

~~It is important to remember that the primary focus of the Ipswich Women's Centre Against Domestic Violence is to provide a direct service to women and children who are survivors of domestic and family violence by means such as telephone information, offering referral and support services, providing court support for women, counselling services and group work and, of course, children's work.~~

## EDUCATION LEGISLATION AMENDMENT BILL

### First Reading

**Hon. GJ WILSON** (Ferny Grove—ALP) (Minister for Education and Training) (12.03 pm): I present a bill for an act to amend the Child Care Act 2002, the Education (General Provisions) Act 2006, the Education (Queensland Studies Authority) Act 2002 and the University of Queensland Act 1998 for particular purposes. I present the explanatory notes, and I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.

Motion agreed to.

Bill read a first time.

*Tabled paper:* Education Legislation Amendment Bill.

*Tabled paper:* Education Legislation Amendment Bill, explanatory notes.

### Second Reading

**Hon. GJ WILSON** (Ferny Grove—ALP) (Minister for Education and Training) (12.04 pm): I move—

That the bill be now read a second time.

This bill has four objectives: to enable the publication of information about child-care services that contravene the legislation; to give students studying Queensland syllabuses at overseas schools the opportunity to be eligible for Queensland senior school qualifications; to enable the Queensland Studies Authority to develop, purchase, revise, approve and accredit kindergarten guidelines; and to make a minor amendment to the University of Queensland Act 1998.

One of the most important aspects of this bill is to increase the information available to parents about child-care services in Queensland. The Bligh government is committed to openness and transparency and believes it is vital that parents have access to crucial information about services such as schools and child-care centres. Parents expect high standards from those who care for their children, and these proposed amendments to the Child Care Act 2002 are designed to reassure parents that centres are meeting those high standards.

The majority of licensees of child-care services provide quality care and comply with the legislation. However, parents have a right to know when services fail to meet their obligations under child-care laws or expose children to serious risks to their safety or wellbeing. These are the operators that are targeted in this bill.

We already set high standards by monitoring centres through the Office for Early Childhood Education and Care. Under the Child Care Act 2002, authorised officers have a range of powers: for minor and moderate noncompliance, a compliance notice may be issued; for more serious noncompliance, the chief executive may decide to refuse to renew, amend, urgently amend, revoke, suspend or urgently suspend a licence. Wherever possible, officers work with the relevant service to remedy any issues, without the need to issue compliance notices or take more serious enforcement action.

In 2008-09 we made 8,334 monitoring visits across the state. This by far exceeded the departmental performance target of 2,496 visits for that year. The results of the visits revealed a high level of compliance, with only 76 compliance notices issued to 66 services. It is fair to say that the vast majority of licensed services provide safe and suitable care to children. However, I am determined to send a strong message to the minority of licensees who commit serious or repeated breaches of the act that this is not acceptable. The bill will enable the publication of information on the internet about how these services have contravened the legislation so that the information is easily accessible by parents. This will apply in cases of serious noncompliance. It will also apply in cases of repeated noncompliance which are not minor matters.

The amendments will apply to licensees of licensed centre based child-care services, for example long day care services and kindergartens. The amendments will also apply to licensed home based child-care services—that is, family day care services. In addition, the amendments will apply to stand-alone care services, where care is provided to not more than six children. These services are generally offered by people providing child care to just a few children in their family home. Whilst these services are regulated and required to meet set standards, they are not required to be licensed. However, these

services will be subject to the same publication scheme as they are providing care to children under school age.

Cases are considered serious noncompliance when the chief executive has decided to amend, urgently amend, suspend, urgently suspend, revoke, or refuse to renew a licence for a child-care service. Examples of serious failings may include: allegations of harm of a child at a licensee's service; a building used to house children found to be structurally unsound; or a history of noncompliance with legislation and standards.

Matters considered to be repeated noncompliance mean that a licensee, or a person conducting a stand-alone service, has received more than one notice within a three-year period for contraventions that posed more than a minor risk to the wellbeing and safety of children. Examples for licensed services may include: uneven ground in outdoor play areas that presents a tripping hazard to children playing in the area; staff with insufficient qualifications; or poor hygiene practices that could present a risk of infection.

Under this proposal the information will remain published on the website for one year in the case of repeated noncompliance, and for three years where there has been serious noncompliance. If the child-care service's licence is transferred to a new owner, the information will generally be removed from the website. It is important to strike a balance between ensuring services are viable and ensuring parents have easy access to important information about those they entrust with the care of their children.

017 I now turn to the second objective of this bill. My department has identified an opportunity in the international education market to provide Queensland's years 11 and 12 syllabuses to overseas schools. The amendments in this bill will give eligible students at approved overseas schools the chance to receive Queensland senior school qualifications including the Queensland Certificate of Education and a statement of results.

The proposed amendments to the Education (General Provisions) Act 2006 will enable an overseas school to become a 'recognised school'. This will allow the relevant Queensland legislation to apply to that school by giving the school legislative status.

Consequently, the Education (Queensland Studies Authority) Act 2002 will be amended to allow the Queensland Studies Authority to provide certain services to recognised schools. This would include opening of student accounts, carrying out moderation and assessment and issuing relevant documents including the Queensland Certificate of Education and statement of results.

The bill also provides for the minister to give the Queensland Studies Authority a written direction about material containing intellectual property. This might include a direction about granting of a licence to the state or the payment of moneys. The amendment will allow the state of Queensland to provide Queensland syllabuses to high-quality overseas schools, usually on a commercial basis. Under the amendments the sale of commercial intellectual property generated by the Queensland Studies Authority will be undertaken by the minister and not by the authority, to remove any potential conflict of interest in the authority's performance of accreditation functions for commercial competitors.

The bill also makes important amendments to the Education (Queensland Studies Authority) Act 2002 allowing the Queensland Studies Authority to develop, purchase, revise and accredit kindergarten guidelines. One of the drivers for these amendments is the Bligh government's commitment to provide a kindergarten program for all 3½- to 4½-year-old children as part of the Toward Q2: Tomorrow's Queensland initiative.

In addition, the Early Years Learning Framework was released by the Council of Australian Governments, COAG, on 2 July 2009. The Early Years Learning Framework provides a broad guide for the education of children from birth to five years. The Early Years Learning Framework is likely to be mandated by COAG through a national quality standard so the Queensland kindergarten guidelines will need to align with this framework.

The Bligh government understands that early childhood education is crucial to a child's future success at school and in life. That is why we are investing in rolling out an extra 240 kindergarten services state-wide, working towards universal access to quality kindy programs taught by four-year trained or registered teachers with early childhood qualifications.

These amendments are another way in which the Bligh government is meeting its commitments in early childhood education. These changes will allow us to increase access to vital information about child-care services for parents and ensure that children are getting the best quality care. It also ensures that as they move into kindergarten they are able to access quality early childhood programs in line with the proposed national standards. I commend the bill to the House.

Debate, on motion of Dr Flegg, adjourned.

~~STATE PENALTIES ENFORCEMENT AND OTHER LEGISLATION AMENDMENT~~