

To:

Ms Rosemary Menkens MP

Chair

Education and Innovation Committee

Parliament House

George Street

BRISBANE QLD 4000

Queensland Teachers' Union of Employees
Submission to Education and Innovation Committee
Education Legislation Amendment Bill 2012

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1. Lack of Consultation

The Queensland Teachers' Union (QTU) is concerned by the limited consultation the government engaged in. As a major stakeholder in the Education sector, the QTU is surprised and worried that the government chose not to consult with it or any other union affected by the proposed legislative changes.

The Bill's 'Explanatory Notes' outline the consultation process the government engaged:

The Isolated Children's Parents' Association, representing children residing in remote locations, and the School of Distance Education Alliance, representing parents of school children enrolled in distance education programs, have been consulted on the proposal for delivery of an e-kindy program by State Schools of Distance Education. The QCT has been consulted on the amendments to the QCT Act. The Queensland Catholic Education Commission and Independent Schools Queensland have been consulted about the amendments to the mandatory reporting provisions.¹

The number of agencies consulted indicates the government had adequate time to consult with the QTU if it chose to do so. Consultation should have included the QTU. Consultation with the QTU should be standard practice when constructing legislation that affects teachers, as has been the practice in the past.

¹ Education Legislation Amendment Bill 2012: Explanatory Notes: "Consultation", page 7)

2. E-kindy

The Queensland Teachers' Union (QTU) supports the introduction of a state-wide E-kindy program. The QTU however has concerns regarding how enrolment in E-kindy will be classified and how this will impact on staff entitlements within schools. Clause 14, section 419H states:

"419H Status of children registered in programs

'A child registered in a distance education pre-preparatory learning program provided by a school is not, for this Act –

(a) a student of the school; or

(b) enrolled at the school; or

*(c) enrolled in a program of distance education at the school.'*²

The QUT believes that a child participating in a distance education program being provided by a school should be considered enrolled in that school.

² Education Legislation Amendment Bill 2012, Part 3 Amendment of Education (General Provisions) Act 2006, page 11)

3. National Professional Standards for Teachers

The Queensland Teachers' Union (QTU) would like to make the following two submissions regarding part 4 of the Education Legislation Amendment Bill 2012 Bill.

Ministerial Approval

The QTU opposes the proposed requirement of Ministerial approval before the Queensland College of Teachers (QCT) is able to adopt, develop or amend professional standards. This requirement attacks the independence of the QCT. The QCT must remain free from political control if it is to fulfil its role effectively and maintain the confidence of the community and the teaching profession.

The QTU proposes removing *"with the approval of the Minister"* from clause 21, 235 (b), so that it would read:

"(b) adopt or develop standards other than the national professional standards"

National Professional Standards

The QTU must be consulted prior to any adoption or implementation of National Professional Standards (NPS) in Queensland.

Any adoption or implementation of NPS in state schools should only occur within the confines of a joint implementation agreement with the QTU. The Department of Education and Training Teachers' Certified Agreement 2010 and the Joint Department-QTU statement on Professional Standards makes it clear that changes to professional standards shall only occur with agreement between the parties. Any attempt to implement NPS in state schools, without QTU approval, would constitute a breach of the provisions of the certified agreement, including the no further claims provision.

4. Mandatory Reporting of Sexual Abuse

The Queensland Teachers' Union (QTU) supports the Bill's proposed changes to the Education and Training Legislation Amendment Act 2011. The QTU understands that these changes will ensure the original intention of the 2011 Act is enacted and upheld.

5. Anniversary Letters

The Queensland Teachers' Union (QTU) supports the proposal to remove of the requirement for the Department to send anniversary letters to children under 17, who have been permanently excluded, advising them of their right to seek revocation of their exclusion.

The QTU notes that the Bill's 'Explanatory Notes' states that this proposal will "*enhance support for front line educational services*"³. Unfortunately the QTU had not been invited to participate in the Bill's consultation process and is therefore unaware of the details behind this statement. The QTU therefore proposes that the government provide details of the ways support of front line educational services will be enhanced.



Daniel Bevis
Acting Industrial Advocate

Authorised by:



for
Graham Moloney
General Secretary

³ Education Legislation Amendment Bill 2012: Explanatory Notes: "Anniversary letters", page 4)