


Education (General Provisions) and Other Legislation Amendment Bill 2024

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The [REDACTED], who are employees of the Queensland Department of Education, submit the following submission on the *Education (General Provisions) and Other Legislation Amendment Bill 2024* ('the Bill'). We appreciate the Bill recognises the increasingly complexity in schools, and the importance of ensuring the right supports are in place in schools to support Principals and staff, and to provide appropriate protection for students. We acknowledge the Bill provides principals of state schools the power to delegate certain actions in relation to telling a student of a suspension to a head of school, deputy principal or other staff member with a leadership role, which will allow staff to manage workload and suitable communication when principals are not able to facilitate that communication. However, other proposed amendments in the Bill do not seem to demonstrate trust of principals and other leaders to make decisions regarding school-disciplinary absences (SDA), and undermine principals as key decision-makers in schools to make decisions with the best interests of the student and school community in mind. Further, some of the proposed amendments seem to impose greater administrative workload on school staff, negatively impacting the actual and practical support and time spent to support students when behaviour concerns have resulted in a school disciplinary absence. We request the Bill be amended to remove the new appeal rights and the mandated requirement for *student support plans* for particular student groups.

New appeal rights

Principals and school staff are very aware of the time-consuming nature of an appeal against a SDA. At a time when human resources should be invested in supporting a student's transition back to the classroom and when teacher shortages due to already overwhelming demands to manage student behaviour exist, staff will be required to exert substantial energy into appeal procedures. Schools currently work with families to communicate the reasons for the decision to impose a SDA, and principals, as best practice, consider other support avenues prior to making these decisions. The introduction of further appeal rights does not support schools in managing and supporting student behaviour and should not be implemented.

Further, the Bill does not demonstrate the Government has adequately considered the impact of these new appeal rights on the administrative workload for principals and schools, and, although the Honourable De Farmer repeatedly referred to greater support for principals in her *Explanatory Speech*, the Government has not adequately considered how to fund the support required for schools. Page 13 of the *Education (General Provisions) and Other Legislation Amendment Bill 2024: Explanatory Notes* indicates the intention of the Government to provide possible staff training and development of support materials to communicate the changes to stakeholders, and to respond to inquiries from principals regarding the new appeal rights; however, the *Explanatory Notes* refer to meeting any potential costs from existing budget allocations, with no consideration of the increased administrative workload for schools and workload impact for school staff in the costs of implementation. The new appeal rights will effectively remove existing support from students and divert those resources to facilitate procedural and administrative paperwork.

Principals need to be supported and trusted to make decisions regarding SDAs based on the available resources in the school, and to have the ability to use resources to support all students in the school. The current Bill restricts the ability for Principals to allocate resources based on student need, given human resources will potentially be redirected to appeals based activities, which are time consuming, and which generally necessitate extensive legal knowledge and skills, which Principals, Deputies and other leaders are not provided professional learning opportunities to develop.

Student support plans

Mandating re-entry *student support plans* also neglects to recognise the existing extensive work schools do to support students successful return to the school and classroom. This support is provided to students in a range of ways, and should not be legislated as a specific re-entry process. When support for re-entry is provided by teachers in the normal operation of their teaching duties, with support based on individual student need and available resources, schools have the flexibility to ensure the process of support is genuine. We recognise the SDA data demonstrates the overrepresentation of First Nations students and students with disability in this data; however, the introduction of mandated *student support plans* at this juncture places a negative connotation on the support plan, rather than supporting schools to create and implement student support plans through the existing support plan processes. Addressing the support needs of students is considered by staff prior to a SDA, and in supporting the student's return to school. Investing support in schools to strengthen these existing support plans for students would result in proactive, positive support for these students.

Further, schools provide extensive support for students in Prep and work through transition programs to ensure the school is ready to support new Prep students. There are already existing processes to provide support plans for Prep students who are absent due to SDA as these needs are identified.

Concerns regarding the motivation for the new appeal rights

New appeal rights are not necessary to ensure procedural fairness for students, nor do they provide a basis for educating principals and the chief executive on decision-making. These factors can be achieved without unreasonably increasing the workload of school staff, which would be the case if the new appeal rights are permitted. It appears the Bill seeks to deter principals from making decisions to suspend students, in order for the Department of Education to demonstrate greater reduction in SDAs. The Queensland Government's education strategy, *Equity and Excellence: realising the potential of every student*, focuses on SDAs as a priority support measure; the proposed amendments in the Bill deter principals from imposing SDAs to achieve this priority support measure, without actually addressing the behavioural concerns resulting in the SDA and resources needed to further support behaviour within schools, and thus the Bill does not actually improve access to learning to maximise student learning days in schools.

Concerns regarding misuse of the student Transfer Note

Whilst we agree the sharing of information between schools is useful to provide continuity of care and support for students, we express concerns to the Committee about the potential misuse of the Transfer Note information to refuse enrolment. We note the Bill provides for the principal at a student's new school to request the Transfer Note after enrolment of the student; however, we raise concerns that principals may request parents and/or students obtain the Transfer Note to submit to the new school prior to enrolment, and this may provide a basis for the information to be used to refuse enrolment when the needs of the student, or the student's behaviour support needs, are deemed too extensive, or deemed not to be appropriate for the school/school reputation. We submit the Committee should consider how these proposed provisions can be strengthened to better protect vulnerable students.

The Honourable De Farmer refers quite a few times to the Bill improving the level of support for school staff and principals but the Bill seems only to add to workload, without any clear support. With the shortage of teachers in schools, this increase in workload does not help to support any of the stakeholders in schools, especially for our students.