, by Professor Geoff Masters of the Australian Council of Educational Research, with a view to: a) testing whether there really was a problem; and b) if there was, finding a way to address it.

The Masters' Review concluded that there was indeed a problem, although it cautioned against drawing inferences about the quality of education in Queensland

based solely on comparisons of Queensland mean achievement with that of other States and Territories in NAPLAN and other tests.

The review made five recommendations:

- tests for aspiring teachers to demonstrate threshold knowledge in teaching literacy, numeracy and science
- a new structure and program of advanced professional learning for primary teachers
- additional funding for specialist literacy, numeracy and science teachers in districts/schools where they are most needed
- standard science tests in Years 4, 6, 8 and 10
- an expert review of school leadership with a view to establishing a program of professional learning for primary school leaders to drive improved performance.

These recommendations were largely adopted in full, and again, this is a positive story. The testing uncovered a problem that Queensland had suspected, but NAPLAN gave it a form and gave the impetus to address it in a concerted way. The ensuing review was of a high quality and recommended five substantial, fundamental system improvements. In addition, further analysis of the NAPLAN results allowed the Department of Education and Training to drill down and uncover key problem areas. For example, in literacy, students in Years 3 and 5 were struggling with figurative thinking, use of pronouns and sentence structure, so particular remedial programs on those areas were able to be designed.

Queensland has made significant progress in implementing those system improvements, and students are benefiting as a result.

- Nine out of ten Queensland students are meeting the NMS for literacy and numeracy, with the strongest result in Year 3 Numeracy at 95.2 per cent of NMS, and the weakest result being Year 9 Writing at 84.7 per cent at NMS (noting the national average of 84.6 per cent).
- Queensland 2011 Year 3 students are the first full cohort to have passed through the Prep year, and have posted the State's strongest Year 3 results since NAPLAN testing began in 2008. Year 3 students have improved in all test strands for NMS, MSS and U2B as measured from 2008 to 2011 and from 2010 to 2011. This places the Queensland Year 3 students at fourth in the country for Reading and Grammar and Punctuation, and sixth for Spelling, Writing and Numeracy.
- Two cohorts have now sat NAPLAN twice, in 2009 and 2011. The Year 3, Year 5 and Year 7 students from 2009 were in Year 5, Year 7 and Year 9 in

2011. The gains made by Queensland students, from Year 3 – 5, Year 5 – 7 and Year 7 – 9, have exceeded the gains made by their counterparts in Australia overall in eleven of the twelve comparable test areas.

- Since 2010, Queensland has improved in nine of the sixteen comparable test strands for NMS; eight of sixteen strands for MSS; and eight of sixteen in U2B.
- Since 2008, Queensland has improved in fifteen of the sixteen strands for both NMS and MMS and thirteen strands for U2B; in most domains the difference between Queensland and the highest performing jurisdictions is only a few percentiles.

While Queensland's results have noticeably improved since 2008, the State's relative position has not altered to any great extent. It should be noted Queensland remains sixth across jurisdictions for average National Minimum Standard (NMS) scores and improved from seventh to sixth for Mean Scale Scores (MSS). One could say that this is due to the time lag between bedding down the improvements and improved performance, but equally for Queensland to improve dramatically in comparison to other States, requires either inertia or decline in the performance of the other States and Territories, which is perhaps not an appropriate ambition.

Additionally, the NAPLAN test was developed through negotiations between all the jurisdictions, in the absence of a National Curriculum. The implementation of a National Curriculum will play an important part in improving the consistency of inputs and hopefully the outcomes, across Australia.

There is also a question about the purpose of the testing regime itself: is this a test to assess the health of a jurisdiction's system or is it a diagnostic tool to assist students' capacity? If it's the former, random sampling would be a much more efficient methodology, but if it is the latter, we need to get much better at using it to understand how to improve teaching and learning results for individual students. Is it a test *of* learning or a test *for* learning? This has been discussed at length, but we are not clear. Benchmarks and measures cannot be all things to all people, but when there is a dearth of information, there is a tendency for them to be used in that way.

There is a vacuum in regard to information about the performance of Australian children's schooling and as a result, information like NAPLAN is seized upon. This can be seen in the overwhelmingly positive reaction of parents and the community to the *MySchool* website, which publishes NAPLAN and other data on all Australian schools.

Additionally, when there is an information vacuum, the little information that does exist, can be given disproportionate weight and influence.

The government has received numerous letters from parents reporting that their children have been asked to stay home on test day, and that NAPLAN results are being used by private schools to screen students applications. This is concerning and not what was intended by the people who designed the test.

This is not an argument against benchmarking; rather, it reminds us that data and reporting regimes can be misused, once they are up and running.

Finally, benchmarking is generally about supply, and yet particularly in the education area, one of the biggest indicators of success is demand. Unless you have demand, improvements to supply can be wasted. Benchmarking places the emphasis on the supply side, rather than looking at the preconditions for creating demand — a much more fundamental question.

13.4 Remote Indigenous Housing National Partnership Agreement

The *Remote Indigenous Housing National Partnership Agreement* (RIHNPA) was negotiated between the Commonwealth and State and Territory Governments to reduce severe overcrowding in remote Indigenous communities; increase supply of new houses and improving condition of existing houses; and ensure rental houses are well maintained and managed.

The RIHNPA provides Queensland with \$1.16 billion over 10 years (from 2008-09) to provide 1141 new dwellings and 1216 upgrades to existing social housing in remote Indigenous communities. Some of these areas are more than twice the distance between Brisbane and Melbourne away from the Capital, generally require four wheel drive vehicles, barges and aircraft to access, and can be cut off from surrounding communities for weeks or months during the wet season.

The Queensland government is providing \$32.4 million over five years to establish the Remote Indigenous Land and Infrastructure Program Office (the PO) which has responsibility for land and infrastructure planning issues across Queensland's remote Indigenous communities and the negotiation of and roll out of lease agreements. Queensland is also spending an additional \$67 million to address that backlog of infrastructure requirements in these communities.

Such a transition, to direct leasing by Government of communal lands for social housing purposes, is a sensitive and contentious issue for land-holders in remote communities.

The need to negotiate Indigenous Land Use Agreements (ILUA) where Native Title (NT) has not been extinguished, which is the case for most communities, has had a significant impact on the delivery of this Agreement, as has the Commonwealth's late withdrawal of a proposed Municipal Infrastructure National Partnership Agreement. But most importantly there was a late, complicating, element—the Commonwealth condition that a minimum 40-year lease was required before any new houses could be constructed. Queensland needed to secure these leases with individual Councils to protect capital investment, as there is no freehold land available in these areas (unlike in some other jurisdictions).

Negotiations with councils to obtain 40-year lease agreements took much longer than expected, with the first agreement to grant a lease being obtained in late February 2010. Negotiations were conducted in good faith with Councils and as a result, at the end of the 2009-10 financial year, seven of the fourteen eligible Aboriginal Shire Councils had signed Deeds of Agreement to Lease and Deeds of Agreement to Construct. (All have now agreed to leases for social housing.) This is a major achievement in normalising social housing arrangements.

The targets for the 2009-10 RIHNPA were 65 new construction/replacement houses and 150 upgrades. Queensland achieved 46 new construction/replacement houses and 152 upgrades. This was a significant achievement, given that construction could not commence until late February 2010.

Regardless, the Commonwealth advised Queensland in July 2010, that the State had been penalised 2.5 per cent or \$3.12 million, for not completing the 2009-10 targets on time. This amount was to be taken from Queensland's Employment Related Accommodation (hostel style or rental accommodation for people moving from remote Indigenous communities for work or training opportunities) funding for 2010-11.

Of course, Queensland would have preferred not to be penalised, and this was conveyed politely but firmly in writing, noting the impact of the late imposition of the 40-year lease condition. The response from the Commonwealth has indicated that Queensland was lucky not to have been punished more severely. Given that the delay was not due to recalcitrance or incompetence the benefit of the penalty can be called into question. It reinforced a long-held Queensland view that Canberra has no idea of the practicalities of delivering in remote communities.

Additionally, one could argue that the RIHNPA contained some incompatible targets; for example, local Indigenous employment targets and housing completion targets. Both are important targets in achieving the longer-term outcomes of the RIHNPA, but if you are seeking to complete housing targets within a tight time

frame, without a ready supply of local skilled labour, then there are likely to be delays.

In hindsight, Queensland should have renegotiated the targets for construction and upgrades following agreement with Councils, but renegotiating timeframes on agreements of this nature is politically unpalatable.

This case study brings the Commonwealth–State relationship into sharp relief, and raises the issue of sanctions. The three things that characterise a good contract are: information; certainty; and rewards/sanctions. Sanctions are critical, but have an impact on relationships and hence on performance going forward. In those cases where the sanction itself may have an adverse effect on future performance — that is, if financial resources are necessary to performing against the next stage of the contract — how does a financial penalty help that next stage of performance? State Budgets are large enough to make up the penalty; however, States have a whole range of other priorities, and the NPAs generally represented Commonwealth priorities. This is a problem that has dogged performance management systems since their inception and there are no easy solutions. However, it does highlight the question as to what motivates performance and what prevents non-performance, and the fact that sanctions are a strong, but potentially blunt, tool that requires supplementation.

13.5 Cape York Welfare Reform

The Cape York Welfare Reform trial is a very different exercise to the previous three examples. Benchmarking in this instance provides the data by which the Commonwealth and State can together evaluate a very new approach to welfare provision.

The Commonwealth and Queensland governments entered into a partnership with the Cape York Institute to deliver the Cape York Welfare Reform (CYWR) trial at the beginning of 2008. The trial will run for four years in four communities, affecting around 1800 people.

Its objectives are ambitious:

- restore positive social norms
- re-establish local Indigenous authority
- support community and individual engagement in the real economy
- give people choices around moving from social housing into home ownership.

It began in May 2007 with the release of the Cape York Institute for Policy and Leadership (the Institute), led by Mr Noel Pearson, *From Hand Out To Hand Up* report which proposed a ‘welfare reform trial’ in four communities — Hope Vale; Aurukun; Mossman Gorge; and Coen (the welfare reform communities). The Institute itself is a model of Commonwealth–State cooperation, half funded by the Commonwealth and half by Queensland.

Following this, the Federal Parliament amended social security legislation to enable the Commonwealth’s income management interventions in the Northern Territory; a national income management regime to apply in cases of child safety and school enrolment and attendance; and the proposed Cape York trial by anticipating the establishment of a ‘Queensland Commission’ to direct Centrelink to place a person under compulsory income management. It also provided exemption from the operation of anti-discrimination legislation and “special measure” status for this Commission and the Northern Territory intervention as these initiatives have an Indigenous focus.

The Family Responsibilities Commission (FRC) was then established under an Act of the Queensland Parliament, to directly link improved care of children to receipt of welfare and other government assistance payments. The FRC also connects families with support services to strengthen family roles. To do this, the FRC relies on notifications from Queensland government departments for breaches of State laws.

Bringing this into being has required an active partnership between the Commonwealth, the Queensland government, the Cape York Institute for Policy and Leadership (CYI) and the communities of Aurukun, Hope Vale, Coen and Mossman Gorge. The tripartite arrangement is overseen by the Family Responsibilities Board comprising senior representatives from both Governments and the CYI. Both governments have committed significant resources, with a combined investment of over \$100 million over four years.

The CYWR trial is groundbreaking, unique in the world, linking parental responsibility with government assistance. It represents a significant departure from previous government policies and has meant fundamentally reforming the way communities and governments operate to remove the disincentives that cause dependency cycles — which in turn has meant the Commonwealth and State cooperating centrally and on-the-ground in the communities to a previously unheard of level.

The benchmarking occurs through a quarterly report, provided for each community that includes data on:

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- Magistrates Courts notifications
 - School Attendance notifications and school attendance more broadly
 - Child Safety notifications
 - Housing Tenancy notifications
 - number of conferences with the Commission
 - implementation of specific community programs and social services.

Comparisons can then be made over time, between communities, and against the broader State average. These quarterly reports are tabled in Parliament, but importantly they are being supplemented by an independent evaluation — which is commenting not only on the implementation of the model, but also on the effects of the model on individual and community well-being. This holds the potential of joint policy learning for the Commonwealth and State.

This is a long-term project. Mr Pearson’s work is based on the notion of re-establishing social ‘norms’ and that’s not something that can be achieved in a matter of months or even years. But in this instance, the benchmarking is being used as part of a bigger conversation.

As noted earlier, this is an uncommon situation. The success to date can be attributed to a number of factors:

- agreement that something had to be done and that ‘business as usual’ was no longer an option — including a recognition of the unintended consequences of previous policies
- a framework developed by CYI — that is, some good solid thinking to inform a new approach, that came from outside of government
- a public commitment by politicians, policy makers and service providers to improve the prospects for Indigenous children and families living in these areas, where indicators of social dysfunction, economic exclusion and wellbeing are among the worst in Australia
- tri-partite governance at a senior level
- a range of formal coordination agreements/arrangements including:
 - CYWR Program Office of senior officers from the three partners
 - Local Program Offices in each of the four communities
 - a Formal Partnership Agreement, signed in 2008 spelling out each partner’s roles and responsibilities

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- operating principle that all key decisions — funding, program development/delivery, recruitment, etc. must be agreed by three partners.

Such a situation may be difficult to replicate elsewhere.

13.6 Conclusion

This paper presents an unashamedly State perspective on benchmarking and its impact on Federal systems.

The recent COAG reform processes have challenged the States and Territories to focus, have a clear position (and as Queenslanders, we like to think of ourselves as having a unique position), and to act — to do worthwhile things that we might otherwise not have done, or not have done as quickly.

Benchmarking takes us from the rhetoric of reform to describing the actual changes on the ground that we believe will add up to better outcomes. It's valuable because it makes us think this through — articulate the concrete actions, outputs, and/or benefits that will improve life for the community — and then keeps us honest in our delivery by tracking performance.

However, as with all powerful mechanisms, benchmarking has the potential to be misused or to bring about unintended consequences. In and of itself, benchmarking is neutral; its impact is dependent on context and the way it is used. This paper contends that context is critical. Sensitivity to context has to be the mark of a good system — otherwise the opportunities for policy learning are lost.

Benchmarking takes place within the context of a relationship: it always comes back to relationships. When we get the relationships right we can achieve anything, but when they aren't tended to appropriately all sorts of problems ensue. And, of course relationships are never static: they require ongoing effort.

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