

Short-Statement Impact Analysis Statements

Education (General Provisions) and Other Legislation Amendment Bill 2023

Details

Lead department	Department of Education
Names of the proposals	<ol style="list-style-type: none"> 1. Amendments to eKindy 2. Amendment to guiding principles 3. Amendment to state special schools and special education 4. Clarifying nomenclature and technical amendments
Submission type	Short-Statement IAS
Title of related legislative or regulatory instrument	<i>Education (General Provisions) Act 2006</i>
Date of issue	05 November 2023
<p><i>The following proposals are machinery in nature and do not result in a substantive change to regulatory policy or new impacts on business, government or the community. The objectives of the proposals are to provide for more contemporary legislation to underpin the provision of education services within Queensland and more accurately reflect a more modern, inclusive, fair and empathetic society. It is also important that legislation is correct and that any ambiguities in legislation are rectified.</i></p>	

1. *Education (General Provisions) Act 2006* – Amendments to eKindy

Proposal type	Details
Minor and machinery in nature	<p>The proposal includes minor amendments to the EGP Act, section 419F which sets out the eligibility requirements for registration in eKindy. To improve access to, and participation in eKindy, the amendments will clarify the eligibility requirements regarding distance to a particular service and medical considerations by changing the:</p> <ul style="list-style-type: none"> • 16km distance criteria to be from the child's principal place of residence to a centre-based service delivering an approved kindergarten program or state delivered kindergarten (from a centre-based service catering to kindergarten aged children); and • medical eligibility requirements to provide that the child can be absent from a kindergarten at least 10 cumulative weeks (from consecutive weeks) to cater for the child's health care needs or where medical care is intermittent. <p>The proposed amendments facilitate access to an eKindy distance education program for children and families with unique and complex needs that would otherwise not be able to access eKindy.</p>

2. *Education (General Provisions) Act 2006* – Amendments to guiding principles

Proposal type	Details
Minor and machinery in nature	<p>The guiding principles under section 7(b) do not adequately reflect contemporary policy and practice regarding student wellbeing as a foundation for learning or the commitment to an inclusive and equitable state education system. A wealth of evidence demonstrates that when student wellbeing is supported, learning and achievement will follow. The importance of wellbeing is confirmed by young people themselves, with mental health and wellbeing being the concern most frequently shared by young people in the <i>Voices of hope: Growing up in Queensland 2020 report</i>.</p> <p>The proposal amends section 7 to provide that education should be provided to a child or young person in a way that:</p> <ul style="list-style-type: none"> • provides positive learning experiences; • promotes an inclusive, safe and supportive learning environment; • recognises the education needs of children and young people of all abilities and from all backgrounds; • recognises wellbeing as a foundation of educational engagement and outcomes for the child or young person; and • (for home education) is in the best interests of a child or young person taking into account the safety and wellbeing of the child or young person.

3. *Education (General Provisions) Act 2006* – Amendments to state special schools and special education

Proposal type	Details
Minor and machinery in nature	<p>A number of minor issues have been identified with enrolment policies and policy making in special education. These issues are addressed by minor amendments to streamline the transfer of students between state special schools.</p> <p>Amendments to special education will allow a principal for a state special school to enrol a student who is transferring from another special school (in Queensland) without referring the transfer enrolment application to the chief executive or their delegate.</p> <p>The benefits will mean more streamlined enrolment processes. Students who access special schools will benefit from these improvements.</p>

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4. *Education (General Provisions) Act 2006* – Clarifying nomenclature and technical amendments

Proposal type	Details
<p>Minor and machinery in nature</p>	<p>Proposed amendments to the EGP Act ensure it remains contemporary and fit for purpose. The amendments remove gendered language, update the guiding principles, and make various clarifying and technical amendments</p> <p><u>Gendered Language</u></p> <p>The proposal amends sections 5(1)(a)(i), 5(1)(a)(ii), 5(2)(d), 7(b)(iii), 75(3), 124(1)(b), 168(4), 182(5), 330(3), 386(3), 387(6), 387(9), 421(1), 424(2), 425(2) and 426(4)(e) to remove or replace gendered language in those sections. The amendments improve current drafting such as the language used, as well as ensuring concepts and principles in the EGP Act are consistent with contemporary attitudes and notions.</p> <p>These amendments are targeted and would implement minor changes with the intent to improve existing processes and practices and sending a clear message that every person is valued and everyone is important.</p> <p><u>Clarifying and Technical Amendments</u></p> <p>The proposal amends sections 180(1) and 251AB to clarify that the Chief Executive may, by notice given to the principal of a non-state school, ask the principal <u>or the school's governing body</u> for the information prescribed in those sections. The proposal makes minor and technical amendments to clarify the protection from liability that applies to a non-state school principal when required to provide information to the chief executive. Other technical amendments will be made to incorrect or unnecessary references to other legislation.</p> <p>The proposal includes a clarifying amendment to the EGP Act to expressly require the requested information under section 180 or section 251AB must be provided to the Chief Executive.</p> <p>In addition, minor or technical amendments replace two references in Schedule 4 (Dictionary) to the 'VETE Act' (Vocational Education, Training and Employment Act 2000) with the Further Education and Training Act 2014, to reflect that the VETE Act was repealed and replaced by the Further Education and Training Act 2014 and removes a redundant reference to the Auditor-General Act 2009 in section 135(1).</p> <p>A technical amendment is also made to the <i>Child Protection Act 1999</i> section 159M(e) to replace a reference to the now repealed Education (Accreditation of Non-state Schools) Act 2001 with its replacement Act, the Education (Accreditation of Non-state Schools) Act 2017.</p>

SIGNED



Director-General
Department of Education

Date: 14/11/23



Minister for Education
Minister for Industrial Relations and
Minister for Racing

Date: 16/11/23

Summary Impact Analysis Statements

Education (General Provisions) and Other Legislation Amendment Bill 2023

Details

Lead department	Department of Education
Submission type <i>(Summary IAS / Consultation IAS / Decision IAS)</i>	Summary IAS
Names of the proposals	<ul style="list-style-type: none"> 5) Amendments to transfer notes 6) Amendments to consent management 7) Amendments to school disciplinary actions and enrolment decisions 8) Amendments to provide for student support plans 9) Amendments to parents and citizens' associations 10) Amendments to state delivered kindergarten 11) Amendments to home education
Title of related legislative or regulatory instrument	<i>Education (General Provisions) Act 2006</i>
Date of issue	05 November 2023

5. *Education (General Provisions) Act 2006* – Amendments to transfer notes**What is the nature, size and scope of the problem? What are the objectives of government action?****Summary**

The proposals provide for the mandatory sharing of student personal information between schools when a student transfers from one Queensland school to another. The sharing of information under the EGP Act in relation to student transfers has been considered in light of:

- recommendations from the Final Report of the *Royal Commission into Institutional Responses to Child Sexual Abuse* (Royal Commission), which call for student information to be exchanged in a manner that is proportionate, proactive and cross-sectoral;
- stakeholder feedback suggesting that existing levels of information sharing are variable, with some principals reluctant to share information due to perceived privacy issues and concerns; and
- existing national work on cross-jurisdictional student data transfer, which seeks to develop a new national information exchange based on relevant Royal Commission recommendations.

Against this background, DoE reviewed the appropriateness of existing legislative frameworks, including:

- whether these support decisions about proportionate information sharing, i.e., determining the balance between student safety and welfare, and privacy and confidentiality; and
- the potential for more proactive information sharing.

Current legislative frameworks and processes

The EGP Act provides the primary legislative authority under which DoE staff and relevant non-state schools can collect, record, use and disclose student information between state and non-state Queensland schools, as well as with parents/guardians and other government agencies.

Transfer notes for student transfers between Queensland schools

Chapter 14 of the EGP Act makes specific provision for sharing of student information through a transfer note where a student is moving from one Queensland state or non-state school to another. A transfer note may be provided on request from:

- a student's parent (or the student themselves) at the time the student's enrolment is ceased (section 386); or
- the principal of a student's new school when an application for enrolment has been made (section 387) - where this occurs, the principal must notify the student's parents (or in some cases, the student) that a transfer note has been requested and, if requested by the parents / student, provide them with a copy of the transfer note and any documents referred to in the transfer note.

Parent / student consent is not required for a principal to complete or obtain a transfer note. On receiving a request, the principal of the previous school must provide a transfer note (and copies of any document mentioned in the transfer note relating to the student) as soon as practicable (for requests by students / parents) or within 10 school days (for requests by the principal of the student's new school).

The EGP Act provides that information included in a transfer note must be factual, succinct and objective, and may include assessment results or behavioural issues identified during the student's attendance at the school (section 384), and additional information prescribed in the *Education (General Provisions) Regulation 2017* (EGPR).

Section 25 of the EGPR prescribes the type of information that will be contained in a transfer note, which includes:

- student-identifying information, medical details, school details, level of schooling and allocation of state education;
- school attendance and educational performance;
- educational support and behavioural issues; and
- orders under State, Commonwealth or international law about the person with whom a student is to live, e.g., custody, residence or guardianship orders.

What is the nature, size and scope of the problem? What are the objectives of government action?

These types of information are in turn reflected in a prescribed [Student Transfer Note Form](#).

Additional information not included in the transfer note may be sought by the principal of the student's new school either from the parent / student, or from the previous school's principal, with the consent of the parent / student.

Persons who obtain personal information through a transfer note are subject to the general confidentiality restrictions outlined in section 426 of the EGP Act. This includes (but is not limited to) the chief executive or public service employee in DoE, an employee of a state school, members of a parents and citizens' association, and employees of a relevant non-state school (sections 426(1)(a) and 426(2)(a)).

In practice, the transfer note provisions in Chapter 14 of the EGP Act are used where students move between state and non-state school sectors in Queensland. For students moving from one state school to another, DoE's OneSchool system provides the principal and authorised staff at a student's new school with viewing access to a range of student information that has been entered into the system by the previous school.

Other relevant legislative frameworks

EGP Act provisions relating to the sharing of student information between schools operate against a background of other legislative frameworks setting parameters for the collection, use and sharing of student information, including information relating to child safety and welfare.

The *Information Privacy Act 2009* (IP Act) provides for fair collection and handling of personal information in the public sector environment. For example, the IP Act will apply to collection, use and disclosure of parental and other third-party personal information, as well as collection, storage of, and access to personal information of students, parents and other persons.

The *Child Protection Act 1999* governs collection, use and disclosure of certain child safety related information between prescribed entities and service providers, including (but not limited to) DoE, the Queensland Police Service (QPS) and Department of Child Safety, Youth and Women (now Department of Children, Youth Justice and Multicultural Affairs). This includes sharing of information between a prescribed entity (including the chief executive of DoE or the principal of a non-state school) or service provider that may assist the recipient to assess or respond to the health, educational or care needs of a child in need of protection. It also contains provisions for mandatory reporting in cases where there is significant harm, or risk of significant harm, caused by physical or sexual abuse and there is no parent willing and able to protect the child from harm.

The *Youth Justice Act 1992* authorises a prescribed entity (including the chief executive of DoE) to establish an information sharing arrangement to allow for the disclosure of confidential information about a child to another prescribed entity or service provider where it is reasonably believed the information may help the recipient to meet particular objectives, e.g., to deliver services, programs or support for a child charged with an offence.

Non-state school governing entities with an annual turn-over of \$3 million or more are also subject to provisions of the *Privacy Act 1988* (Cth).

Defining the problem

The Royal Commission found that the transfer of a student's relevant information is one of the most significant factors in successful transition to a new school, and may be particularly necessary where the student has:

- engaged in harmful sexual behaviours and, as a consequence, may pose risks to other students – the Royal Commission noted that children with harmful sexual behaviours make up a significant proportion (around 20 per cent) of reported incidents of child sexual abuse, with educational settings representing the second most common institutional setting for such incidents (after out-of-home care); or
- experienced sexual abuse and as a consequence had particular educational and support needs – the Royal Commission emphasised the importance of ensuring schools are able to address the educational and support needs of students who have been victims of sexual abuse, noting associated negative effects on academic achievement, learning ability, cognitive function, concentration, educational engagement and school completion rates.

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The Royal Commission also acknowledged the need to ensure appropriate safeguards for transfer of sensitive information about students with harmful sexual behaviours, and students with particular needs due to their own experiences of sexual abuse. This reflected a recognition of potential unintended consequences where sensitive information is shared unnecessarily, disproportionately or too broadly, which may include re-victimisation, stigma and / or discrimination.

In considering Queensland legislation, the Truth, Justice and Healing Council of the Royal Commission found that use of transfer notes 'is not consistently implemented in Queensland', and that 'transfer notes provided do not necessarily raise or identify detailed information around behaviours of concern'.

Current transfer note arrangements are implemented manually at the local school level, and specific data is not available regarding their use. However, feedback from Queensland's state and non-state schooling sectors also suggests that existing practice is variable, with some principals reluctant to share information due to perceived privacy issues and concerns.

Analysis of this issue suggests this likely reflects current features of the existing legislative framework in the EGP Act / EGPR, i.e.:

- 1) broad references to types of information to be shared that may not support decisions on whether information sharing is proportionate, i.e., balances student safety and welfare and privacy and confidentiality;
- 2) limitations on the ability to share information proactively, rather than on request; and
- 3) consent requirements for interstate sharing of information to or from state schools.

Each of these contributing factors is addressed further below, together with the proposals to address them.

- 1) *Clarifying the types of information to be shared (child safety and welfare, and the safety of others in the school community)*

Transfer notes – Queensland processes

Section 385 of the EGP Act currently states that the purpose of a transfer note is to provide information that will help the principal of a state or non-state school:

- ensure continuity of the student's educational program; and
- meet the principal's duty of care obligations in relation to the student and the school community.

Beyond this general statement of purpose, the types of information to be included in a transfer note – as set out in section 384 of the EGP Act and section 25 of the EGPR – include only broad references to 'educational support' and 'behavioural issues'. There is no further explicit reference in the EGP Act or EGPR that the transfer notes should include information required to ensure child safety and welfare, and the safety of others in the school community.

At an administrative level, the prescribed form for the Student Transfer Note provides a more specific reference to child safety and welfare considerations through a stipulation that information on 'behavioural issues' must include consideration of whether the student been suspended or excluded from school in the last 12 months. If the answer is yes, the number of incidents against each of the grounds listed must be advised, and any relevant disciplinary decision letters (e.g., suspension and exclusion notices) must be attached. Listed incident grounds include: conduct that adversely affects, or is likely to adversely affect, other students; and the student's attendance at the school posed an unacceptable risk to the safety or wellbeing of other students.

DoE's current *Enrolment in state primary, secondary and special schools' procedure* outlines the relevant legislative provisions and administrative procedures relating to the Student Transfer Note. However, no specific guidance is provided as to the type of information sharing that is proportionate to what is needed by a new school to address student's safety and wellbeing needs.

Proposed changes - Legislative proposals

It is proposed to amend section 25 of the EGPR to include more specific reference to sharing of information to help ensure the safety and welfare of:

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- the student being transferred; and
- other students, staff or persons at the student's new school.

Proposed changes – Legislative proposals

It is proposed make the following amendments to the EGP Act enable more proactive sharing between Queensland schools where a student is transferring to another Queensland school:

- require the principal of a student's new school, once the student has been enrolled, to request a transfer note from the student's previous school within 90 days from when the student has enrolled at the new school;
- require the principal of the student's previous school to provide a transfer note within 10 days, regardless of whether the request for the transfer note is made by another principal or the student (or the student's parent);
- provide that the principal of the student's new school may request a transfer note to any school the student attended in the 12-month period prior to enrolment at the new school; and
- require the principal of the student's previous school to share information with the principal of the student's new school that helps the principal meet their duty of care obligations in relation to the student and the school community.

Proposed changes – Non-legislative proposals

To further support proactive information sharing for student transfers, it is also proposed to implement the following non-legislative changes:

- develop related departmental policy guidelines with more guidance on the level and type of information-sharing that is proportionate in assisting a receiving school to meet a student's safety and wellbeing needs, and those of the school community;
- amend current state school enrolment form to mandate inclusion of a student's previous school; and
- work with non-state schooling sectors to determine whether details of a student's previous school should be included upon enrolment.

The objective of government action is to enable proactive sharing of information between Queensland schools (both state and non-state schools) about a student when the student transfers from one school to another, to support continuity of the student's educational program and the safety and wellbeing of the student and the school community.

What options were considered?

The following options were considered:

Option 1 – Maintain status quo - no legislative or policy / guideline amendments.

Option 2 – Make the legislative and non-legislative changes, outlined in section 1, for improvements in processes for sharing of information about students transferring schools.

What are the impacts?**Option 1 – Maintain status quo - no legislative or policy / guideline amendments.**

The status quo is maintained, with no legislative or administrative amendments required. Student transfer note processes remain unchanged under this option. While student transfer notes will still be operational and a parent / student or principal of a new school may request a transfer note from the principal of the previous school, the issues relating to the process will not be addressed, including the significant finding and recommendations of the Royal Commission regarding the sharing of child safety and welfare.

That is, there will continue to be inconsistency in the use of transfer notes in Queensland, and transfer notes will not necessarily raise or identify proportionate information around behaviours of concern or matters relating to the safety and welfare of the transferring student or the student's new school community. It will

What is the nature, size and scope of the problem? What are the objectives of government action?

also continue to limit proactive sharing of information between schools and does not address community parent and student concerns about transfer notes being used for enrolment screening purposes.

Maintaining the status quo would have minimal impact on community, Government and business but will not address those issues identified in section 1 and that can be appropriately addressed under Option 2. Given the EGP Act is under review, it appears to be an appropriate time to make amendments to address the identified issues.

Option 2 – Make the legislative and non-legislative changes, outlined in section 1, for improvements in processes for sharing of information about students transferring schools.

This option involves making legislative amendments to the EGP Act and EGPR, supported by non-legislative administrative and policy changes, as outlined in section 1, for improvements in processes for sharing of information about students transferring schools.

The proposed changes under Option 2 are:

- amending the EGP Act to require the principal of a student's new school to request a transfer note from the student's previous school within 90 days from when the student has enrolled at the new school;
- amending the EGP Act to require the principal of the student's previous school to provide a transfer note within 10 days, regardless of whether the request for the transfer note is made by another principal or the student (or the student's parent);
- amending the EGP Act to provide that the principal of the student's new school may request a transfer note to any school the student attended in the 12-month period prior to enrolment at the new school; and
- amending the EGP Act to require the principal of the student's previous school to share information with the principal of the student's new school that helps the principal meet their duty of care obligations in relation to the student and the school community.

To further support proactive information sharing for student transfers, it is also proposed to:

- develop related departmental policy guidelines with more guidance on the level and type of information-sharing that is proportionate in assisting a receiving school to meet a student's safety and wellbeing needs, and those of other students at the school;
- amend current state school enrolment form to mandate inclusion of a student's previous school; and
- work with non-state sectors to determine whether details of a student's previous school should be included upon enrolment.

Importantly, these changes address the findings and recommendations of the Royal Commission. They provide for proactive, proportionate, consistent and timely information sharing while balancing the administrative requirements for schools.

The amendments under Option 2 will provide benefits to the community and government, and no impacts on business.

Who was consulted?

The DoE undertook targeted consultation with stakeholders including, unions, principal and parent associations (state and non-state), disability advocacy organisations, legal entities, home education organisations and parents and a range of government departments and statutory agencies on the review of the EGP Act including proposals in relation to sharing of information when a student transfers schools, (as outlined in option 2 in this PIA). Feedback from stakeholders were considered by the DoE to formulate final policy positions.

Proportionate information

There was a diversity of views around the types of information that should be shared. For example, some stakeholders sought additional information be included in transfer notes, such as information about

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charges or convictions to be shared between schools or the sharing of educational and health information.

Some stakeholders raised broader concerns with the current accuracy (including context) of information recorded in, OneSchool, and shared, noting its disproportionate impact on students with disabilities and students from other vulnerable cohorts.

OneSchool is the DoE's software suite that schools use to run safe, secure, sustainable and consistent reporting and administrative processes. OneSchool supports teachers, administrators and students in: student management; curriculum and assessment management; finance and asset management; resource management; and performance, reporting and analysis.

Each Queensland state school student has a secure profile within OneSchool. Individual student information is used by the school to meet its duty of care to all students, and to administer and plan for providing appropriate education and support services.

Other stakeholders supported greater clarification and guidance about the purpose of the transfer note and information to be included, such as mandating the minimum prescribed data to be shared.

Proactive sharing / national context

Stakeholders generally supported the rationale for proactive information sharing. However, there were mixed views about:

- the extent of changes which were required, if at all;
- the need for parental and/or student consent and processes to ensure information is provided in context and is accurate;
- the human rights implications of any changes;
- what information is necessary to be shared to ensure the safety and well-being of students and the school community; and
- enabling the sharing of information to interstate schools ahead of national processes being finalised.

A small number of stakeholders opposed more proactive information sharing based on their current experiences with how information is currently recorded and shared in OneSchool without context or consent, particularly for students with disability or other students from vulnerable cohorts.

As a result, there was mixed support for the proposed changes to facilitate more proactive information sharing, with some stakeholders supporting proposals in their entirety, others qualifying their support as supporting in part, and other stakeholders not supportive of proposed changes.

What is the recommended option and why?

The Royal Commission found that the transfer of a student's relevant information is one of the most significant factors in successful transition to a new school. While the sharing of information between Queensland schools is provided for under the EGP Act via the transfer note provisions, it has been identified by the Royal Commission that the current provisions are not meeting community expectations and legislative amendments are needed to facilitate more proactive and proportionate sharing of information.

For these reasons, Option 2 is considered the best option. This will allow for targeted, focused amendments to the legislation to address the particular issues that have been identified. These amendments can be included in a Bill that is being prepared as part of a broader review of the EGP Act.

Option 1 will not address the current identified issues.

Impact assessment

	First full year	First 10 years**
Direct costs – Compliance costs*	Transfer notes are already employed by state schools, no additional costs likely	Transfer notes are already employed by state schools, no additional costs likely
Direct costs – Government costs	Transfer notes are already employed by state schools, no additional costs likely	Transfer notes are already employed by state schools, no additional costs likely

6. *Education (General Provisions) Act 2006* – Amendments to consent management**What is the nature, size and scope of the problem? What are the objectives of government action?****Summary**

The proposed amendments better facilitate the sharing of personal student and parent/carer information for national projects and activities tied to education funding and to streamline processes for managing consent for the use of approved online services in state schools.

Current legislative frameworks

The EGP Act provides the primary legislative authority under which DoE staff and relevant non-state schools can collect, record, use and disclose student and parent information. Section 426 of the EGP Act imposes prescriptive requirements about how a range of persons can record, use and disclose information and permits limited exceptions to enable disclosure of student and parent/carer information. DoE holds personal information about students and parents/carers from state and non-state schools.

DoE also has obligations under the *Information Privacy Act 2009* associated with how it collects, stores, uses and discloses personal information, with most non-state schools being subject to the requirements of the *Privacy Act 1988* (Cth) (Privacy Act). Section 426 applies to those non-state schools whose governing body is not an organisation within scope of the Privacy Act.

Identification of the problem and justification for proposed amendments*Managing consent for online services*

The operation of state schools is supported by technology solutions which have been privately developed. Examples include enterprise-wide software packages such as Office 365 applications, as well as smaller curriculum-aligned online services (e.g., Mathletics) and school-specific administrative solutions (e.g., library databases, timetabling applications) which may be used by individual schools.

Many of these online services collect personal information about students in order to function, including but not limited to names, birth dates/ages, gender/sex and performance/achievement data. They may also collect organisational data such as student or parent/carer email address, school name, class, year level, teacher name and location.

Use of enterprise-wide applications does not require parent/carer consent, as DoE manages these applications centrally and, where the service is provided by a third-party, negotiates particular privacy protections with the providers at a corporate level. However, individual state schools are using a variety of smaller online services to support teaching and learning. A state school may be using up to 250 or more online services across their student cohort. Use of these online services requires a state school to manage the consent process, ensuring that parent/carer consent is current and actively seeking additional consent as new online services are proposed to be used. To provide informed consent, parents are expected to review information provided by the school (e.g., data that needs to be disclosed and the purpose of using the service) and teachers or school administration staff must manage implications where some parents/carers consent and others do not. The increased use of online services is making this process administratively burdensome for schools to manage.

DoE also provides a centralised Risk Review Catalogue of online services which state schools can access. The catalogue provides individual risk assessments and recommendations for whether and how schools should engage with each online service. This highlights services that should not be used and

What is the nature, size and scope of the problem? What are the objectives of government action?

explains how to minimise the amount of information disclosed to these services. The associated risk assessments are based on nationally agreed criteria for information security, privacy and online safety. These criteria were developed as part of the Safer Technologies 4 Schools Initiative in collaboration with all Australian state, territory, Catholic and independent schooling sectors.

The current parameters of section 426 of the EGP Act do not adequately provide a practical process for the increasing use of online services by state schools. It is proposed to amend the EGP Act to enable the recording, use and disclosure of personal student information by a state school to an approved online service. An approved online service is an online service where the chief executive is reasonably satisfied it has been assessed in accordance with the department's framework for assessing online security of personal information about students of state schools, and for which DoE has a service arrangement with the online service provider. A list of approved online services will be made publicly available, free of charge on the DoE website.

It is proposed that an online service cannot be an approved service if it requires collection of 'sensitive' personal information. If a school intends to use an online service that requires sensitive personal information, schools will continue to be required to obtain parent/guardian consent for disclosure of sensitive personal information to those online services. Sensitive personal information includes: racial or ethnic origin; political opinions or associations; religious or philosophical beliefs; trade union membership or associations; sexual orientation or practices; criminal record; health or genetic information; and some aspects of biometric information.

DoE intends to rely on the safeguards that exist within the *Information Privacy Act 2009* in relation to recording, using and disclosing personal information to approved online services and parents/carers will continue to have the opportunity to opt out.

It is also proposed that DoE guidelines will require each state school to publish and maintain a list of the online services that have been approved for use at the school, to ensure visibility to parents/carers and the school community. Information provided to parents will include: the name and URL of the online service; URL for the Terms of Service and Privacy Policy; purpose of use; data disclosed to service; data hosting location/s; and year levels that use the service.

These changes will streamline processes for how DoE and schools facilitate a safe and efficient process for students to participate in digital learning while ensuring transparency.

What options were considered?

Two options were considered, which are outlined in more detail in section 4.

Option 1 – Maintain the status quo – no legislative change required.

Option 2 – Make the legislative and non-legislative changes outlined in section 1.

What are the impacts?**Option 1 – Maintain the status quo – no legislative change required.**

No legislative amendment is made to the EGP Act and existing arrangements for the use of online services within state schools remain unchanged.

This option maintains the current constraints, where individual state schools are required to obtain and maintain parent/carer consent for every online service used, with the exception of enterprise-wide applications (e.g., Microsoft 365).

Maintaining the status quo would not address those matters identified in section 1 that can be effectively addressed under Option 2. This option does not reduce the increasing administrative burden and impracticalities of obtaining parent/carer consent for the use of every online service at a state school.

It is in the interests of Government to ensure the EGP Act provides a more transparent process for the recording, use and disclosure of personal student information to approved online services.

Option 2 – amend the EGP Act to more explicitly provide a process for the Minister to approve disclosure if personal information about students and their parents for national projects and

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<p>activities tied to Commonwealth funding for schools, and to provide a streamlined process for managing consent for the use of approved online services</p> <p>This option will streamline the processes for student access to and use of approved online services, while ensuring appropriate privacy safeguards. It is anticipated these amendments will significantly reduce the administrative burden currently faced by schools and parents/carers in maintaining parent/carer consent for online services, while maintaining transparency of the online services used by individual schools and increasing protections for personal information of students.</p> <p>The amendments will provide benefits to the community and government. While the amendments will result in providers of online services being required to undergo an assessment by DoE and enter into a service arrangement with DoE to be an approved service, it does not prevent a school using the service if it is not an approved service (it will simply mean the school will be required to obtain parent/carer consent for students of the school to use the service).</p>
Who was consulted?
<p>DoE undertook targeted consultation with stakeholders including, unions, principal and parent associations (state and non-state), disability and advocacy organisations, legal entities, home education organisations and parents, as well as a range of government departments and statutory agencies on the review of the EGP Act including the proposals outlined in option 2 in this impact assessment. Feedback from stakeholders were considered by DoE to formulate final policy positions.</p> <p>Overall, stakeholders supported the intent of the proposals, with strong support for enhanced safeguards for how and when information is shared. One stakeholder was of the view that it would be beneficial to clarify the interaction between the EGP Act and the <i>Information Privacy Act 2009</i>. Other stakeholders were of the view it would be important to ensure parent/carers have ongoing visibility of the online services being used at their child's state school, suggesting different mechanisms for how this might occur, including making a list of approved online services publicly available.</p>
What is the recommended option and why?
<p>The current framework within the EGP Act for the recording use and disclosure of personal information about a student needs to be updated to improve functionality and reflect the contemporary education environment where use of online services to support digital learning and the good order and management of state schools continues to increase.</p> <p>For these reasons, Option 2 is considered the best option. It allows for amendments to update the education legislation to address the identified issues, and ensures the EGP Act remains contemporary and fit-for-purpose. It will have positive impacts on Government and community by improving transparency, online privacy safeguards and streamlining administrative processes for schools and parents/carers.</p>

Impact assessment

	First full year	First 10 years**
Direct costs – Compliance costs*	This will result in a reduction in costs to schools through streamlined management of consent, that cannot be quantitatively assessed	This will result in a reduction in costs to schools through streamlined management of consent, that cannot be quantitatively assessed
Direct costs – Government costs	This will result in a reduction in costs to schools through streamlined management of consent, that cannot be quantitatively assessed	This will result in a reduction in costs to schools through streamlined management of consent, that cannot be quantitatively assessed

7. *Education (General Provisions) Act 2006* – Amendments to School Disciplinary Actions and Enrolment Decisions

What is the nature, size and scope of the problem? What are the objectives of government action?

Summary

The proposed amendments address regulatory issues in relation to school disciplinary absence (SDA) and enrolment decisions. This proposal provides for targeted, measured reform, which can be delivered as part of a review of the EGP Act, and is preferred to the options of maintaining the status quo or undertaking a wholesale review of the regulatory framework in relation to SDA and enrolment decisions.

Current legislative frameworks

Providing an effective, quality education system is a key element in a modern society. The right to education is prescribed in the *Human Rights Act 2019*, and Queensland's education system is underpinned by a strong regulatory framework, with the EGP Act providing for the establishment and administration of state schools (amongst other things)

The EGP Act was made in 2006 and has not been significantly reviewed since. Accordingly, to ensure the legislation continues to be effective, the Department of Education (DoE) is conducting a review of the EGP Act, including the legislation relating to SDA and enrolment decisions.

The ability for principals and the DoE to manage enrolment and behaviour of students in state schools is important to ensuring an effective, functioning state school system. To be effective, there needs to be an appropriate balance of disciplinary options for principals and staff and opportunities for students to maintain schooling. Principals (and, in some circumstances, the chief executive, who usually delegates to particular officers in DoE) have responsibility for SDA and enrolment decisions.

Chapter 12 of the EGP Act provides for the good order and management of state schools, including requirements in relation to suspension, exclusion and cancellation of enrolment. The DoE has policies and procedures for suspension, exclusion and cancellation of enrolment.

Suspension allows for a student to be temporarily prevented from attending the school for a period of up to 10 school days for short suspensions, or from 11 to 20 school days for long suspensions or for an indeterminate period if the suspension is related to a charge. Exclusion means the student's enrolment at a particular school is cancelled.

Additionally, for students who are in the compulsory participation phase, rather than being of the compulsory schooling age (see section 9), their enrolment can be cancelled if their behaviour is considered to amount to a refusal to participate in the education program provided at the school.

Provisions relating to the enrolment of students are located in Chapter 8 of the EGP Act. If a prospective student applies for enrolment at a state school, and lives in the catchment area of the school; or if they live outside the catchment area and there is no enrolment management plan for the school; or if they live outside the catchment area and they satisfy the requirements of an enrolment management plan for the school, the principal is required to enrol them (note: minor amendments are also proposed to enrolment management plans as part of the broader review of the EGP Act).

As part of the review of the EGP Act, consideration has been given to the effectiveness of the processes for: suspension; exclusion; and cancellation and refusal of enrolment. As a result of this consideration, a number of legislative amendments have been proposed to:

- clarify timeframes for decision making and decision-making processes in relation to SDA and enrolments to ensure the processes are consistent with natural justice. Specific prescribed timeframes in relation to suspension, exclusion and cancellation of enrolment decisions and processes are proposed;
- Ensure decision-making is efficient and can be delegated appropriately;
- Allow for appropriate appeals processes for students who are given a short suspension for a significant period of time (that is, more than 11 school days in a calendar year);
- Allow the chief executive to provide education to students who are in the process of having their enrolment refusal considered;

What is the nature, size and scope of the problem? What are the objectives of government action?

- Identify matters a principal or chief executive should consider before making a suspension or exclusion decision; and
- Ensure the chief executive can consider all matters when making a final decision about an enrolment refusal or exclusion.

The objective of government action is to improve educational outcomes for all Queensland students by ensuring the legislation provides for clear, fair, and efficient processes in relation to SDA and enrolment decisions.

What options were considered?

The following options were considered:

Option 1 – Maintain status quo- no legislative amendments required.

Option 2 – Apply targeted legislative amendments where review and consultation has indicated there can be improvements in processes to SDA and enrolment decisions.

Option 3 – Undertake a significant focused review on SDA and enrolment processes and related legislative provisions with a view to undertaking significant reform.

What are the impacts?**Option 1 – Maintain status quo. No legislative amendments required.**

Student disciplinary policies remain unchanged under this option. While, the education system will function, a number of issues that have been identified, such as: inconsistent timeframes for decision making in relation to disciplinary absences; students unable to access school education for significant periods while they await decision outcomes or due to constant suspensions; loopholes where people cancel their child's enrolment to avoid a disciplinary action (suspension); and a variety of other matters will not be addressed.

Maintaining the status quo would have minimal impact on community, Government and business but will not address those matters identified in section 1 that can be easily addressed under Option 2. Given the EGP Act is under review, it appears to be an appropriate time to make amendments to address the identified issues.

Option 2 – Apply targeted legislative amendments where review and consultation has indicated there can be improvements in processes to SDA and enrolment decisions. This option requires minor amendments to the EGP Act to address the issues that have been identified as part of the current review of the EGP Act.

These proposals are intended to make measured amendments to ensure the effectiveness of the legislation and associated processes for: suspension; exclusion; and cancellation and refusal of enrolment. Under this option, amendments to the EGP Act would address the following:

- Clarifying timeframes for decision making and decision-making processes in relation to SDA and enrolments to ensure the processes are consistent with natural justice. Specific prescribed timeframes in relation to suspension, exclusion and cancellation of enrolment decisions and processes are proposed;
- Allow the principal to delegate certain actions in relation to telling a student of an SDA decision (though not making the decision) to a deputy principal or another staff member with a leadership role at the school;
- Allow for parents to appeal accumulated short-term suspension (11+ days);
- Identify matters a principal or chief executive should consider before making a suspension or exclusion decision;
- Allow the chief executive to provide education to students who are in the process of having their enrolment refusal (due to a principal considering that the student may pose an unacceptable risk to the safety or wellbeing of members of the school community) reviewed by the chief executive; and

What is the nature, size and scope of the problem? What are the objectives of government action?

- Ensure the chief executive can consider all matters when making a final decision about an enrolment refusal or exclusion, whether the student makes a submission against the enrolment or not.

These amendments are targeted and would implement minor changes with the intent to improve existing processes by ensuring consistency, fairness, timeliness and efficiency in decision making and actions taken by school leadership and departmental staff in relation to disciplinary enrolment decisions for students and prospective students.

The amendments are intended to reduce the amount of time students may not have access to education due to SDAs and will therefore have a positive benefit to students. The improvement in processes should also aid departmental staff and principals, giving clearer direction on timeframes and allowing appropriate delegation of particular actions to reduce workload on principals.

As a result of the amendments, there will be benefits to the community and government and no impacts on business.

Option 3 – Undertake a review of SDA and enrolment processes and related legislative provisions with a view to undertaking significant reform.

This option would require a focused review of the SDA and enrolment regulatory framework to identify whether any systematic and/or significant changes are required, which is beyond the scope of the current review of the EGP Act. The DoE will continue to monitor the effectiveness of its SDA and enrolment regulatory framework and, if deemed necessary, could undertake such a focused review, which would build on proposed amendments as outlined in option 2.

Who was consulted?

The DoE undertook targeted consultation with stakeholders including, unions, principal and parent associations (state and non-state), disability advocacy organisations, home education organisations and parents, and a range of government departments and statutory agencies on the review of the EGP Act including proposals in relation to SDA and enrolment decisions (as outlined in option 2 in this PIA). Feedback from stakeholders were considered by the DoE to formulate final policy positions.

Overall, there was a variety of opinions in relation to the regulatory framework for SDAs, though there were no stakeholders that opposed the overall reform proposal. The overall intent of the proposals as stated in option 2 were generally supported by stakeholders, though there were differences in opinions in relation to the finer details (eg variance in appropriate timeframes).

Youth advocacy groups tended to support proposals that may reduce the amount of time students are unable to access education or give students greater rights of appeal. Unions and principal's associations tended to support proposals that reduced workload for principals.

For example, some stakeholders were generally supportive of providing greater clarity in relation to timeframes, but some (such as unions) wanted longer prescribed timeframes in particular decision making, whereas others (such as youth advocacy groups) wanted shorter than the suggested timeframes.

There was support for the increased new appeal rights for short term suspensions (if it totals more than 11 school days of suspension in one year) as outlined under option 2. A few stakeholders were of the view the appeal right should be more readily available and that all SDA decisions are appealable to the Queensland Civil and Administrative Tribunal.

In contrast, some unions and principals' associations advocated for more authority for principals, and did not support increased appeals options for students who are subject to suspension.

Principals' associations and unions generally supported the ability for principals to delegate the requirement to tell a student of the decision to impose a disciplinary action.

Some stakeholders (though a minority) wanted consideration of broader reform of the SDA regulatory framework, similar to that proposed in option 3 (while supporting the current proposal), with one youth advocacy group calling for a charter for students' rights.

What is the nature, size and scope of the problem? What are the objectives of government action?**What is the recommended option and why?**

The current school disciplinary and enrolment framework is generally appropriate and operates effectively. Queensland state schools' function across the state and provide quality education to the majority of Queensland school aged children. However, there is a need to consider improvements to ensure that the school disciplinary and enrolment framework continues to function effectively, including ensuring consistent and timely decision making, clarifying roles and responsibilities, enhancing fairness in decision-making and ensuring there is adequate appeal options for students.

For these reasons, Option 2 is considered the best option. This will allow for targeted, focused amendments to the legislation to address issues that have been identified. These amendments can be included in a Bill that is being prepared as part of a broader review of the EGP Act.

Option 1 will not address the current identified issues.

While Option 3 did have some support from a minority of stakeholders, it would take significant time and resources, and any reforms that were made as a result of such a review could not be progressed in the Bill that is to progress the other amendments proposed as part of the current review of the EGP Act. The DoE will continue to explore ways to improve accessibility to review and appeals processes and ensure the effectiveness of the SDA and enrolment processes beyond the current review of the EGP Act, but at this stage believes that Option 2 is the better approach.

Impact assessment

	First full year	First 10 years**
Direct costs – Compliance costs*	The SDA framework is already employed in state schools. No additional costs likely. The amendments do not apply to non-state schools.	The SDA framework is already employed in state schools. No additional costs likely. The amendments do not apply to non-state schools.
Direct costs – Government costs	The SDA framework is already employed in state schools. No additional costs likely. The amendments do not apply to non-state schools.	The SDA framework is already employed in state schools. No additional costs likely. The amendments do not apply to non-state schools.

8. **Education (General Provisions) Act 2006** – Amendments to provide for Student Support Plans**What is the nature, size and scope of the problem? What are the objectives of government action?****Summary**

A key aspect of the review of the *Education (General Provisions) Act 2006* (the EGP Act) was to identify opportunities to strengthen, streamline and modernise the legislative framework. The review considered whether the Act continues to provide contemporary regulation of education in Queensland. A key aspect of the review was to examine the School Disciplinary Absence (SDA) framework.

Decisions by Principals to suspend or exclude a student are considered an option of last resort to respond to behaviour. To provide students who are subject to multiple suspensions or exclusions appropriate supports, and Principals with suitable options to support their decision-making while ensuring the safety of the school community, it is proposed to introduce Student Support Plans (SSP) as an element of the overall SDA framework for particularly vulnerable cohorts (identified below).

SSPs are intended to complement existing approaches with a strengths-based element to support Principals in their decision-making, and provide students and the school community, including teachers, with effective tools to support student behaviour while limiting loss of access to learning for individual students.

Current legislative frameworks

Currently, Part 3 of the EGP Act sets out the framework that enables a Principal to suspend, exclude or cancel the enrolment of children at state schools. Under this Part, a Principal may suspend a student if the Principal is reasonably satisfied that a ground exists for the suspension. Grounds for suspension include:

- Disobedience;
- Misbehaviour;
- Conduct that adversely affects, or is likely to adversely affect, other students;
- Conduct that adversely affects, or is likely to adversely affect, the good order and management of the school; and
- The student's attendance at the school poses an unacceptable risk to the safety or wellbeing of other students or of staff.

Suspensions may be in general not more than 10 school days. However, if on a ground other than a charge-related ground and the Principal is reasonably satisfied that the ground is so serious, the suspension should be for more than 10 school days, but not more than 20 school days.

If on a charge-related ground, until the day the Principal makes a decision under section 288 of the EGP Act (principal must decide whether to exclude student after charge dealt with).

Principals' who suspend students must take reasonable steps to arrange for the student's access to an educational program that allows the student to continue the student's education during the suspension.

SDAs are an established and recognised approach of last resort to address student behaviour in schools. It is important that Principals have the tools necessary to address student behaviour in a way that assists students and parents to understand the obligations of a student when at school, while balancing the education rights of every student.

However, SDAs can have a disproportionate impact on certain students, particularly First Nations students, students with disability or Preparatory students. Students in the first two cohorts may face impediments to learning that do not equally affect the broader student body.

Similarly, Preparatory students commencing their learning journey can be heavily impacted by suspension or exclusion to the extent that their engagement with education is impacted from the start.

The proposed reform is to introduce an additional element to the existing SDA framework, that provides Principals, students and the school community with an integrated approach to managing student behaviour appropriately and effectively, for those in identified vulnerable cohorts.

The objective of government action is to provide alternate approaches to support students in the identified cohorts.

What options were considered?

Non-regulatory options were considered but on balance it was identified that providing decision-makers with clear intent and guidance about approaches to suspensions and exclusions would achieve identified outcomes more effectively.

It is proposed as part of a broader EGP Act Amendment Bill to provide for SSPs to be offered to students in the particular cohorts, including First Nations students, students with disability and Preparatory year students. The amendments will establish a SSP framework as a supporting element to the overall SDA framework.

A SSP will be prepared by the Principal through OneSchool (the Department's school recording and reporting platform). The EGP Act will be amended to provide that the chief executive must make a policy (that is be publicly available on the Department of Education's website) to provide for the making by principals of SSPs for students who have been suspended or at risk of being excluded from a state school, who are also Aboriginal or Torres Strait Islander students, enrolled in the preparatory year, or students with disability.

A SSP will be a written plan designed to reduce the likelihood of further suspension or exclusions. It must provide for the relevant behaviour that caused the suspension or could result in exclusion, the needs of the student and other circumstances that may be contributing to the relevant behaviour, and strategies and support designed to improve the behaviour and protect the school community.

The policy must provide for the circumstances in which a principal must make a student support plan, and which students with a disability a student support plan must be made for. The policy must also provide for the involvement for the involvement of the student to whom the student support plan is about, and the parent of the student, if the student is a child. The policy must also provide for review, duration of the student support plan, and any other action that must be taken when making a student plan for a student with disability to ensure compliance with the Disability Standards for Education 2005 (Cwlth).

The policy may also be about other matters relating to student support plans including: the form of the plan, reviews of plans by the chief executive, periods within which plans must be made and any other matters the chief executive considers appropriate. An amendment will also be made it is not unlawful discrimination on the basis of age or race under the Anti-Discrimination Act 1991 for a principal to refuse to make a student support plan for students who are not Aboriginal or Torres Strait Islander or in the preparatory year.

SSPs are to be reviewed by the Principal no more than six months from when it is first issued. At this point, the SSP may continue, or the Principal may determine that it is no longer required; and if the SSP continues after the initial review, the Principal must review it on a six-monthly basis until they determine it is no longer required.

What are the impacts?

Impacts are expected to be low, with principals and schools already familiar with the application of formal plans for students.

Over time, it is anticipated that the engagement of identified student cohorts within the SDA framework will be reduced.

Delivery impacts are anticipated to be low. state schools already have systems in place to manage plans for students and the requirements will not apply to non-state schools. The opportunity to identify needs and supports for students may require resourcing and support within the department.

The amendments will not apply to non-state schools.

Who was consulted?

Key education stakeholders were consulted including unions, principals' associations, parents' associations, First Nations representative bodies and government departments. Stakeholders broadly supported the intent of the proposed reforms.

What is the recommended option and why?

Amend the EGP Act to provide that the chief executive must make a policy about student support plans.

On balance, it was considered that a legislative option would provide clarity for decision makers, students and parents while supporting an accountable and transparent decision-making framework. The policy will set out that engagement with students, parents, carers or community is essential in the development of plans.

Impact assessment

	First full year	First 10 years**
Direct costs – Compliance costs*	Support plan frameworks are already employed in state schools. No additional costs likely. The amendments do not apply to non-state schools.	Support plan frameworks are already employed in state schools. No additional costs likely. The amendments do not apply to non-state schools.
Direct costs – Government costs	Support plan frameworks are already employed in state schools. No additional costs likely. The amendments do not apply to non-state schools.	Support plan frameworks are already employed in state schools. No additional costs likely. The amendments do not apply to non-state schools.

9. *Education (General Provisions) Act 2006* – Amendments to provide for Parents and Citizens' Associations

What is the nature, size and scope of the problem? What are the objectives of government action?

Summary

The proposed amendments arise from the consultation paper for Parents and Citizens' Associations (P&Cs), which aims to help P&Cs to continue to work efficiently and effectively in partnership with their school principal and community to promote the interests of the school and facilitate its development and further improvement, to achieve the best outcomes for the students; and provide increased clarity about the role and purpose of P&Cs.

Current legislative frameworks

Chapter 7 of the EGP Act provides for the formation, objectives and functions of P&Cs for state instructional institutions in the way prescribed under a regulation. Part 6 of the *Education (General Provisions) Regulation 2017* (EGPR) provides for the prescription of P&Cs. The current P&C provisions of the EGP Act and EGPR have remained substantively unchanged since their introduction.

1) Forming separate P&Cs for schools with multiple campuses

- Section 118 of the EGP Act provides for only one P&C to be formed for each state instructional institution (that is, school, environmental education centre, outdoor education centres).
- However, some schools have multiple campuses which are geographically dispersed, with entirely differently local communities and interests. For these schools, a single P&C representing all campuses may not be appropriate or effective. For example, Tagai State College (Tagai SC) has 17 campuses located throughout the Torres Strait Islands in remote Far North Queensland, stretching some 48,000 square kilometres. Each Tagai SC campus has its own unique community and significant travel would be required for P&C members to physically meet.
- While there is not a great number of schools operating across multiple campuses with significant distance between them, another example is Western Cape College (Western CC) which has two campuses, Mapoon and Weipa campuses.
- Distance, different local issues and interests, and possible concern about fair allocation of P&C funds between campuses could be a major disincentive to parents becoming members of a single combined P&C.
- It is proposed to allow for a principal to provide for the formation of a separate P&C for each campus of a school where the communities of each campus are distinct and geographically dispersed.

2) Enabling donations between P&Cs

- The EGP Act currently does not enable a P&C to donate funds to another P&C and/or school for philanthropic reasons, given funds raised by a P&C may only be used to support the school community for which the P&C is formed to represent.
- Section 121(1)(e) of the EGP Act provides that the functions of an association include giving, or assisting in the giving of, financial or other resources or services for the benefit of persons who receive educational instruction at the State instructional institution for which it is formed.
- Sections 120 and 121(1)(e) preclude a P&C from offering direct support, funding or resources to other associations or schools in need (for example, those that have experienced a natural disaster or fire), despite the express wishes of a P&C and its school community.
- While insurance covers replacement of school and P&C facilities in the event of a natural disaster, there are generally delays in insurance assessments and payment of funds. Following a natural disaster (for example, flooding and/or storms, and bush fires), neighbouring communities' schools, or sister schools (across the state and inter-state), have sought to rapidly respond by providing stationery, books and equipment such as photocopiers to ensure the affected school can resume classes as quickly as possible.
- It is proposed to amend the EGP Act to enable a P&C to donate funds or goods to another school or P&C, in Queensland or inter-state, that may be affected by an adverse event (for example, natural disaster); and the decision to be made by the full P&C meeting (not the executive).

3) Precluding person convicted of an indictable offence from being a P&C Executive Committee or subcommittee member

- An indictable offence is a serious criminal offence which may be prosecuted before certain courts (for example, the Supreme or District Court) by indictment in the name of the Attorney-General or other authorised officer. Such offences can be associated with bodily harm to others, fraud and/or theft.
- Under the EGP Act, there may be an executive P&C committee and also a P&C subcommittee.
- It is proposed to amend the EGP Act to preclude persons convicted of an indictable offence from being a P&C Executive Committee or subcommittee member, in recognition of the additional responsibilities of persons appointed to these roles beyond expectation of an ordinary members, and the potential for those members to become involved in the financial operations of the association.
- There is a similar power in section 93 of the EGP Act establishes that a person cannot become, or continue as, a member of a school council if the person has been convicted of an indictable offence, unless the Minister approves the person's membership. However, there is no similar provision precluding a person who has been convicted of an indictable offence from becoming, or continuing to be, a member or executive officer of a P&C.

The objectives of the proposals are to help P&Cs to continue to work efficiently and effectively in partnership with their school principal and community to promote the interests of the school and facilitate its development and further improvement to achieve the best outcomes for the students; and provide increased clarity about the role and purpose of P&Cs.

What options were considered?

Option 1 – Maintain status quo – no legislative action taken.

Option 2 – Amend the EGP Act in accordance with the proposals outlined in section 1 to help P&Cs to continue to work efficiently and effectively and provide clarity about the role and purpose of P&Cs.

What are the impacts?**Option 1 – Maintain the status quo – no legislative action taken.**

- This option will not require any legislative amendments.
- Schools with multiple campuses will continue not to have a legislative framework to support formation of separate P&Cs to cater for geographically dispersed and diverse communities. Further, while the DoE does not keep a record of all P&Cs across all state schools, the department is aware that some schools currently have multiple P&Cs in response to their diverse community needs.
- P&Cs will continue to be prohibited from donating funds or goods to another or P&C that may be affected by an adverse event (for example, natural disaster), and against the wishes of their school communities.
- A person who has committed an indictable offence may continue to be eligible to a member of P&Cs' Executive committee or subcommittee, roles within P&Cs that have additional responsibilities such as involvement in financial operations of P&Cs.

The impact of option 1 will be that the school community and P&C will continue to operate in an ineffective manner, though recognising that this is not a significant impact.

Option 2 – Make the proposed amendments to help P&Cs to continue to work efficiently and effectively and provide clarity about the role and purpose of P&Cs.

- This option will require minor legislation amendments developed in consultation with targeted education portfolio stakeholders.
- All schools with geographically dispersed campuses will be able to consider and establish multiple P&Cs to provide local representation. This supports greater engagement by parents/carers, knowing their involvement directly supports their child's campus and community.
- Enable P&Cs to be able to donate funds or goods to another school or P&C that may be affected by an adverse event (for example, natural disaster).

- Provide P&Cs with additional safeguards to prevent a person who has previously been convicted of an indictable offence from becoming a member of the P&C Executive Committee or subcommittee;
- This option will improve the operations of P&Cs and have positive impacts on the school community and P&Cs.

Who was consulted?

- The DoE undertook targeted consultation with stakeholders including, unions, principal and parent associations (state and non-state), advocacy and legal organisations, home education organisations and a range of government departments and agencies. Feedback from stakeholders were considered by the DoE to formulate final policy positions.
- The majority of stakeholders who provided a response supported most of the proposals. The proposal that was not supported by at least one stakeholder was a proposal to remove honorary life membership. This proposal is no longer part of the proposed amendments.
- The unions emphasised any changes should not adversely impact on the work of principals, their delegates or the teaching workforce and should not add to the responsibilities of a principal.

What is the recommended option and why?

While it is considered the current regulatory framework for P&C's is generally working well, it is considered timely as the EGP Act is being reviewed for those amendments be made to:

- help P&Cs to continue to work efficiently and effectively in partnership with their school principal and community to promote the interests of the school and facilitate its development and further improvement, to achieve the best outcomes for the students; and
- provide increased clarity about the role and purpose of P&Cs.

For these reasons, Option 2 is considered the best option. This will allow for targeted, focused amendments to the legislation to address issues that have been identified. These amendments can be included in a Bill that is being prepared as part of a broader review of the EGP Act.

Option 1 will not address the current identified issues.

Impact assessment

	First full year	First 10 years**
Direct costs – Compliance costs*	Zero	Zero
Direct costs – Government costs	Minimal. Supporting guidelines will be developed	Minimal. Supporting guidelines will be developed

10. *Education (General Provisions) Act 2006* – Amendments to State Delivered Kindergarten

What is the nature, size and scope of the problem? What are the objectives of government action?

Summary

Kindergarten programs in Queensland are currently delivered by long day care services, community kindergartens and in some cases, delivered by the state school sector.

State schools are regulated by the *Education (General Provisions) Act 2006* (the EGP Act). In addition, depending on the number of children registered, when delivering kindergarten programs, schools must also comply with the National Quality Framework (including the *Education and Care Services National Law* (National Law), Regulations and the National Quality Standards (NQS), or the state-based *Education and Care Services Act 2013* (ECS Act) (Qld)).

Both regulatory frameworks set out requirements for qualifications, health and safety, staffing ratios and approved learning programs. The quality assurance system for kindergartens is the National Quality Standards. These standards are a national benchmark for early childhood education and care and include seven quality areas that support outcomes for children. Each kindergarten which is in scope of the National Law is assessed and rated against the NQS, and kindergartens are given a rating for each of the seven quality areas and an overall rating based on these results.

In Queensland, the Department of Education ensures state schools continue to drive improvement through a school review process. Schools are reviewed against nine domains of the National School Improvement Tool (NSIT) with findings captured in reports that are shared with the school community and used to ensure continuous improvements which further improve outcomes for children.

This dual review system for teachers and school leaders in schools that deliver kindergarten programs under the National Law is problematic. Leaders are required to respond and report through two different systems. This places an administrative burden that results in increased workload, increased cost and a potential negative impact on teaching and learning.

The preferred approach is to exclude Queensland state schools delivering a kindergarten program from the Education and Care National Law and Regulations and the ECS Act, rather placing these responsibilities within the EGP Act. To continue to ensure quality in the early years of schooling, the NQS will be embedded into the current school improvement process. This integrated review process will continue to drive improvement in Queensland state schools for children living in rural and remote Queensland.

Current legislative frameworks

The Education and Care Services National Law and Regulations outline the legal obligations of an approved provider, nominated supervisors and educators and sets a standard for children's education and care across Australia. The Department of Education is the Regulatory Authority for these services under the NQF and the services must meet the standards set out in the NQS.

State schools delivering a kindergarten program already adhere to regulations and standards as outlined in the EGP Act. Kindergarten programs delivered by state schools in Queensland are subject to complex regulatory standards placing additional administrative burden on schools and impacts on teaching and learning.

Kindergarten services that fall within scope of the ECS Act are only required to comply with minimal standards in requiring that: an adult must operate the service, any occupant of the premises must not be a disqualified person, the service must have insurance cover and there must be no more than 4 children participating in the kindergarten program.

This problem is best addressed through a simplified regulatory framework for kindergarten programs delivered by state schools that embeds the best practice quality standards of the NQS and is aligned to the state-wide school review process. Embedding the NQS in the school-based assurance process also provides continuity and learning for children in the early years of school (K-2) and allows the standards to be applied up to Year 2 supporting the quality practices and continuity in the early years of schooling.

The policy problem to be address by this proposed reform is to ensure there is a consistent legislative approach to regulating school-based kindergarten. The current arrangements to not address this problem due to their complexity and differing legislative approaches.

Moving to a school-based quality assurance for kindergartens delivered by state schools will contribute to the Queensland Government's commitment under the National Partnerships Agreement to improve outcomes and facilitate quality education programs in early childhood, including for children in remote areas of Queensland.

This change would also contribute to the Queensland Government's Advancing Queensland Priorities (AQP) target 'give all children a great start' by reducing the percentage of Queensland children who are developmentally vulnerable in one or more Australian Early Development Census (AEDC) by 22%, by 2025.

This is particularly relevant given 86.3% of state-delivered kindergartens are in remote or very remote locations and 40.5% of children living in very remote locations were developmentally vulnerable in 2018, compared with 24.8% in major cities where the majority of kindergarten is delivered by private providers and regulated by the NQF.

What options were considered?

The impact of the following options is considered in section 4:

Option 1 – No action

- Does not address the problem.

Option 2 – Enshrine quality aspects within policies and guidance for state schools delivering kindergarten programs

- Kindergarten programs delivered by state schools would continue to operate with different levels of quality. Option is feasible as quality aspects could be enshrined within policies and guidance but there would be no monitoring of these standards and are not enforceable.

Option 3 (preferred) – Consolidate regulatory requirements for state schools delivering kindergarten programs into the education legislation and embed national quality standards into school-based assurance systems.

Exclude all state schools delivering kindergarten programs from the *Education and Care Services National Law* (National Law), Regulations or the *Education and Care Services Act 2013* (ECS Act) (Qld) and consolidate all regulatory requirement into school education and legislation.

Consolidating all regulatory requirements for kindergartens delivered in state schools into school education legislation, the EGP Act, is feasible. Similar models exist in Western Australia and Tasmania. The option also ensures a consistent and high level of quality that can be extended into the early years of school (P-2) through embedding the national quality standards into the current school-based assurance system

What are the impacts?

Option 1 – Status quo

No change is not acceptable as it does not address the problem, and there are feasible options available to government.

Option 2 – Enshrine quality aspects in policies and guidance

Under this option, there will be no change to current legislative arrangements and the department would update or draft policies and guidance to enshrine quality requirements within existing policies of state schools that operate a kindergarten program.

The costs in implementing this option would be solely borne by government and would be minimal but so would the benefits. Existing regulatory requirements would limit the level of quality that could be included within policies or guidance resulting in not much change.

For these reasons, this option does not address the policy problem.

Option 3 – Consolidate regulatory requirements for state schools delivering kindergarten programs into the education legislation and embed national quality standards into school-based assurance systems.

Under this option, legislative changes would be made to the EGP Act to consolidate regulatory requirements for state schools to deliver kindergarten programs, and to meet the NQS through a school-based assurance process. There would be age-appropriate requirements in the EGP Act to account for kindergarten children

and NQS embedded into the existing school improvement processes that apply to children from kindergarten to Year 2.

Embedding the NQS in the school improvement process for kindergarten programs delivered by state schools will see an improvement and consistency in the quality-of-service provision, particularly for services currently within scope of the ECS Act. For example, there are no requirements for kindergarten services in scope of the ECS Act to deliver a quality program or to develop relationships with children, families or the community, both of which are included as quality standard in the NQS.

Updating the EGP Act will impose a financial and human resources cost for the department in terms of consultation, formulation, implementation, evaluation and maintenance of the amended regulation. It is difficult to quantify any additional financial costs for this option. State schools may experience a short-term burden in implementing the NQS through the school improvement model as state schools adapt to new requirements. Extending the NQS to Year 2 children also raises the quality standards in the early years. The findings from a NQS trial conducted by the department, which has embedded the NQS into the school improvement model in a small number of schools is expected to be available in December 2019. This is likely to provide evidence that demonstrates the benefits of embedding the NQS in the early years of school outweigh the upfront and ongoing implementation costs.

Consolidating the kindergarten services delivered by state schools into the EGP Act would mean some existing services will no longer be in scope of the NQF. These services would not be assessed and rated by a Regulatory Authority or receive a quality rating. The impact is neutral as the same standard, the NQS, would be embedded within the school improvement model and achieve the same result. The standard of services currently within scope of the ECS Act would improve through a more consolidated regulatory system.

There may be some sensitivity with the State implementing different regulatory arrangements for kindergarten in state schools than the rest of the sector, e.g., the long day care and standalone kindergarten services. In Queensland, LDC services provide approximately 73% of approved kindergarten programs, and 23% of programs are provided by standalone kindergarten services. These are non-government services and consist of a mixture of for-profit, not-for-profit and independent school providers.

Independent schools may also want the option to implement a school-based approach to the regulation of their kindergarten services through the non-state school accreditation legislation. A preliminary analysis of the costs of implementing this approach on the department in sufficiently resourcing the accreditation board would outweigh any additional benefit. Further, there would be significant implications on competition due to the proximity of independent schools that deliver kindergarten programs to privately owned providers.

A final consideration is the sector's potential concerns with the State moving to different requirements for kindergartens in state schools and the impact on competition in the market. The delivery of kindergarten in state schools is currently limited to either a state school that provided this service immediately before the commencement of the regulation or a prescribed school approved by the Minister (s419A, EGP Act). There are specific circumstances that must exist for a state school to deliver kindergarten, such as where there is no kindergarten program available within a 50km radius.

Who was consulted?

A number of stakeholders will be impacted and/or interested changes to the regulatory requirements for kindergarten programs delivered by state schools including:

- Early Childhood Education and Care Peak bodies such as Australian Childcare Alliance (QLD) and other large long day care providers that provide kindergarten programs, e.g., Goodstart
- Central Governing Bodies which administer kindergarten funding on behalf of the Department, noting the department has held initial consultations and will continue to consult with:
 - C&K Qld
 - Lady Gowrie Queensland
 - Queensland Catholic Education Commission
 - Queensland Lutheran Education Queensland
 - Independent Schools Queensland
- School principals of schools with state-delivered kindergarten

- Kindergarten teachers in state-delivered kindergarten
- Isolated Children's Parents' Association (ICPA) and children and families living in rural and remote areas
- Queensland Association of state School Principals (QASSP)
- Queensland Teachers' Union (QTU)
- United Voice
- Local elders and Aboriginal and Torres Strait Islander community representatives

What is the recommended option and why?

The recommended option is Option 3 as it best addresses the policy problem and achieves the government's objectives without a significant impact on stakeholders.

A school-based approach to regulating quality of kindergarten programs delivered by state schools is a cost effective and efficient approach that retains the NQS standards and supports continuous improvement to the quality of education and care in the early years of state schools. This is achieved by leveraging existing administrative and school-based processes and consolidating legislative requirements.

Consolidating legislative requirements for school delivered kindergartens under the one piece of legislation, the EGP Act, and leveraging existing administrative and school based services is a cost effective and efficient approach that retains the NQS standards and supports children's continuity of learning and development through the early years of schooling.

Impact assessment

	First full year	First 10 years**
Direct costs – Compliance costs*	<p>The amendments streamline the current regulatory framework and deliver a reduced regulatory burden. It is expected that compliance costs on SDK will be reduced over time.</p> <p>The complexity of the current framework does not support quantitative assessment.</p>	<p>The amendments streamline the current regulatory framework and deliver a reduced regulatory burden. It is expected that compliance costs on SDK will be reduced over time.</p> <p>The complexity of the current framework does not support quantitative assessment.</p>
Direct costs – Government costs	<p>The amendments streamline the current regulatory framework and deliver a reduced regulatory burden. It is expected that compliance costs on SDK will be reduced over time.</p>	<p>The amendments streamline the current regulatory framework and deliver a reduced regulatory burden. It is expected that compliance costs on SDK will be reduced over time.</p>

11. *Education (General Provisions) Act 2006* – Amendments to home education**What is the nature, size and scope of the problem? What are the objectives of government action?****Summary**

The proposed amendments include range of policy positions to enhance the regulation of home education and streamline aspects of the home education registration process by:

- requiring the child or young person’s educational program to be consistent with an approved curriculum, and a summary of the educational program to be provided at the time of application for registration, to ensure the child or young person has immediate access to a high-quality program;
- removing the separate time-limited provisional registration application, to provide for a single and simplified home education registration process;
- removing the certificate of registration and associated obligations;
- extending the age eligibility to enable a child to be registered for home education until 31 December in the year the child turns 18, consistent with the schooling sector; and
- prescribing timeframes for internal review processes related to home education decisions in business days rather than school days, to avoid unnecessary delays.

Current legislative frameworks

Home education has been a feature of education in Queensland for decades, and became a formal, regulated, education alternative to enrolment at a state or non-state school for compulsory-aged children in Queensland under the repealed *Education (General Provisions) Act 1989*. Queensland current home education legislative framework was reformed and established in 2006 under the EGP Act with subsequent minor amendments made to provide responsive assistance for home education families.

Since then, there have been minor amendments made to provide responsive assistance for home education families. The current review of the EGP Act provides an opportunity to modernise the regulatory framework for home education, and the review has identified a number of potential reforms. A summary of the issues identified and the proposed response is below.

1) Streamlining the dual application process into a single process

- The EGP Act currently provides for two separate application processes: provisional registration (section 207) and registration (section 208). Further, section 208 also provides for provisional registration prior to registration (that is, full registration). In addition, section 229 provides that a child cannot be provisionally registered or registered for home education while the child is enrolled at a state or non-state school.
- The eligibility requirements under sections 207 and 208 may lead to confusion as parents may be unsure about which type of registration to pursue in the first instance, when a school enrolment should be ceased, and if an application for home education can be made while a child is enrolled at school. Parents may fear being in breach of the EGP Act compulsory enrolment and attendance requirements during the application process if their child’s enrolment or attendance ceases while an application for home education is being made.
- In relation to the section 207 application, there is no limitation on the number of applications that may be made (noting that under this section there is no requirement for an educational plan to be provided for the child, nor any reporting by the parent on how the educational plan is implemented). Consequently, there is potential for a child to spend periods of time provisionally registered without an education plan being in place, nor any ability for the DoE to undertake any oversight on the educational program being provided to the child. This creates a risk that the child may not be receiving a high-quality educational program.
- It is proposed to remove the ability to apply for the existing time-limited provisional registration (under section 207), leaving a single application process for full registration under section 208. It is also proposed to require that the application must be accompanied by a summary of the educational program to be used for the child, otherwise the application cannot be made, to ensure the child has immediate access to a high-quality education and streamline the application process.

2) Requirements for educational program

- The objects of the EGP Act (section 5) include that a high-quality education be made available to every Queensland child or young person that will help maximise the child's educational potential, and enable the child to become an effective and informed member of the community.
- The EGP Act requires parents to provide a summary of the educational program to be used for home education of their child, ensure their child will receive a high-quality education and submit a report that demonstrates a high-quality education has been provided, but does not outline the requirements for the educational program. In the absence of legislative clarity, DoE provides high level guidance to parents about the meaning of high-quality education through policies and procedures and the Approved Form for Application for Home Education.
- The lack of clarity makes it difficult for parents to determine if the educational program they are proposing to use is appropriate, and for decision-makers (that is, the DoE as the regulator) to deliver consistent and confident statutory decisions and minimise compliance costs.
- It is proposed to require that the educational program must be:
 - suitable for the child having regard to the child's age, ability, aptitude and development;
 - consistent with an approved education and training program (the Australian Curriculum or Queensland Curriculum Assessment Authority syllabus for senior subjects, and may include a vocational education and training course); and
 - provide the child with a comprehensive course of study in a diverse range of subjects or learning areas, including English and mathematics.
- It is also proposed to require that if a child's registration ceases for any reason and a subsequent application for registration is made within 12 months of the registration ending, the application must also be accompanied by a written report that evidences the educational progress for the child during the period the child was registered.

3) Removing Certificate of Registration

- Under section 214 of the EGP Act, if the chief executive decides to grant an application for the registration of a child for home education, they must issue a Certificate of Registration (Certificate) for the child to the applicant that includes: the child's name and date of birth; the address of the child's usual place of residence; the names of the child's parents; and any conditions of registration.
- A parent is provided with a written notice of registration decision that attaches the Certificate.
- There are also obligations under the EGP Act on parents to return the Certificate in certain circumstances, namely within:
 - 14 days of receiving an information notice about conditions of registration. On receiving the certificate, the chief executive must issue another certificate to the parent to replace the returned certificate (section 220);
 - 28 days of registration being cancelled (section 226); and
 - 28 days of registration being surrendered (section 227).
- Noting that parents already receive a written notice of registration from the department, the issuing of separate Certificates of Registration, and oversight of Certificate returns and replacements, are obsolete and unnecessary administrative processes. These processes also place an unnecessary obligation on parents with little benefit. The notice of registration will be able to be used in place of the Certificate as evidence of registration.
- It is proposed to remove the requirement to issue a Certificate of Registration. Instead, the notice of registration will include the information previously included in the Certificate. Consequently, the requirements for the chief executive to issue a new Certificate if any conditions of registration change, and for a parent to return the Certificate (when conditions of registration change or the registration is surrendered or cancelled), will also be removed.

4) Calculation of time periods for internal review decisions

- The EGP Act provides the time periods for internal review decisions are to be calculated in school days, however, the home education sector does not run on school terms. This can create delays in the time

taken to finalise internal reviews and expose a child to an extended period of time without access to a high-quality education. The reason for using school days to calculate these time periods is unclear.

- It is proposed to change the time period for calculation of days for internal reviews regarding home education reviews to days (instead of school days).

5) Age of eligibility

- In 2008, the EGP Act was amended to increase the start of the compulsory school age to at least 6 years and 6 months, and less than 16 years (section 9 of the EGP Act). This subsequently means students may be turning 18 years (rather than 17 years) during the year they undertake Year 12.
- However, the age eligibility for provisional registration or registration for home education (section 206(b)) means a child is ineligible to continue to undertake their home education as soon as they turn 18 years. While the student may continue to receive a home education, they are not formally registered which will make them ineligible to access certain educational resources and services.
- It is proposed to amend the EGP Act to align the age of eligibility for home education registration with students attending a state or non-state school.

What options were considered?

Two options have been considered, outlined in more detail in section 3.

Option 1 – Maintain status quo – no action required.

Option 2 – Make amendments to the legislation to respond to the issues identified in section 2 and in the way proposed in section 2.

What are the impacts?

Option 1 – Maintain status quo

1) Application process

- Confusion caused for parents by two application processes will remain unresolved, which contributes to parents' fears of noncompliance with the EGP Act's compulsory enrolment and attendance requirements.
- No limitation or safeguards on the number of applications that may be made or additional requirements regarding repeat applications, where a high-quality education was not provided during a previous registration period or report about the education

2) Requirements for educational program

- Existing issues with a lack of legislative clarity on the requirements for the educational program to be used by a child for home education may continue, making it difficult for parents to determine if the educational program they are proposing to use meets the standard of a high-quality education, and for decision-makers to make consistent and confident statutory decisions, as well as minimise costs for compliance.

3) Issuing of a Certificate of Registration

- Regulatory burden remains on parents to return a Certificate of Registration to the chief executive in certain circumstances.

4) Calculation of time periods for internal decisions

- Potential delays in the time taken to finalise internal reviews will continue, placing a child at a greater risk of extended periods of time without access to a high-quality education.

5) Age of eligibility

- Although a child who is 18 years is not prevented from being home educated, they cannot currently be registered for home education at this age and this may mean they are ineligible to receive the same student discounts, and some types of financial assistance that are available to a student ('student' means enrolled in a state school or registered for home education) or the parent of the student.

Option 2 – making the following amendments to the legislation, as detailed above:

- requiring the child or young person’s educational program to be consistent with an approved curriculum, and a summary of the educational program to be provided at the time of application for registration, to ensure the child or young person has immediate access to a high-quality program;
- removing the separate time-limited provisional registration application, to provide for a single and simplified home education registration process;
- removing the certificate of registration and associated obligations;
- extending the age eligibility to enable a child to be registered for home education until 31 December in the year the child turns 18, consistent with the schooling sector; and
- prescribing timeframes for internal review processes related to home education decisions in business days rather than school days, to avoid unnecessary delays.

Who was consulted?

The DoE undertook targeted consultation with stakeholders including, unions, principal and parent associations (state and non-state), disability advocacy organisations, home education organisations and a range of government departments and statutory agencies on the review of the EGP Act including proposals in relation to home education regulation (as outlined in section 2 in this PIA). The DoE also undertook targeted consultation with over 5000 parents who have a child or children registered or provisionally registered for home education in relation to the home education reforms,

Feedback from stakeholders were considered by the DoE to formulate final policy positions.

A summary of the stakeholder feedback is below:

- Of the 606 online form responses submitted through the survey online portal by parents: 112 supported the proposals in full; 260 supported the proposals in part; 182 did not support the proposals; 38 had no views; and 14 provided no answer. The ‘no answer’ responses included commentary but did not indicate the level of support for the proposals.
- All of the home education service providers (except one) did not support or supported in part the proposed amendments. One home education service provider expressed support for many of the proposed reforms (except sampling of reports and reporting on implementing the plan) and provided a contradictory view to the other home education service providers on most of the key proposals.
- Government agencies were mainly in support of the proposals or the support was qualified with a condition.
- Other stakeholders were mainly in support of the proposals or supported in part. One education stakeholder did not support any of the proposals in the paper on the basis there needed to be further analysis regarding the reason for an increase in home education registration.

As noted above, the final policy positions have taken into account the consultation feedback and some changes were made to address those issues made. Much of the views opposing the proposals were based on the view by home education parents (and the service providers) that parents should be able to determine what is appropriate for their child regarding the educational program and a high-quality education. However, the proposal will allow for sufficient flexibility and autonomy for the parent while ensuring a clear standard of education consistent with the schooling sector.

What is the recommended option and why?

The preferred option is **option 2** because it includes a range of amendments that will modernise, streamline and strengthen the home education regulatory framework, to improve efficiency and effectiveness of home education as a viable and appropriate alternative to education in a school setting.

Impact assessment

	First full year	First 10 years**
Direct costs – Compliance costs*	<p>Initially the proposed reforms may result in an uplift in time for parents and providers to adapt to the changes.</p> <p>Over time, the majority of amendments should result in a reduced regulatory burden, and should result in reduced costs.</p> <p>The amendment to align home education program with approved curricula may result in costs for some parents or providers who do not already align their educational programs accordingly.</p> <p>No quantitative assessment is achievable.</p>	<p>Initially the proposed reforms may result in an uplift in time for parents and providers to adapt to the changes.</p> <p>Over time, the majority of amendments should result in a reduced regulatory burden, and should result in reduced costs.</p> <p>The amendment to align home education program with approved curricula may result in costs for some parents or providers who do not already align their educational programs accordingly.</p> <p>No quantitative assessment is achievable.</p>
Direct costs – Government costs	<p>DoE will see an uplift in communication and advice as parents and providers adapt to the changes. Over time, it is anticipated that this may decrease as the sector becomes familiar with the new requirements.</p> <p>No quantitative assessment is achievable.</p>	<p>DoE will see an uplift in communication and advice as parents and providers adapt to the changes. Over time, it is anticipated that this may decrease as the sector becomes familiar with the new requirements.</p> <p>No quantitative assessment is achievable.</p>

SIGNED



Director-General
Department of Education

Date: 14/11/23



Minister for Education
Minister for Industrial Relations and
Minister for Racing

Date: 16/11/2023