

IEUA-QNT SUBMISSION

[25 March 2024]

Submission: Education, Employment, Training and Skills Committee inquiry into the *Education (General Provisions) and Other Legislation Amendment Bill 2024*

The Independent Education Union – Queensland and Northern Territory Branch (IEUA-QNT) welcomes the opportunity to provide feedback regarding the *Education (General Provisions) and Other Legislation Amendment Bill 2024* [1].

About IEUA-QNT

IEUA-QNT represents ~16,000 teachers, support staff and ancillary staff in non-government education institutions in Queensland and the Northern Territory and consistently engages in debate concerning industrial and social issues through its Industrial and Equity Committees and through its national counterpart, the Independent Education Union of Australia, which receives input from teachers in all States and Territories.

Our union has engaged with the Department of Education (DoE) throughout the process of review of the *Education (General Provisions) Act 2006* including participation in the Review Steering Committee and has, at previous consultation points, made joint submissions with the Queensland Teachers' Union (QTU).

While the *Education (General Provisions) Act* has limited relevance for non-government schools and non-government school staff, our union enjoys a strong, collaborative relationship with the QTU and we support their submissions in relation to those parts of the Bill relevant to their sector.

We also acknowledge the important role of this legislation in setting standards and expectations that have flow-on effects in the non-government sector.

Having expressed our support for the submissions of the QTU, this submission registers our shared concerns regarding the consultation processes, before focussing on the provisions relating to home schooling, transfer notes and student disciplinary absences in state schools as amendments of particular relevance to our sector.

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Submission Points

A: Concerns with process

1. We have a general concern that allowing just 13 working days for stakeholders to review the 171 page Bill limits our capacity to consult with members and identify concerns with the proposed changes.
2. While this submission is informed by discussion with members, it is possible that we have not identified the full consequences of all amendments at this point.
3. It would appear that many of the concerns raised in our previous (joint) submissions remain unresolved, particularly in relation to workload, resourcing and health and safety considerations.
4. We are also concerned that the Bill seems to include several amendments that were not discussed during the review phase (e.g. provisions relating to state-run kindergartens).
5. We would indicate to the committee that a longer timeframe for response, and communication with stakeholders regarding the additional amendments, would enhance the quality of stakeholder responses by providing time to consult with members and consider the full depth and breadth of the proposed changes.
6. We would also suggest that the government should engage with the QIU to resolve outstanding issues relating to workload and resourcing prior to progression of the Bill.

B: Provisions relating to home schooling

7. We recognise that the growth in numbers of students who disengage from school-based learning, and subsequent increase in numbers of students who are home-schooled [2], necessitates greater regulation of home-schooling.
8. We are however, concerned that the requirements for persons responsible for delivery of a home-schooling program to work directly from the Australian Curriculum and/or QCAA-approved senior syllabus documents (Clause 68(1)(b)) and to provide written reports on student learning (Clause 68 (1) (ba)) diminish the status of the work performed by qualified and registered teachers.
9. Regulation of the teaching profession is a critical factor in ensuring that students have access to safe learning environments and quality learning and assessment experiences.
10. Untrained, inexperienced personnel cannot deliver learning experiences of comparable quality to those provided by fully trained, registered teachers.
11. Home schooling should not be endorsed as a long-term solution to the complex challenge of resourcing the education system to provide positive and engaging learning experiences for a diverse range of students.

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12. We note that significant federal and state resources are being invested in initiatives to raise public awareness and appreciation of the work performed by teachers and other school staff.
13. Examples include the federal government's 'Be that teacher' campaign[3], and the state government's commitment to wellbeing [4] and engagement at all stages of education from the early years [5] through to secondary schooling [6].
14. We would suggest that that it would be more effective, and better aligned to the Government's broader education and engagement policies, if the legislation were to better support re-engagement of learners who disengage from school-based learning, perhaps by requiring those responsible for delivering home schooling programs to access re-engagement services and supports.
15. This would be more consistent with the aims and objectives of education in the broad sense of preparing children and young people to participate fully and equally in contemporary society, rather than legitimising home-schooling as a long-term solution to complex social problems.

C: Provisions relating to transfer notes

16. We are satisfied that the new requirements for provision of transfer notes when students shift between schools/sectors represent a health and safety enhancement that will support school leaders' capacity to balance the needs of students, staff, and the broader school community.
17. We would however, suggest that the 90 day (Section 388B) window for the principal of the new school to request a transfer note is potentially problematic when schools are dealing with students with complex and challenging behaviors.
18. While we are clearly sensitive to the workload implications of a shorter timeframe to request the transfer note, the need for schools, and school staff, to be aware of potential health and safety risks is acute.
19. We would suggest that the process for requesting a transfer note could, with investment of funding and resources, be automated, to enable school leadership to have more immediate access to information required to manage health and safety risks.
20. We note that progression of national initiatives related to the Unique Student Identifier (USI) for school students [7] would be of assistance with automation of transfer note processes.
21. The requirements for the principal of the student's previous/former school (Section 388C) to respond to requests within 10 days of the request is more in keeping with health and safety considerations, but we would again suggest that there is a role for automated request and response procedures to alleviate workload pressures and ensure that school leadership have timely access to vital health and safety information.

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22. We also note that the recently released report of the review of the Queensland non-state schools accreditation framework [8] makes some out-of-scope comment (p.9) regarding the recording of attendance, and transfers between schools, as a key indicator of risk in relation to both student engagement and school governance.
23. This provides further evidence that automating processes for requesting and issuing transfer notes would help to safeguard student and staff wellbeing.

D: Provisions relating to student disciplinary absences

24. As a union with coverage of teachers, school leaders and support staff, we have an active interest in the disciplinary frameworks deployed in government schools as a point of reference for what occurs in non-government schools.
25. We are also committed to working collaboratively with the QTU to advance the interests of teachers across all sectors.
26. We understand that the QTU is concerned that the Bill, as currently drafted, creates significant Work Health and Safety (WHS) challenges for school leaders who are responsible for the safety and wellbeing of students, school staff, and the broader school community.
27. We support the submissions of the QTU in objecting to the weakening of provisions that allow school leaders to apply disciplinary absences.
28. We recognise that there is a clear need to manage student discipline in ways that support and encourage ongoing engagement with schooling, but would urge government to engage with the QTU to identify options for supporting school leaders' capacity to manage disciplinary absences in ways that better preserve the safety and wellbeing of all students, staff and community members.
29. A number of the proposed changes to the legislation will also increase the volume and complexity of work performed by school leaders and we support the QTU's position that there should be a formal analysis of workload that will be created from the implementation of the proposed amendments prior to progressing the Bill.

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Concluding Comments

IEUA-QNT thanks the Education, Employment, Training and Skills Committee for the opportunity to provide feedback regarding the *Education (General Provisions) and Other Legislation Amendment Bill 2023*.

We would welcome the opportunity to provide further comment as the Bill is progressed.

Kind regards,



Terry Burke
Branch Secretary
Independent Education Union of Australia -Queensland and Northern Territory Branch
Monday 25 March 2024

References

1. *Education (General Provisions) and Other Legislation Amendment Bill 2024*.
2. HSLDA. *Australia Homeschooling Trends Over the Last Decade: Data from a recent survey shows homeschooling continues to rise across Australia*. 2023 [cited 2023 6 April]; Available from: <https://hslida.org/post/australia-homeschooling-trends-over-the-last-decade>.
3. *Be that teacher*. [cited 2024 19 March]; Available from: https://www.bethatteacher.gov.au/?gad_source=1&gclid=CjwKCAjwzN-vBhAkEiwAYiO7oP5U-QBq-sx88VsdzvcKbB7ZLudRIL1RbglrMY3r1I2dwm4s1GAUFhoCRyEQAVD_BwE&gclidsrc=aw.ds.
4. *Boost for student wellbeing in Queensland schools*. 2023, The Queensland Cabinet and Ministerial Directory: Brisbane.
5. Queensland_Government, *Putting Queensland Kids First: Giving our kids the opportunity of a lifetime Consultation Draft*. 2024, Queensland Government: Brisbane.
6. *\$288 million package to keep students engaged in education*. 2024, The Queensland Cabinet and Ministerial Directory: Brisbane.
7. Department_of_Education, *Schools Unique Student Identifier (USI)*. 2023, Australian Government: Canberra.
8. Vardon, C., *Queensland non-state schools accreditation framework review Final Report*. 2023, Commissioned by the Queensland Government: Brisbane.