

Submission

Senate Education, Employment
and Workplace Relations Committee

House of Representatives Standing Committee
on Education and Employment



**Independent
Schools Victoria**

Inquiry into the provisions of the Australian Education Bill 2012

13 February 2013

Introduction

Independent Schools Victoria welcomes the opportunity to make a submission to inquiries currently being undertaken by the House of Representatives Standing Committee on Education and Employment and the Senate Education, Employment and Workplace Relations Committee into the *Australian Education Bill 2012*.

Established in 1949, Independent Schools Victoria represents, promotes the interests of, and provides services to Independent schools in Victoria. Today, Independent Schools Victoria assists 210 Member schools, educating more than 130,000 students. More than 99 per cent of all students enrolled in the Victorian Independent sector attend a Member School.

Our members are diverse, serving different communities. They provide religious or values-based education to students, or promote particular education philosophies or different interpretations of mainstream education.

In celebrating and promoting the diversity of its Member Schools, the inalienable provision of choice in education, and the contribution that Independent schools make to their communities, Independent Schools Victoria continues to underpin all its activities with commonly understood and shared values embracing a commitment to quality outcomes for Victorian students.

Independent Schools Victoria is not a system authority managing schools, but an association of Independent schools, providing professional services to inform its members, and raise quality standards. Independent Schools Victoria represents the interests of Member Schools to governments and the community on a wide range of issues.

In recent years, Independent Schools Victoria has emerged and defined itself as a policy leader, underpinned by a strong research agenda and an evidence-based-approach to improvements and developments in the education sector. Independent Schools Victoria has been instrumental in innovative approaches to educational reform, has trialled and piloted several significant projects and is now recognised as an important contributor to state, national and international educational thinking and practice.

The Independent Schools Victoria Vision

‘A strong Independent education sector demonstrating best practice, providing excellent outcomes for students and choice for families’.

To realise this, we:

- advocate for excellence in education
- champion Member Schools
- support quality education
- protect the right of parents to choose where and how their children are educated.

Independent Schools Victoria will assist our diverse membership to continue providing the best possible education outcomes for the citizens of tomorrow.

Principles

This Independent Schools Victoria submission supports the association's principles and core activities, which are to:

- promote the principle of choice in education
- champion the values of Independent schools
- promote the development and protect the autonomy of Member Schools
- work with the Australian and Victorian Governments to achieve more equitable, choice-orientated and efficient means of funding students' learning
- contribute to the development, implementation and evaluation of education policies to achieve quality education outcomes.

The four fundamentals that Independent Schools Victoria identified in its submission to the *Review of Funding for Schooling* are:

1. choice in education is defended in legislation
2. a freeze of funding on individual Independent schools is unacceptable
3. funding should be centred on students, not schools
4. personal or private contributions towards a child's education should have no bearing on the level of funding they receive

Independent Schools Victoria notes that the Bill is silent on these matters.

We also believe any amendments to the Bill or future draft legislation must contain overarching principles that provide a framework and governance arrangements for a funding system:

- roles and responsibilities of governments, system authorities, state and territory associations of Independent schools and individual schools must be clearly defined
- provision and allocation of funding is transparent and supported by robust, verifiable and comparable data
- additional funding for schooling should not lead to less funding for any jurisdiction or sector
- continuing with maintenance of the two existing funding channels from Commonwealth and State Governments
- 'improvement' goals should not disadvantage jurisdictions or sectors already operating at a higher level
- a review mechanism must be available.

Independent Schools Victoria Response

Independent Schools Victoria (the association) notes the aspirational nature of the Bill but remains deeply concerned that there is little detail about the Bill's impact on the on-going operations of the association's Member Schools. Our response addresses both specific issues raised by the content of the current Bill and issues that the Bill is yet to address.

This submission should be read in conjunction with the submission from the Independent Schools Council of Australia (ISCA). However we note that under Section 4: Definitions of the Bill, the association is not a non-government educational authority. For this reason this submission might not be in accord with the ISCA submission. The interpretation of 'non-government educational authority' needs to be clarified because of the potentially wide-ranging impact on the business operations of Independent Schools Victoria and the association's Member Schools.

This submission details comments about the content of the Bill but Independent schools are more concerned about the lack of detail.

Matters not currently addressed in the Bill

In the Explanatory Memorandum accompanying the Bill, the Minister for School Education stated that the Australian Government's intention is 'that subsequent amendments to this Bill will be moved following the conclusion of negotiations with States, Territories and the non-government school sector'. Minister Garrett said this was a strength, as it 'allows the Commonwealth to set the broad framework, based on existing reforms [sic] directions that have worked well in improving schools performance, while continuing to negotiate on the detail of the final funding model and the associated education reform requirement'.

Establishing a framework might be a strength but the lack of certainty for schools on how government funding will be provided after 2013, and the accountability requirements is a problem.

The Bill provides broad-brush statements about the Australian Government's intention to introduce a new needs-based funding model for all Australian schools, based generally on the *Gonski Review of Funding for Schooling*. However, it provides no detail about what this might mean for actual funding levels for individual schools in 2014 and beyond.

The Bill does not deal with issues such as:

- the impact of the new funding arrangements, notably the calculation and application of a School Resource Standard to individual schools' funding, as well as the split in funding between base recurrent and loadings
- the recognition criteria and evidence base to be used in determining the specific funding amounts for the various elements of circumstances associated with disadvantage
- indexation arrangements for funding on an ongoing basis
- transition arrangements for schools that would either better or worse off under any new model, or schools that have their funding 'frozen'
- whether future funding arrangements will be 'sector-blind' and allow for funding to follow students with disabilities

- the role of state and territory governments, including:
 - whether any new funding model would include state and territory government funding for schools as well as Australian Government funding (as proposed by the *Review of Funding for Schooling*)
 - the extent to which state and territory governments would have a role in determining Australian Government funding for non-government schools
 - the impact on funding should any individual state or territory decline to implement complementary funding policies for schools
 - the funding delivery mechanisms, in particular whether funding for non-government schools will be provided through the states, rather than through direct legislative agreements
 - whether there will be an impact on the non-government schools' sector should any and or all State or Territory Governments not agree to the new funding arrangements (or components of it).

- the consideration and provision of capital funding for schools, as well as the role of the Block Grant Authorities

- the future of existing funding programs for schools, including Targeted Programs under the *Schools Assistance Act 2008* and National Partnerships Programs under the *National Education Agreement*

- whether any elements of the proposed funding model outlined in the Australian Education Bill will be allocated from existing funded programmes

- the proposed regulatory requirements associated with the National Plan for School Improvement (NPSI) and whether the National School Improvement Tool, as endorsed by Education Ministers, should be monitored, assessed and reported for each individual school on My School in a standardised way

- the fundamental questions of:
 - who will pay for the increases in funding suggested by initial modelling work
 - what impact any new funding model would have on individual Independent schools, as unlike the Catholic and government sectors, Independent schools are unable to redirect funding between individual schools, and thus smooth out any significant changes in funding
 - what specific accountability requirements would schools be required to meet in order to receive Australian Government funding.

Matters currently addressed in the Bill

The Bill is extremely general in its content and applicability. At the very least, the Bill should be explicit in stating that it refers to all students in all schools.

Independent Schools Victoria does not disagree with aspirational commitments and principles but seeks much greater detail as to how they will be achieved.

For example, the Bill:

Enshrines a national commitment to ensure that all Australian children can equitably access the high quality education to which they are entitled.

This is a welcome commitment in principle, but the Bill fails to consider how it will be achieved and who will be responsible.

Similarly, the Bill makes a commitment that:

All schools will be supported to undertake reform.

What 'reform' is expected and what 'support' will be given?

We note the five reform directions of quality teaching, quality learning, empowered school leadership, transparency and accountability and meeting student need. These are welcome, but crucial details as to how they will be achieved are missing.

Independent Schools Victoria is particularly concerned with the use of all-embracing phrases such as 'accountable to community' because Member Schools are already highly accountable to their student and parent bodies.

Independent Schools Victoria notes that:

Commonwealth funding will be made dependent on the parties' agreement to implement the national plan for school improvement.

In the absence of any detail we are concerned that Commonwealth regulation might interfere with existing school improvement plans. It is intended the new funding arrangements should be in place from 1 January 2014 but this haste could have short- and long-term impacts.

Independent Schools Victoria is particularly concerned that:

- there is no financial impact statement associated with the Bill
- the Bill does not create any rights or duties
- there is no detail as to the level of accountability and no determination of definitions and obligations expected of schools and education authorities.

Conclusion

Because this proposed legislation is extremely general in its content and applicability Independent Schools Victoria reserves the right to re-visit this submission in light of subsequent amendments, further legislation and the release of regulations and guidelines that will direct and shape schools funding.

This submission reflects our role as a contributor to the formulation of education policy and as an advocate for the membership, and education more broadly. With this in mind, Independent Schools Victoria looks forward to education considerations, policy development and implementation that supports innovation, is not constrained by excessive regulation, and does not limit the capacity of Independent schools to offer choice and diversity to parents.