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‘Earn or Learn’ – The Youth Participation in Education and Training Bill 2003 and the Training Reform Bill 2003 (Qld)

The Youth Participation in Education and Training Bill 2003 (Qld) was introduced on 19 August 2003. From 2006, it will be compulsory for young people to remain at school until they have completed Year 10 or turn 16, whichever occurs first. The Bill creates a new ‘compulsory participation’ obligation for young people to undergo defined education or training options, or obtain paid employment for at least 25 hours per week, for a further two years, or until they obtain a Senior Certificate or a Certificate III, or until they turn 17. Exemptions and dispensations will be provided. The Training Reform Bill 2003 (Qld) was introduced on the same day to complement the Youth Participation Bill.

The two Bills provide a framework for flexible arrangements to tailor an educational or vocational program to each young person’s needs, recognising that the normal, often academically focussed, learning curriculum does not suit all students.

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1 INTRODUCTION

A young person of the 21st century no longer lives in a world where they can leave school at 15 with few qualifications and obtain employment, acquiring the necessary skills with on-the-job training. The prospects for school leavers today are less promising if they do not possess high levels of skills and qualifications and the capacity for life long learning. The proportion of 15-19 year olds not in full-time jobs or full-time learning in Australia in May 2003 was approximately 15%.

The Youth Participation in Education and Training Bill 2003 (Qld) (the Youth Participation Bill) was introduced into the Queensland Parliament on 19 August 2003 by the Hon Anna Bligh MP, Minister for Education. From 2006, it will be compulsory for young people to remain at school until they have completed Year 10 or turn 16, whichever occurs first, extending the existing compulsory attendance requirements under the *Education (General Provisions) Act 1989* (Qld). The Bill creates a new 'compulsory participation' obligation for young people to undergo defined education or training options, or obtain paid employment for at least 25 hours per week, for a further two years, or until they obtain a Senior Certificate or a Certificate III, or until they turn 17. Exemptions and dispensations will be provided. The Bill also provides a framework for flexible arrangements to tailor an educational or vocational program to each young person's needs, recognising that the normal, often academically focussed, learning curriculum does not suit all students.

The intention of the reforms is to address the fact that 10,000 or more young people aged 15 to 17 are not in school, training, or work and to enable all young Queenslanders to have the means of participating fully and equitably in the future of the State.

The Training Reform Bill 2003 (Qld) was introduced on the same day by the Hon M J Foley MP, Minister for Employment and Training and Youth and Minister for the Arts, to complement the Youth Participation Bill.¹ It seeks to enable young people to choose the learning pathway that is most suited to their needs, recognising that it is not always the traditional schooling pathway, thereby providing support through the 'compulsory participation' phase. The Bill also gives effect to nationally agreed standards in vocational education and training to improve consistency across jurisdictions in matters such as recognition of decisions regarding registration of organisations and implements model clauses to underpin the Australian Quality Training Framework.

¹ On 9 September 2003, a motion that the above Bills be treated as Cognate Bills was put and agreed to by the Legislative Assembly.

Both Bills seek to facilitate the involvement of the whole community in the lives of young people and recognise the importance of the Ministerial Declaration *Stepping forward; improving pathways for all young people*.

The Bills are the culmination of widespread consultation over 18 months, commencing in March 2002 with the Queensland Government's *Green Paper* 'Queensland the Smart State – Education and Training Reforms for the Future' followed by a *White Paper* 'Queensland the Smart State – Education and Training Reforms for the Future' in November 2002. Consultation drafts of both the Youth Participation in Education and Training Bill and Training Reform Bill were released in July 2003.

A number of policy documents are available on the Education Queensland website at <http://education.qld.gov.au/etrf/pubs.html>. Some of the issues explored in this Brief are also considered in the Queensland Parliamentary Library publication *The Education (Queensland Studies Authority) Bill 2001: Recognising the Importance of Education, Vocational Education and Training on Student Retention Rates*.²

2 PROSPECTS FOR EARLY SCHOOL LEAVERS

The national unemployment rate for July 2003 was 6.2%.³ The proportion of 15-19 year olds not in full-time jobs or full-time learning in May 2003 was approximately 15%.⁴

Year 11 and 12 retention rates have increased since 1994 but have remained relatively static since 1998.⁵ Australia Bureau of Statistics (ABS) figures show that, nationally, the Year 12 apparent retention rate for 2002 was 69.8% for males and 80.7% for females. For Queensland that rate was 77.4% and 85.5% respectively, compared with 87.1% and 89.1% for the ACT; 64.9% and 75.1% for NSW; and 73.4% and 88.7% for

² Wayne Jarred, Queensland Parliamentary Library, RBR 2002/04, February 2002.

³ Australia Bureau of Statistics (ABS), *Labour Force, Australia*, cat no 6202.0, July 2003, at <http://www.abs.gov.au/>

⁴ Dusseldorp Skills Forum (DSF), Dr Richard Curtin, Aboriginal and Torres Strait Islander Services, *How Young People are Faring – Key Indicators 2003*, DSF, Sydney, 2003, p 8 Table 1 (derived from ABS, *Labour Force, Australia*, cat no 6202.0, Table 7, May 2003). At <http://www.dsf.org.au>

⁵ DSF, *How Young People are Faring – 2003*, pp 23-24.

Victoria.⁶ Thus, Queensland compared favourably with other jurisdictions in retaining students in senior years.

However, Queensland did less well in terms of education participation rates for students aged 15-19 at 72.5%. That was below the national rate of 77.3% and well below Victoria at 82.6% and NSW at 78.9%.⁷

In 2002, 7.2% of unemployed Queenslanders aged 15-64 had completed Year 12 compared with 11% who had not. Across Australia, 7% of those persons who finished school were unemployed compared with 10.3% who had not.⁸

When compared internationally, Australia has a low rate of completion of upper secondary education. The level of attainment of Australian males (aged 25-64) ranked 18th out of 30 OECD countries in 2001 and is similar to the United Kingdom, France and the Netherlands but below that of the USA and Canada. For females, Australia ranked 21st out of 30 countries.⁹

While there appear to be difficulties with the reliability of the available data, it was found that the proportion of 19 year olds who have completed Year 12 or obtained any post secondary qualification was 76% in 2000 (the latest official figures available). Queensland ranked 3rd with 73% of 19 year olds in this category.¹⁰

A recent Report by the Dusseldorp Skills Forum (DSF), *How Young People are Faring – Key Indicators 2003*, has provided an update about the learning and work situation of young Australians.¹¹ The Report noted that while improved economic

⁶ ABS, 'Australian Social Trends 2003 – Education and training: State summary tables, *Australia Now*.

⁷ ABS, 'Australian Social Trends 2003.

⁸ ABS, 'Australian Social Trends 2003.

⁹ DSF, *How Young People Are Faring – 2003*, p 25.

¹⁰ DSF, *How Young People Are Faring – 2003*, pp 24-25, citing Ministerial Council on Education, Employment, Training and Youth Affairs (MCEETYA), *National Report on Schooling in Australia 2000*, Table 5.4. The figures may have some inaccuracies.

¹¹ The DSF is an independent, not for profit body established in 1988. It cooperates with communities, industry, government and non-government organisations to generate ideas, research, tools and information which will improve the learning and work transitions of young Australians. Its work was referred to by the Hon M J Foley MP, Minister for Employment Training and Youth and Minister for the Arts in his Second Reading Speech, Training Reform Bill 2003 (Qld), *Queensland Parliamentary Debates*, pp 2923-2926, p 2924.

conditions since the early 1990s have increased the work prospects of early school leavers, 15% of teenagers have not been in full-time learning or work for the past decade. For young Indigenous people, the situation is worse with 45% of teenagers not in full-time work or education in 2001.¹²

The DSF Report drew from ABS data and other sources¹³ to make the following findings (see esp Summary at p 4) –

- as of May 2003, 85% of Australian 15-19 year olds were in full-time study or employment but 14.9% were not, continuing the trend of the past 10 years; and around 25% of 18 and 19 year olds were not in full-time study or employment;
- 45% of Indigenous teenagers were not in full-time study or work in 2001;
- full-time employment for 15-19 year olds has dropped by 6.9% since 1995;
- the persistently highest proportion of teenagers not in full-time education or work are found in Queensland (the highest at 18.3% in 2003), South Australia (17.3%); Western Australia (16.9%);
- while economic conditions have improved since the early 1990s, 28% of early leavers and 11% of school completers still have a significantly troubled transition;
- Australia's proportion of young persons 'at risk' of not making a successful transition to full-time work is high compared to other comparable OECD countries. Australia ranks 15th in the proportion of 20-24 year old males not in education and not in the work force;¹⁴
- the proportion of unemployed young adults not completing upper secondary education was 16% in 2001, compared with 7.3% of secondary school completers who did not go on to tertiary education. For tertiary graduates, the unemployment rate was 1.7% in 2001;¹⁵

¹² DSF, *How Young People Are Faring – 2003*, p 4.

¹³ Including the Productivity Commission's *Report on Government Services 2003*, using unpublished 2001 ABS data. The DSF noted the difficulties with lack and unreliability of certain data currently available on certain aspects studied, and the lack of tracking of young people's transitions.

¹⁴ DSF, *How Young People Are Faring – 2003*, p 31, Table A4, derived from Organisation for Economic Cooperation and Development, (OECD), *Education at a Glance 2002*, Table C5.1a.

¹⁵ DSF, *How Young People Are Faring – 2003*, p 23, citing OECD, *Education at a Glance 2002*, Table C5.2.

- on a brighter note, 29% of Year 10 school leavers went on to another education provider, particularly TAFE; and around 68% of 15-19 year olds not in education are in either traditional apprenticeships or the New Apprenticeships.¹⁶

The DSF Report also noted results from the Australian Council for Education Research's (ACER),¹⁷ *School Leavers in Australia: Profiles and Pathways*, Longitudinal Survey on Australian Youth Report which it considered to be broadly consistent with its own findings about what happens to school leavers after leaving school, especially the transition process. The DSF findings were that, in May 2003, 49% of Year 10 school leavers or below and 36% of Year 11 school leavers were not in full-time learning or work five months after leaving school compared with 18.7% of those completing Year 12. The ACER Survey results (tracking young people from 1995-2000) indicated that about 27%-30% of their sampled early leavers in any given year were not in full-time study or work in the following year. Indeed, 28% of non-Year 12 completers were having difficulty making a successful transition to full-time employment compared to 11% of those finishing Year 12.¹⁸

The DSF Report concluded that more needed to be done by all levels of government to improve education, work, and training opportunities for young people, with the Commonwealth Government playing a key role.¹⁹

The ACER *School Leavers in Australia* Report did find that almost half of those early leavers who did not complete Year 12 studied did go straight into a positive outcome and remained there. However, almost a quarter have initial difficulties but then move to full-time work or study. The ACER findings revealed –

- the recent trend for part-time work for school leavers does not necessarily translate into full-time employment, with only 44% of such school leavers able to make the transition in 1999;

¹⁶ DSF, *How Young People Are Faring – 2003*, p20, citing National Centre for Vocational Education Research statistics. New Apprenticeships is a Government program that provides financial incentives to employers who employ and train apprentices. It combines practical work with structured training to give you a nationally recognised qualification.

¹⁷ ACER has monitored post-school experiences of secondary students since the 1970s on behalf of the Commonwealth Department of Education, Science and Training, with much of its research focussing on transitions between education, training and work.

¹⁸ DSF, *How Young People Are Faring – 2003*, p 15, citing ACER, *School Leavers in Australia: Profiles and Pathways*, Longitudinal Survey on Australian Youth, Report No 31, 2003, pp 53-54, http://www.acer.edu.au/documents/lsay_31_print.pdf

¹⁹ DSF, *How Young People Are Faring – 2003*, p 26.

- recent school leavers completing an apprenticeship were more likely to find work than other school leavers but those completing traineeships had an unemployment rate greater than for other school leavers;
- taken together, the results indicate that during the late teen years, non-completers are not unequivocally worse off than school completers who do not enter higher education but do tend to experience less successful transitions;
- the policy implications were that education and training re-entry strategies and support for entry into full-time work and training are required.²⁰

The apparent gain for Australia is a growth in GDP of 0.28% if there is a 10% increase in completion rates at school or equivalent in vocational education over the next 5 years.²¹

Moreover, there are acknowledged social gains derived from a better educated, skilled, and employable population in terms of greater tax revenue, savings in unemployment benefits, improved health, improved crime rates, and better ability to process and access information. Persons with higher educational outcomes are more likely to volunteer and be socially and politically engaged.²² The effects of an ageing population will be marked by a higher tax burden on the next generation and there must be enough workforce participants at that time to meet those obligations. The Australian Treasury *Intergenerational Report* noted that there are just 15 years to establish measures, including raising education and skills, to check the growing tax burden and drains on government expenditure that are to come.²³

Growing numbers of people are completing work related training courses, particularly vocational education and training (VET) programs. VET is education and training for work and assists in achieving nationally recognised qualifications. It is led by industry and packages are developed under the framework of the Australian National Training Authority (ANTA).

²⁰ DSF, *How Young People Are Faring – 2003*, pp 16-17, citing tables from ACER, *School Leavers in Australia: Profiles and Pathways*, Longitudinal Survey on Australian Youth, Report No 31, 2003, http://www.acer.edu.au/documents/l say_31_print.pdf

²¹ DSF, *How Young People Are Faring – 2003*, p 26, citing a number of Reports including Allen Consulting Group, 'The Economy wide Benefits of increasing the Proportion of Students Achieving Year 12 Equivalent Education: Modelling Results', report to the Business Council of Australia', BCA, Melbourne, January 2003.

²² DSF, *Honouring Our Commitment – a Policy Paper About Realising Australia's Commitment to Young People*, November 2002, p 6.

²³ Treasury of Australia, *Intergenerational Report*, Budget Paper No 5, p 1.

Note, however, that participating in some further education or training does not necessarily lead to completion. It appears that less than half of those entering vocational programs do not finish their module and 30% do not successfully complete half their modules.²⁴ If the estimated number of around 43,000 or so early school leavers who do not participate in any further study or training is combined with the 14,000 (roughly representing the 30%) that do not finish half their modules, this means that there could be almost 60,000 young people who fall short of achieving Year 12 or equivalent. A DSF commissioned Report *Realising Australia's Commitment to Young People – Scope, Benefits, Cost, Evaluation & Implementation* adopts the 'conservative' position that at least 50,000 young people are in this category but that the real figure is likely to be higher.²⁵

2.1 INDIGENOUS YOUNG PEOPLE

The proportion of Indigenous teenagers aged 15-19 not fully engaged in work or study is three times that of non-Indigenous people with 45% falling into this category in 2001.²⁶ In Queensland, 42% of 15-19 year old Indigenous teens were not in full-time education or employment in 2001, compared with 18% of non-Indigenous persons.²⁷

It was interesting to note that, contrary to the fact that Australia as a whole faces an ageing population, for Indigenous people, the situation is reversed with a rapidly growing young population. This highlights the need for greater opportunities for work, training and study to be provided for Indigenous people, particularly if poverty, welfare dependence and other disadvantages are to be addressed effectively.²⁸

The DSF Report noted that population labour market characteristics seemed to be set by around 30 years of age, emphasising the need to focus on the younger age groups for increasing education and work opportunities for Indigenous people and addressing poor

²⁴ Applied Economics Pty Ltd, *Realising Australia's Commitment to Young People – Scope, Benefits, Cost, Evaluation & Implementation*, DSF, November 2002, p 21, citing *Young Persons in Education and Training Outcomes, With Special Reference to Early School Leavers*, unpublished report prepared for the Business Council of Australia and the DSF, 2002.

²⁵ Applied Economics Pty Ltd, *Realising Australia's Commitment to Young People*, p 21.

²⁶ DSF, *How Young People Are Faring – 2003*, p 35. The DSF Report provided information derived from a detailed Table request from ABS using the 1996 and 2001 census.

²⁷ DSF, *How Young People Are Faring – 2003*, p 48, Table 13.

²⁸ DSF, *How Young People Are Faring – 2003*, p 36.

rates of retention in high school. While there have been modest improvements in those Indigenous young people in full-time education, the data indicates that those who do not remain in education face increasing likelihood of unemployment.²⁹

The Report comments that effective progress through education and transition to work is crucial in maximising the opportunities and for overcoming some of the profound disadvantages facing Indigenous young people and communities. Those young people in urban, regional and remote areas face a level of risk of disconnection from learning and employment three times greater than non-Indigenous young people.³⁰

3 WHY DO YOUNG PEOPLE DROP OUT?

There have been a number of studies and surveys conducted to examine the reasons why young people do not complete secondary schooling. The recent Report commissioned by the Dusseldorp Skills Forum, *Realising Australia's Commitment to Young People*, considered a range of factors associated with early school leaving.³¹

3.1 NOT ALL EARLY LEAVING IS NEGATIVE

At the outset, it needs to be acknowledged that not all early leaving is negative. If a young person enters vocational training or an apprenticeship, that may be a good outcome.³² In addition, some early leavers may be travelling for a period before looking for work, or are engaged in part-time work for 30 hours or so and getting on the job training. Thus, when considering reasons for, and influences on, early leaving by young people, the focus is on those teenagers who drop out of school and, after a period of time, do not engage in any further education or training nor obtain full-time employment. Those young people are considered to be 'at risk' of not making a successful transition to full-time work.

²⁹ DSF, *How Young People Are Faring – 2003*, p 47.

³⁰ DSF, *How Young People Are Faring – 2003*, p 35.

³¹ Applied Economics Pty Ltd, *Realising Australia's Commitment to Young People*, pp 19-20.

³² R Teese, *Early Leaving in Victoria – Geographical Patterns, Origins and Strategic Issues*, Educational Outcomes of Research Unit, Melbourne University, March 2002, p 5.

3.2 REASONS FOR LEAVING EARLY

It is not always positive or productive for a young person to be enrolled at school but detesting every minute. They are likely to skip classes, be disruptive when there, and have a negative attitude to their studies. The academic stream may not provide a suitable environment for all young people, particularly those who have no desire to attend university. Alternatives are needed to cater to individual and diverse needs without compromising the integrity of qualifications obtained.³³ Lack of options and difficulty in coping with the traditional learning environment are often cited as reasons why a student leaves school early.³⁴

So, what does influence non-completion of school for young people? The DSF *Realising Australia's Commitment to Young People* and other studies, including an academic paper *Early Leaving in Victoria*, set out some factors –

- if the curriculum is found to be difficult or narrowly focussed on university as a goal, satisfaction with school drops and this will contribute to leaving as soon as possible. Around 20% of Year 10 boys who are high achievers see school as a 'prison' but, among low achievers, over 40% feel this way. For low achievers in small towns and rural areas, the feeling of being incarcerated is even more pronounced;³⁵
- the most frequently given reasons for early leaving in a 2000 survey of Victorian teenagers who left school during or at the end of Year 11 were, first, wanting to get a **job** or an **apprenticeship** (especially among boys at 74%, and 52% of girls); second, lack of interest in school work (>40%). The third most nominated reason was wanting to undertake **VET** (31% girls, 23% boys);³⁶
- another, but less common, reason cited in the 2000 survey was **non-achievement** (22-25%) indicating that most early leavers do not see themselves as low achievers (only a minority nominated this as a reason) but also shows that struggling at school can contribute to wanting to leave. However, those who leave earlier than Year 11 are more likely to say that not doing well caused them to want to leave. Other

³³ R Teese, *Early Leaving in Victoria*, p 5.

³⁴ R Teese, *Early Leaving in Victoria*, p 6, citing a number of studies.

³⁵ R Teese, *Early Leaving in Victoria*, pp 20-21, citing a 1996 survey of Year 10 Queensland students.

³⁶ This and the next three bullet points taken from R Teese, *Early Leaving in Victoria*, pp 25-26, citing ANTA Centre for Post Compulsory Education and Training, *Early Leavers Survey 2000*.

factors were **poor relations with teachers** (15%); **financial** reasons (5-7%); **health** reasons (11% girls; 3% boys);

- ‘school related’ factors (low achievement, not getting along with teachers) tends to increase in importance the younger the school leaver. It appears that the longer students remain in school the less frequently they cite not doing well or non-rapport with teachers as reasons for leaving and are more likely to nominate work motives. This may indicate a need to address ‘school related’ issues at earlier points in secondary schooling (middle schooling strategies);
- other research has shown that early school leaving is strongly related to past performance at school with top achievers being 7 to 8 times more likely to finish Year 12 than those in the lowest quartile of achievement. Those performing badly in the literacy and numeracy test in Year 9 were more likely to leave early than higher achievers;³⁷
- intentions to leave school appear weaker among students in capital city and urbanised areas and greater in provincial and regional areas, which might be an indicator of the differences in ways of life between those areas. In rural and remote areas, the number planning to seek work was the greatest.³⁸ The 2001 ABS Census of Population and Housing revealed that 46% of 15 to 19 year olds in inner regional areas and 40.5% in outer regional areas had completed Year 12, compared with 62% in major cities;³⁹
- socio-economic status may be an influence where, in working class families, there may be economic pressures to leave school and earn money as well as family assumptions and expectations of early entry into the workforce;⁴⁰
- students with parents in low skilled jobs or with little formal education are more likely to leave school early, particularly those with parents in manual employment, than those with parents from a professional background;⁴¹

³⁷ DSF *Realising Australia's Commitment to Young People*, p 20, citing a number of studies.

³⁸ R Teese, *Early Leaving in Victoria*, p 18, citing 1996 survey of >17,000 Year 10 Qld students.

³⁹ ABS, ‘Australian Social Trends 2003 – Education and training: Regional differences in education and outcomes’, *Australia Now*.

⁴⁰ R Teese, *Early Leaving in Victoria*, p 20.

⁴¹ DSF *Realising Australia's Commitment to Young People*, p 20, citing G Marks & Fleming, *Early School Leaving in Australia: Findings from the 1995 Year LSAY cohort*, Research Report 11, ACER, Melbourne, 1999.

- for students with extra demands on their time, such as in farming areas, curricula in upper secondary school that is focused on exams and academic achievement may seem unmanageable and makes the tendency to leave at the end of Year 10 more likely.⁴²

3.3 GOING ON TO VOCATIONAL EDUCATION AND TRAINING

Many early leavers do proceed to some recognised form of VET soon after leaving school. The likelihood of attaining a place in a program appears to improve with each year of school completed. The following reasons have been nominated for a school leaver not undertaking more studies or training –

- for boys, the major factors (accounting for about 40%) are that study or training is not relevant; they do not have time; or they are not ready. The most cited reason is lack of relevance, yet many unemployed school leavers indicate that employers seem to want Year 12 or they do not have a school certificate. Those who say they are not ready may indicate an unwillingness to engage in a environment which they might perceive as similar to school where there was not clearly defined benefit;⁴³
- for girls, the most nominated reasons were they were not ready, followed by lack of time and then by cost constraints.⁴⁴

The following observations were made in the *Realising Australia's Commitment to Young People* Report (only a few are provided here). For the remainder, see p 24 of the Report) –

- many students cannot afford private training colleges;
- many early leavers do not have the skills for TAFE and many TAFEs do not have the ability or inclination to deal with poorly educated or unmotivated students;
- employers may have a wide choice of available young people and not all may successfully secure a place with an employer. Moreover, some employers may be reluctant to take on apprentices without sufficient incentives and subsidies.

The *Realising Australia's Commitment to Young People* Report believed that these findings have strong implications for the delivery of a national Year 12 or equivalent

⁴² R Teese, *Early Leaving in Victoria*, p 20.

⁴³ R Teese, *Early Leaving in Victoria*, p 34.

⁴⁴ R Teese, *Early Leaving in Victoria*, pp 345-36.

education. There needs to be appropriate incentives to students undertake further education and for institutions to take on the lower achieving students. It also noted that Year 10 was an essential basis for achieving a Year 12 level of education and that students are often 'lost' by Year 7 or 8. Among other conclusions (see p 24) were that schools and VET providers need to offer courses that appeal to early school leavers; students likely to drop out early need to have mentoring, vocational guidance and other 'pathways' provided. However, for some early leavers, labour market programs may be a better and more appropriate alternative pathway into employment rather than more institutionalised learning.

4 GOVERNMENT POLICIES AND STRATEGIES

A 1997 study said that the question for Government in addressing early school leaving is the extent to which schools are capable of providing support and assistance as part of the normal mainstream processes, or whether special initiatives are needed. It noted that if there was a very small (eg 2-3%) number of students 'at risk' of dropping out, then most schools can cope and assist those young people directly. If the number of potential early leavers is larger, there is much less ability for the school to manage alone.⁴⁵

A number of Nordic and European countries have led the way in education and training initiatives for young people. For example, legislation in the Netherlands obliges local authorities to cooperate with employment services to provide programs tailored to each young person's needs and incorporates youth guarantees. The United Kingdom has a *New Deal Program* that requires persons aged 18-24 to participate in designated educational or employment programs. The Irish Government also requires long term unemployed 18-19 year olds to obtain a job or undergo training if they wish to keep government benefits.

For well over a decade Australian Governments have expressed a commitment to provide all young people with Year 12 levels of education or equivalent vocational education and training. In 1991, the Finn Report to the Government indicated the importance of 12 years of learning.⁴⁶ In 1992, the then Prime Minister's *One Nation* policy recognised that goal. The 1996 *Working Nation* policy committed the Commonwealth Government to achieve higher youth employment through its Youth Training Initiative which assisted young people to search and train for work.

⁴⁵ M Brooks et al, *Under Age School Leaving – A report examining approaches to assisting young people at risk of leaving school before the school leaving age*, National Youth Affairs Research Scheme, 1997, p ix.

⁴⁶ D Finn, *Young People's Participation in Post-Compulsory Education and Training*, 1991.

The DSF *Realising Australia's Commitment to Young People* Report noted the range of strategies by state and federal Governments to address issues of non-completion of Year 12 or equivalent; non-participation in or non-completion of vocational training courses; and unemployment. The examples provided include (see p 26) –

- the Commonwealth, Queensland, Victorian Full Service Schools programs and Enterprise Education in NSW which aim to increase retention rates by strengthening the curricula options for students preparing for TAFE or work and by providing more flexibility for students combining part-time work and study;
- the Queensland Vocational Placement program which aims to increase participation and completion of vocational course by providing support services to younger and more vulnerable students;
- the Commonwealth Job Pathways program; Victorian Pathways Project and the Managed Individual Pathways program which seek to provide better case management and transition brokerage for students moving between work and TAFE;
- the Job Network and Centrelink that facilitate access to jobs through job search training and incentive assistance;
- the Commonwealth Job Placement, Commonwealth Community Support Program; New Apprenticeships Access Program; the Queensland Community Employment Assistance Program which seek to develop pre-vocational skills and employability of students who are at risk of being unemployed;
- the Commonwealth apprenticeship and traineeship programs, State apprenticeship schemes that develop more on the job training with or without TAFE or institutional training;
- Commonwealth Work for the Dole program; Queensland's Breaking the Unemployment Cycle program; Community Development Employment projects which augment active labour market programs through public programs or subsidising private employers;
- Disabled Apprentice Wage Support and the Disability Employment Assistance Program to assist the disabled;
- the Youth Allowance/Mutual Obligation Initiative policies which encourage work and education.⁴⁷

⁴⁷ DSF *Realising Australia's Commitment to Young People*, p 26. Not all policies, schemes, and programs of the states and Commonwealth are provided here.

The Commonwealth spends around \$660m each year in programs and projects to encourage and assist young people in making the education to work transition.⁴⁸ While the Report noted the difficulties in finding complete lists of definitive state work transition programs, it was estimated that total annual expenditure by the states was around \$300m inclusive of education and labour market programs. It considered, also, that Victoria had been fairly dynamic in its youth transition schemes, particularly its education programs. It has also introduced the Victorian Certificate of Applied Learning as an alternative to the Victorian Certificate of Education where senior secondary students can engage in alternative learning.⁴⁹ Some states are piloting re-entry certificates designed for people who wish to return to education and training.

Despite the myriad of programs and policies, students still drop out early. It has been found that 15% of students are still discouraged from full-time education, training or employment and only a small number of students participate in school based apprenticeships. Also, the partnerships between schools and TAFEs have not been provided with sustainable funding. Funding is also an issue for personal support and assistance programs for students. Thus, better integration of delivery and commitment to funding are necessary.⁵⁰ As noted earlier, Government investment in providing these opportunities to young people will be rewarded by economic and social returns and intergenerational benefits.

Progress in improving education and training and retention rates has been somewhat variable in the opportunities produced and funding invested. There has also been some lack of coordination between State and Commonwealth policies and programs. There must be a more concerted effort to provide well organised and flexible options to connect education with work or further study or training.⁵¹ By doing so it may be possible to achieve a participation rate to Year 12 equivalent, matching some of our OECD competitors (eg Canada and USA with 91%, Germany with 91%).⁵²

⁴⁸ DSF *Realising Australia's Commitment to Young People*, pp 28-29. This does not take into account the approximately \$2 billion spent each year in job assessment through Centrelink.

⁴⁹ DSF *Realising Australia's Commitment to Young People*, pp 29-30.

⁵⁰ DSF, *Honouring Our Commitment – a Policy Paper About Realising Australia's Commitment to Young People*, November 2002, p 6.

⁵¹ Business Council of Australia, *The Cost of Dropping Out – the Economic Impact of Early School Leaving*, January 2003, p 9.

⁵² Organisation for Economic Cooperation and Development, *Education at a Glance 2002*.

4.1 THE FOOTPRINTS TO THE FUTURE REPORT

In 2001, the Prime Minister's Youth Pathways Action Plan Taskforce published its *Footprints to the Future Report*. The Report was informed by a wide consultation process, research, etc.⁵³ The Taskforce found that while around 70% of young people get through school with support of their families and others, there are around 20% who were at serious risk of dropping out of the system and 10% who do not get through. It was found the transition process for young people was not sufficiently supported, with lack of adequate information and qualified guidance officers to help them. It was believed that all young people should have the opportunity to, among other things –

- attain Year 12 or its vocational equivalent and undertake VET programs and structured workplace learning while at school and after;
- acquire life skills and capacity for employment that enables them to be independent, confident and active community members;
- engage with a professional career and transition support system; and
- access a continuum of support in the local community which allows for early intervention, crisis and appropriate long term assistance.⁵⁴

The *Footprints to the Future Report* made a number of recommendations to implement the above, including that schools respond to individual needs and for improved integration of Government strategies.

4.2 STEPPING FORWARD – IMPROVING PATHWAYS FOR ALL YOUNG PEOPLE

The Ministerial Council for Education, Employment, Training and Youth Affairs (MCEETYA), comprising Australian Ministers for Education, Employment, Training, Youth Affairs and Community Services, met in July 2002 to respond to the *Footprints to the Future Report*. It did so by way of a Ministerial Declaration: ***Stepping Forward – improving pathways for all young people*** which accepted the tenor of the Report and considered ways to address some of the recommendations in it. It also set up a Taskforce to develop an integrated Action Plan to implement the Declaration.

⁵³ Captain D Eldridge, paper presented to the 'How Young People are Faring Symposium, 7 August 2003.

⁵⁴ D Eldridge, *Footprints to the Future*, Report from the Prime Minister's Youth Pathways Action Plan Taskforce, Canberra, 2001.

The commitment made to young people was essentially to enable them to access 12 years of learning through school, TAFE or similar institutions, an apprenticeship, or other VET. However, if students wish to participate in the labour market, they should be able to do that also and assistance provided in that endeavour. The aim of the commitment is to encourage early leavers, particularly those who are at risk, disconnected or in vulnerable circumstances to stay on, to participate in appropriate learning options within the school or within other institutions, and to provide the necessary support for a successful transition. It was agreed that the Ministers would work in partnership towards implementing the shared vision.

The shared vision was an Australia where young people benefit and flourish through sustaining networks of family, friends and community and through engagement in education, training, employment, recreation and society; and where young people's opinions and contributions are sought and valued and they are encouraged to play an active role in the community and the nation. It was noted that there were a number of challenges to achieving those visions including addressing, barriers faced by young people, including emotional, physical, cultural and learning obstacles; creating effective, accessible and integrated opportunities; and ensuring that they have the necessary information, skills and support to make the transition to adult life.

Note that the Ministerial Declaration forms an attachment to the Queensland Bills.

5 QUEENSLAND

In the Strategy Document *Queensland State Education 2010*, it was noted that Queensland lags behind leading OECD countries in the proportion of students finishing Year 12 or equivalent qualifications and that increasing that proportion will add value to the competitiveness of those individuals in the job market and the overall Queensland economy. Thus, the challenge facing education in Queensland is to increase the participation and completion rate to Year 12 or equivalent which must also be accompanied by reforms to cater for diverse needs of students and provide relevant pathways for them.⁵⁵

Queensland has already made a number of significant spending commitments to assisting young people make the study to work transition. Some examples of programs and strategies currently available were provided earlier and include the retention and reform strategy (case management and community partnership support for local initiatives); the Youth Access Program to support potential early school leavers seeking work; school

⁵⁵ Queensland Government, *Queensland State Education 2010*, Education Queensland, at <http://education.qld.gov.au/corporate/qse2010/pdf/strategy.pdf>

based traineeships and apprenticeships; schools working with TAFEs and other providers to encourage students to combine school learning with VET; the Environment and Community Youth Program (traineeship subsidy program); and some labour market programs (eg Get Set for Work Program to provide intensive training and employment assistance for unemployed early school leavers).

5.1 EDUCATION AND TRAINING REFORMS

In March 2002, the Government released a *Green Paper*, 'Queensland the Smart State – Education and Training Reforms for the Future' which set out the proposed reforms for all young people to be engaged in 'earning or learning'.

A comprehensive consultation process followed its release, involving parents, young people, employers, schools, TAFEs and community leaders.

In August 2002, two reports were released which assisted the Government in formulating a *White Paper*. The first was [*The Senior Certificate: A New Deal*](#) by John Pitman, Director of the Queensland Board of Senior Secondary School Studies, who was commissioned by the Education Queensland to review the Senior Certificate (the Pitman Report). The second was [*The Review of Pathways Articulation*](#)⁵⁶ by Professor Margaret Gardner, Deputy Vice-Chancellor of the University of Queensland who was commissioned to review the links between senior schooling and further education, training, and work (the Gardner Report). Both Reports noted the difficulties encountered by young people who leave school early, and indicated the need to ensure that disengaged and discouraged students did not drop out altogether. Both contained recommendations concerning all young people being able to achieve Year 12 or equivalent with greater flexibility and opportunities for the type of learning and training pathways they undertake to get there, and recognition of the diverse needs of each young person.

The *White Paper*, 'Queensland the Smart State – Education and Training Reforms for the Future', was released in November 2002 and supported many of the recommendations from those two reports either fully or in part.

In the 2003-04 Budget, the State Government committed \$40.3m over three years to support reforms to senior schooling. Around \$11.7m over three years has been

⁵⁶ At <http://www.training.qld.gov.au/reports/gardner/part1.pdf>

committed to seven trial areas which involves Year 10 students from more than 200 schools and 12 TAFEs from July 2003.⁵⁷

In June 2003, the Government announced that it would spend \$877.3m in employment, training and youth services as part of the 2003-04 Budget, with \$784.6m committed to VET and youth services. Over \$92m will be spent on employment initiatives and job creation through the Breaking the Unemployment Cycle initiative. That initiative will also support the education and training reform trials with 200 targeted school based apprenticeships and traineeships and a special employment program aimed at 300 young people at risk of dropping out.⁵⁸

5.2 WHITE PAPER - QUEENSLAND THE SMART STATE – EDUCATION AND TRAINING REFORMS FOR THE FUTURE

The Queensland Government *White Paper – Queensland the Smart State – Education and Training Reforms for the Future*⁵⁹ was released in November 2002, setting out a package of reforms to enable the Government to deliver on its commitment to provide the best education possible for young Queenslanders and outlining means by which this will be achieved.

While this Brief focuses on that part of the reform package aimed at keeping young people in education and training, the *White Paper* also considers:

- strategies for implementing reforms aimed at preparing children for school through trials of a pre-school year in 59 State and non-State schools;
- improving information communications technology (ICT) skills for teachers and students; and
- improving the middle phases of schooling for students to equip them with the skills needed for later learning years.

In terms of the focus of this Brief, the reforms and actions proposed (some of which will be examined in more detail in the context of the new Bills) were –

⁵⁷ Queensland Department of Education, *Budget Highlights 2003-04*. At <http://education.qld.gov.au/publication/reporting/annual/pdf/b2003.pdf>

⁵⁸ Queensland Department of Employment and Training, *Budget Highlights 2003-04*. at http://www.det.qld.gov.au/about_us/resources/pdf/det_highlights.pdf See the document for other spending initiatives.

⁵⁹ At <http://education.qld.gov.au/etrf/whitepaper/index.html>

- enacting laws to ensure that all young people achieve Year 12 or its equivalent in education and training;
- enabling the compulsory participation phase (Years 11 and 12 or equivalent in VET) to encompass a broader range of learning options (eg combining senior school subjects with VET studies);
- building Year 10 as a transition to the compulsory participation phase and requiring schools to develop Senior Education and Training Plans (the Plans have not become part of the Youth Participation Bill);
- providing more flexibility in what learning and training (eg VET) can be counted towards the Senior Certificate apart from normal school learning, and allow for undertaking learning over different periods of time. The Pitman Report recommended changes to the Senior Certificate to base it on quality of learning that might occur outside the mainstream school curriculum. A review of the Senior Certificate is underway;
- providing for schools, TAFEs, and other VET providers to open student accounts with the Queensland Studies Authority in which to 'bank' students' achievements towards their Senior Certificate;
- providing more options and flexibility for young people through measures such as schools allowing students to undertake VET; enhancing distance and virtual education; more school based apprenticeships and traineeships; improving recognition of qualifications between education and training sectors. Better coordination and collaboration between education and training sectors for recognition of learning and providing quality services to students was a major focus of the Gardner Report;
- developing localised services and better access to education and training for young people in rural, remote, and Indigenous communities. An example already being trialled under 'Partners for Success' is forming alliances between schools, health professionals and police. New initiatives will include cross-sectoral partnerships to find community solutions to assist young people;
- ensuring more young people undertaking VET in schools achieve qualifications that are highly regarded by industry which will encourage more young people to remain at school until Year 12. Already, over 55% of Queensland senior students are enrolled in vocational programs and the Government intends to provide more school-based apprenticeships and traineeships;
- providing ways of allowing all young people equitable and affordable access to VET;

- providing an employment program to assist young people who are particularly at risk of dropping out of learning, or who for personal or other reasons, are unable to participate in mainstream options. The program, currently being trialled, will assist those teenagers to stay in or return to school or TAFE through measures such as literacy and numeracy skills, and personal and social support services;
- providing more career and personal support for young people through well trained guidance officers and counsellors assisting them to choose courses etc. The role of Youth Support workers, who provide one-on-one services to help young people with personal and welfare issues such as homelessness, is important here. These workers are funded by the Government and employed by local community based organisations, and 100 more workers will be engaged. The service could be extended to allow workers to seek out job opportunities for students, liaising with the school about learning arrangements, locating apprenticeships as well as assisting with personal problems and liaising with support and welfare services;
- establishing a grants program to improve participation, retention and attainment of young people, including support for schools to provide a range of programs for students not suited to mainstream schooling; and for mentoring and targeted support. There will also be support to encourage persons to return to learning;
- fostering a Community Commitment to young people recognised in the MCEETYA Declaration *Stepping Forward: improving pathways for all young people* through better coordination of programs and services at the local level;
- developing District Youth Achievement Plans in collaboration with schools, TAFEs, other education and training providers, universities, employers, etc with the aim of reducing duplication and closing gaps in services. The Plans identify existing resources available to young people, the learning needs in the area, and the ways in which those needs can be best met.

The consultation process, following the release of the *Green Paper*, found that the Government proposal for all young people to ‘earn or learn’ received strong support.⁶⁰

The Parents and Citizens Associations also believe that the reforms would assist young people who are at risk of not making the transition from school to work.⁶¹ Queensland Secondary Principals Association president, Ian Ferguson welcomed the proposals for developing better collaboration between schools and TAFEs and for the role of Youth

⁶⁰ Queensland Government, ‘Queensland the Smart State – Education and Training Reforms for the Future’, *White Paper*, November 2002, p 26.

⁶¹ Rosemary Odgers, ‘Extra school year “breeds criminals”’, *Courier Mail*, 26 November 2002, p 4.

Support workers. However, civil libertarians argued that there would be students who just do not want to go to school and they will effectively be ‘criminals’ under the new laws.⁶²

A survey of 300 Queensland adults conducted for the *Courier Mail* in February 2003 revealed that 87% favoured lifting the age of compulsory attendance from 15 to 16, with more people in the 18 to 24 age group (89%) in favour of the move. It also received more support in the bush than in the cities.⁶³

5.3 YOUTH PARTICIPATION IN EDUCATION AND TRAINING BILL 2003

The Youth Participation in Education and Training Bill 2003 (Qld) (the Youth Participation Bill), the substantive parts of which are due to commence on 1 January 2006, was introduced into the Queensland Parliament on 19 August 2002. This provides a lead time for the development of policies and guidelines to be informed by currently ongoing trials throughout the State.⁶⁴ The Bill implements the Government policies outlined above and provides a broad framework for the implementation of the reforms outlined in them. Where necessary, it amends the *Education (General Provisions) Act 1989* (Qld).

The main **objects** of the legislation are set out in **clause 6** and these also emphasise the importance of implementing initiatives consistent with the *Stepping Forward* Ministerial Declaration to ensure young people participate in a period of education or training after they turn 16 or finish Year 10.

Clause 7 then sets out the activities the chief executive of the Education Department may engage in to achieve the objectives of the legislation. Those are planning activities (eg monitoring the operation of the legislation through collecting information about students to determine its effectiveness) and re-engagement activities (eg identifying young people in the compulsory participation phase who are not participating properly and giving them information about available options and providing encouragement). **Clause 8** sets out **guiding principles** to assist in the administration of the legislation.

⁶² Rosemary Odgers, ‘Extra school year “breeds criminals”’.

⁶³ Matthew Fynes-Clinton, ‘State of the State: Education – Support for lift to leaving age’, Commissioner, 11 February 2003, p 4, citing a poll conducted by NFO Australia.

⁶⁴ Hon A Bligh MP, Youth Participation in Education and Training Bill 2003 (Qld), Second Reading Speech, *Queensland Parliamentary Debates*, pp 2921-2923, p 2922.

5.4 AGE OF COMPULSORY ATTENDANCE

Currently, the *Education (General Provisions) Act 1989* requires Queensland students to stay at school until they turn 15. This has been the case since 1964. Parents are responsible for ensuring that their children attend until that age but schools must also monitor student attendance. There are a range of exemptions covering health and other reasons. Students may also engage in approved home schooling or distance education. At present the situation is such that some (indeed, up to 1,100) students leave school as soon as they turn 15 even if they have not finished Year 10. While some pursue further education or obtain full-time work, a number of young people do not.⁶⁵ The *White Paper* stated that all Queensland young people should complete Year 10 and be prepared for senior school or vocational education or training.

Accordingly, **Part 7** of the Youth Participation Bill amends the *Education (General Provisions) Act* (some provisions to commence on proclamation and others to commence in 2006) to require that the parents of a child of compulsory school age ensure that the child is enrolled and attending the State educational institution or non-State school on every day for the educational program in which the child is enrolled. The reference to State educational institution rather than State school (as currently) will recognise that the obligation can be met by the child participating in programs at a wider range of institutions than schools. Learning might be undertaken in environmental education centres; centres for continuing secondary education; or outdoor educational centres, or by distance education (ss 16-18 of the Act).

From 1 January 2006, the new **compulsory school age** will be at least 6 years and less than 16 years. Students must remain at school until they turn 16 or complete Year 10, whichever first occurs.⁶⁶

The concept of 'attendance' is broadened to take account of distance education or other programs for which actual physical attendance on every school day is not required and can be met in other ways (eg handing in work, contact): **proposed new s 114**.

Currently, s 115 of the Act enables the Minister to grant to a parent of a child (upon application by the parent) of compulsory school age a **dispensation** from the attendance requirement for specified reasons including that the child is receiving instruction elsewhere that accords with approved guidelines or in a range of subjects seen to be efficient and regular. Other dispensation grounds include illness or infirmity, infectious disease, health

⁶⁵ Queensland Government *White Paper*, p 13.

⁶⁶ Tasmania has had 16 as the leaving age for some time and SA has recently passed the *Education (Compulsory Education Age) Amendment Act 2002* to require attendance until 16.

or welfare grounds, distance from the school, or other valid reason. These dispensation grounds (with the power to be vested in the chief executive) will remain under the new Bill, but the 'distance from home' reason will be removed because of the abovementioned expansion of what it means to 'attend' school. After 1 January 2006, a further ground for granting dispensation will be where the child is, or has arranged to become, an apprentice or trainee under the *Vocational Education, Training and Employment Act 2000 (VETE Act)*, recognising that this can provide a valid alternative to schooling.

In terms of **enforcement** of the parental responsibility to ensure compliance with the compulsory schooling requirement, a process is set out (see **proposed new s 117**) that must be followed before prosecuting the parent. In essence, a notice must be given to the parent and meetings set up to discuss any difficulties with compliance with the relevant obligations by the parent(s) and work out ways to overcome them. It is intended that several meetings may be held to ensure compliance and to assist parents in overcoming any problems that may be factors in the contravention.⁶⁷ However, if these efforts fail, then prosecution proceedings will be commenced against the parent(s). The maximum penalty (unchanged from the current Act) for a first offence is \$375 and for further offences, \$750. A parent can argue that they have a 'reasonable excuse' for contravention in the circumstances set out in **proposed new s 118(2)** (eg where the child lives with one parent and the other thinks that the first parent is meeting the obligation).

Part 7 of the Bill and accompanying *Explanatory Notes* should be consulted for other changes to the current Act, including new exclusion provisions in **proposed new Div 3A-3B**, giving the chief executive power to exclude a student on grounds of unreasonable risk to the safety of staff and students or persistently engaging in gross misbehaviour, with procedural fairness obligations and rights of review built in. Transitional provisions are set out in **proposed new Part 11 Div 4**.

5.5 FLEXIBLE ARRANGEMENTS

A **proposed new s 114A** (non-State schools) and **s 114B** (State schools) of the *Education (General Provisions) Act* establishes a framework for approval of 'flexible arrangements' for a student. This will recognise that mainstream school programs will not suit all children's or young people's needs. It will apply to students of **compulsory school age** and in the **compulsory participation phase** (see below). These arrangements are made on a case-by-case basis, with the consent of the student or, in some cases, the parent where it appears that the student would benefit and achieve the

⁶⁷ Youth Participation in Education and Training Bill 2003 (Qld), *Explanatory Notes*, p 51.

best learning outcomes from an alternative program. A decision is made after consideration of a written assessment prepared by a registered teacher (who would be in the best position to know about the needs of the student through ongoing contact with the student) of the student's educational and other needs, training outcomes and the suitability of the provider. Approval depends on the appropriateness of the arrangements, including the ability to monitor and evaluate it. Thus, a student may, for example, be approved to participate part-time in usual school programs and part-time in a life-skills program or in a month long self esteem course.⁶⁸

5.6 COMPULSORY PARTICIPATION PHASE

Part 2 of the Youth Participation Bill deals with this reform.

The **compulsory participation phase** in education or training begins when a person has finished Year 10 or turned 16, whichever has first occurred. It finishes when the young people either gains a Senior Certificate or Certificate III; has participated in an 'eligible option' (see below) for 2 years; or turns 17: **cl 11**. It will be the responsibility of the parents to ensure that their child participates in the specified education and training or in employment skills options.

A Certificate III is a vocational qualification recognised nationally by the Australian Qualifications Framework (AQF), the national policy framework for training qualifications, and has been endorsed by MCEETYA. While vocational qualifications vary in complexity and skills provided, students at Certificate III level apply their knowledge independently in the workplace. Lower levels, such as the Certificate I, are fully supervised and provide basic practical skills. There are numerous types of Certificate III qualifications available (eg beauty therapist, baker, animal attendant, mechanic, network administrator, plumber, engineering) and involve anything from 6 months to 4 years of training.⁶⁹

The range of **eligible options** that a young person may be engaged in to meet the compulsory participation phase obligation and the **provider** for each option is set out in **cl 12**. The 6 options in which young people may participate are –

1. a normal State school or other State educational institution program (as provided for under the *Education (General Provisions) Act 1989*;

⁶⁸ Youth Participation in Education and Training Bill 2003 (Qld), *Explanatory Notes*, p 47.

⁶⁹ Queensland Government *White Paper*, p 6. See also AQF website at <http://www.aqf.edu.au/lp.htm#options>

2. a normal non-State school education program under the *Education (Accreditation of Non-State Schools) Act 2001*;
3. a course of higher education under the *Higher Education ((General Provisions) Act 1993* which can be provided by a university or by a non-university provider if the course has been accredited. This enables academically talented students to undertake, for example, some first year university subjects either full-time or combined with a part-time school program. This practice currently occurs in some schools;
4. a course of VET provided by a TAFE or registered training organisation. In 2002, around 14,000 students aged 15 to 17 studied at TAFE institutes;
5. an apprenticeship or traineeship with a registered training organisation under the *Training and Employment Act* (to be renamed the *Vocational Education, Training and Employment Act (VETE Act)*). Note that under **cl 18**, so long as the young person pursues that option, they are meeting their participation obligation and neither they nor their parents are in breach of the legislation;
6. a departmental employment skills development program (see below);

A combination of eligible options can be undertaken, provided that they equate to a full-time program. It appears that if a student wants to work part-time and combine it with part-time study, they would have to apply for a 'flexible arrangement' to be approved (explained above), or to the Training and Employment Recognition Council under the *VETE Act* for an employment exemption (see below). 'Participation' is defined as being enrolled with a provider of the relevant option and complying with the provider's attendance requirements (see **cl 14**).

Clause 17 sets out what happens if a young person is suspended or excluded from a provider of an option in terms of the participation obligations.

Under **cl 19**, parents must ensure that the young person is participating full-time in an 'eligible option' unless the parent has a reasonable excuse. The penalty for non-compliance with the parental obligation is a maximum of \$375 for the first offence and \$750 for each subsequent breach. The 'reasonable excuse' provision in cl 19(2) is similar to that for the compulsory school age provisions. Similarly to those provisions also, prosecutions are regarded as a final step when all other steps to assist the parent and young person to find an option suitable for them and any relevant counselling have failed (see **cl 22**). **Clause 21** sets out the relevant steps. The *Explanatory Notes* anticipate that strategies that are workable at the particular local level involved will be devised and implemented via the District Youth Achievement Plan and that relevant policies and procedures will also be in place to assist and support parents.

Exceptions to the obligation are set out in **cl 20**, such as undertaking at least 25 hours per week paid employment. However, if the young person is in paid employment for less than 25 hours per week or in unpaid employment, they will have to apply to the Training and Employment Recognition Council (TER Council) for an '**employment exemption**' under a new provision to be introduced into the *VETE Act* by the Training Reform Bill. An exception may also apply if a young person is attending a non-departmental employment program (the Training Reform Bill will enable the TER Council to recognise such programs not provided by the Department). The obligation will also not apply if a dispensation has been provided to the young person.

Part 3 sets out the two bases for the chief executive granting a **dispensation** from the compulsory participation requirement. The first is where the young person cannot participate in any of the eligible options (eg because of a long illness) and the second is if the chief executive is satisfied that it is unreasonable in all the circumstances to require participation in any of the options. Partial dispensations can also be given. A dispensation may be provided for home schooling (other than distance education). The application, decision making, and review of decision process are also provided for under this part. There is an ultimate appeal to the Magistrates Court against an internal review decision.

5.7 TRAINING REFORM BILL 2003 (QLD)

The Training Reform Bill, which complements the Youth Participation Bill, will be discussed here only to the extent of its interrelationship with that Bill in terms of the VET aspects of the compulsory participation phase. Accordingly, the Training Reform Bill will rename the *Training and Employment Act* the *Vocational Education, Training and Employment Act (VETE Act)*: (**cls 4-5**).

The **objects** of the *VETE Act* in s3 will now include furthering of the commitment by States, Territories, and the Commonwealth to work with industry to increase participation in an integrated national VET system. It also provides for the promotion of a whole of community commitment towards supporting young people in the compulsory participation phase and the implementation of initiatives consistent with the *Stepping Forward* Ministerial Declaration. The section will then set out what the 'community commitment' in this context involves.⁷⁰

It is envisaged that each district will develop District Youth Achievement Plans, through input by the community, schools, TAFEs, VET providers, universities, youth support services and Commonwealth agencies, to take account of the area's individual

⁷⁰ Training Reform Bill 2003 (Qld), cl 6, *Explanatory Notes*, p 5.

geographical, economic, transport, social and environmental circumstances. The Plans will set local targets for participation, retention and attainment in education, training, or employment programs and will be used to see if resources could be redirected or used better in meeting a range of needs of young people in the local area.

As indicated earlier, some of the eligible options in **cl 12** that can be undertaken by a young person in the compulsory participation phase are governed by the *VETE Act* –

- **VET courses.** A **proposed new Ch 2** of the *VETE Act* will provide a framework for the national registration of training organisations (including TAFEs) that provide VET courses leading to the issue of nationally recognised qualifications (eg a Certificate III), or a statement of attainment under the AQF; and for the accreditation of courses. Only accredited courses that lead to an AQF qualification or statement of attainment may be offered;
- **an apprenticeship or traineeship** – the definition of ‘apprenticeship’ and ‘traineeship’ will be broadened to include school based apprenticeships and traineeships undertaken in the compulsory participation phase (**cls 7-8**);
- a **departmental employment skills development program.** A **proposed new Ch 3A** will complement the compulsory participation phase under the Youth Participation Bill. The chief executive of the Department of Employment and Training must ensure that these programs are developed to meet the diverse needs of young people in the compulsory participation phase and that they are accessible to those young people.

A **proposed new Ch 5 Div 5A** will be inserted into the *VETE Act* to enable a young person or their parent to apply to the TER Council for an ‘**employment exemption**’ from the compulsory participation phase if the young person is in paid employment for less than 25 hours each week or in unpaid employment. A framework is established for seeking the exemption, including rights of review.

Other new provisions are inserted into the *VETE Act* by the Bill to cater for the inclusion of young people undergoing the abovementioned options during their compulsory participation phase. Those include –

- expanding the powers of the apprenticeship and traineeship ombudsman (to be renamed the ‘**training ombudsman**’) to allow the Ombudsman to undertake a review of a decision about an employment exemption and report their findings. This is in addition to other review rights that apply to employment exemption decisions;
- providing for two new categories of membership on the **Training and Employment Board**. One member will have to be a young adult with current or recent experience in VET and one will be nominated by the Minister for Education, thus ensuring a stronger relationship between the education and the employment and training

portfolios. In accordance with this rationale, the membership of the TAFE institute council will also include three new members (two young adults and one Ministerial nominee);

- giving the Training and Employment Board new functions of recommending to the Minister guidelines about: the recognition of learning and qualifications within the education and training systems; for making decisions about employment exemptions; and for the recognition of a non-departmental employment skills programs (ie a program other than the chief executive's departmental skills development program that might be offered by an outside/community organisation);
- renaming the Training Recognition Council the '**Training and Employment Recognition Council**' (which will also include a member nominated by the Minister for Education). It has a range of functions and a new one of advising the Board about policies and guidelines for a range of matters (eg making decisions about employment exemptions; recognising non-departmental skills programs). The Council must consider the needs and views of industry in carrying out those roles;
- The TER Council will also have power to grant employment exemptions; and recognise non-departmental employment skills development programs;
- giving the chief executive new functions in relation to TAFEs that involves attracting young people to and supporting them in VET; helping rural, remote and Indigenous communities to develop services to better facilitate access to education and training for their young people; and requiring the chief executive, through TAFEs, to participate in the development of whole of community planning (possibly manifested in a District Youth Achievement Plan).

The Training Reform Bill also gives effect to the decision of the Australian National Training Authority's Ministerial Council to make arrangements for ensuring national consistency in the registration of training organisations and the accreditation of VET courses, including inserting model clauses agreed to by the Council into legislation. While there will not be significant impact on the existing Queensland Act, the result of all jurisdictions making the changes is that registered training organisations will only need to seek registration in one jurisdiction as that registration will be recognised nationally and the organisation can operate in any state or territory. National recognition will also apply in relation to course accreditation.⁷¹ The Bill also makes some operational amendments to protect existing workers who undertake apprenticeships or traineeships.

⁷¹ See Hon M J Foley MP, Second Reading Speech, p 2925.

It appears that an increasing number of young Queenslanders are undertaking apprenticeships and traineeships. Figures provided by the National Centre for Vocational Education Research indicate that some 37.6% are less than 19 years of age, above the national average of 29.3%. Overall, the numbers have grown by 34% between June 2000 and July 2003.⁷²

5.8 STUDENT ACCOUNTS

Part 4 of the Youth Participation Bill provides for the keeping of a student account by Queensland Studies Authority (QSA) for a young person undergoing the compulsory participation phase. One purpose of this is to support the QSA in performing its certification function. The Senior Certificate is being reviewed and it is likely that reforms will allow for the recognition of a broader range of learning and achievement to include both school subjects and VET to a recognised standard, while maintaining quality and rigour of the Senior Certificate. The other purpose of the student account is to enable the chief executive to carry out planning and re-engagement activities under **cl 7**.

The account must be opened for a student within a year before the end of the compulsory education phase and the start of the compulsory participation phase (generally during Year 10), usually by the school principal, by giving notice to the QSA in the approved form (see **cl 40**). The education and training provider must give the QSA certain prescribed results information about students under the *Education (QSA) Act 2002*. The provision of result information enables the ‘banking’ of learning credits in the student account towards the Senior Certificate, even if the student moves between options or takes some ‘time out’ from their options. The *Explanatory Notes* state that information in the account will be accessible to the young person.⁷³

The QSA has to be notified of any changes in student information or if they stop being enrolled. That is in addition to other information (eg results information) that a provider must give to the QSA.

The Youth Participation Bill contains provisions to safeguard and control the use and disclosure of student account information.⁷⁴ The QSA can only use the student

⁷² Hon M J Foley MP, ‘Queensland Apprenticeship and Traineeship Numbers Surge’, *Media Statement*, 11 September 2003.

⁷³ Youth Participation in Education and Training Bill 2003 (Qld), *Explanatory Notes*, p 60.

⁷⁴ See also, **cl 60**, a confidentiality provision to protect misuse of personal information with penalties attached. This will apply to all personal information collected under the Bill. The

information for the purposes outlined in **cl 46**. The first, as noted above, is in performing its certification function. Secondly, it may check the accuracy of the information by disclosing it to the provider. It is also allowed to provide the chief executive with aggregated statistical information (ie non-identifying information about students) that will assist him or her in monitoring the pathways of young people across the various options and determining if the goals of the Government are being met and, where necessary, developing strategies to better achieve them.⁷⁵

The chief executive can also ask for identifying information as prescribed in **cl 46** to assist him or her in supporting a young person who appears to have dropped out of the system to re-engage in the eligible options that best meet their needs and furthers learning outcomes, as provided for in **cl 7**. The chief executive can also share this personal information with appropriate entities that would be useful in assisting in the re-engagement process (eg a youth support body, or a body providing a support service such as health services). Sometimes a collaborative approach beyond a mere focus on education and training is required to ensure that young people are supported with health and housing needs etc to enable them to participate effectively in the eligible options.

5.9 MINISTERIAL GRANTS

A provision will be inserted into the *Education (General Provisions) Act* by **cl 82** to allow the Minister to approve grants to entities for the purpose of helping children achieve the best learning outcomes possible or to help them re-engage in study or training. The grants will be available at a local level and, even if not used for solely education focussed purposes, they can be used on measures that support young people achieve the desired learning outcomes. An example might be a youth support service.

6 CURRENT TRIALS AND INITIATIVES

From July 2003, seven areas in Queensland (mainly those with high youth unemployment and low rates of retention) are trialling some of the compulsory participation phase reforms. Leaders from schools, TAFEs, Government, local government, business, youth organisations and community bodies are developing District Youth Achievement Plans tailored to the needs of each area so that programs and services can be better targeted. As noted earlier, \$11.7m over three years has been allocated, including grants for

Freedom of Information Act 1992 will also be amended to exempt student account information from being accessible information. See the *Explanatory Notes*, pp 4, 61.

⁷⁵ Details of each request from the chief executive must be included in the *QSA Annual Report*.

expanding education and training and to new mentoring schemes. The types of local initiatives might include more coordination of VET and alternate learning programs aimed at 'at risk' students.⁷⁶

The Government will also trial a new range of TAFE courses and review the range of vocational courses generally to ensure that they cater for the needs of students in the compulsory participation phase. The Youth Access Program is also being continued. A number of reforms outlined in the Queensland Government *White Paper* have been, or are also being, developed for implementation.

It is understood that in 2002, around 57% of Queensland senior secondary student studied some type of VET course in areas including hospitality, engineering, horticulture, and early childhood, with around 82% of Queensland schools now offering VET subjects. Some students doing mainly academic subjects to obtain an OP score for university will take up a VET subject as well. Around 86% of Victorian and 84% of NSW secondary schools offer VET subjects with Western Australia at 65%. The Education Minister believes that the new senior education reforms will see more Queensland schools taking up or expanding existing VET options.⁷⁷

The *White Paper* set out a number of case studies to indicate how the proposed education and training would operate in practice. One case study involves an initiative based at Woodridge State High School which has a centre catering for students who have dropped out or are likely to do so, with the aim of assisting them back into schooling. It works with the students and families, considering individual needs, to provide the support needed to re-enter school. It appears to have produced some success stories.⁷⁸

Rockhampton State High School has reported success from its 'no dole program' under which Year 12 students sign an agreement to undertake further training or full-time employment within four months of graduation. This is supported by the school developing links with local industry, and providing mentoring and monitoring of students' progress after leaving school. Of the 139 Year 12 graduates in 2001, 136 had work or

⁷⁶ Hon A Bligh MP, 'Young Queenslanders get a Start to Learning or Earning', *Media Statement*, 18 June 2003.

⁷⁷ Hon A Bligh MP, 'Qld Leads the Nation in Vocational Education and Training', *Media Statement*, 17 July 2003, citing report prepared for the National Council of Education and Training Ministers.

⁷⁸ Queensland Government *White Paper*, p 19.

were undertaking more study by November 2002. Local employers are supportive of the program, particularly in providing work experience options.⁷⁹

An example of innovative schooling is provided on the Gold Coast where the South Coast Industry Coordinating Organisation, a non-profit body involving 21 State and non-State schools, coordinates workplace learning for students across nine industries. The schools involved have reported outcomes of better transitions by students from school to VET or work and increased career prospects.⁸⁰

The Education Minister has also praised the Year 10 Transition Program at St Margaret Mary's College in Townsville as an example of what the Government sought to achieve in its reform package. The Program assists Year 10 students who are at risk of leaving early by enabling them to take on subjects such as literacy, numeracy, general life and employment skills and pre-vocational training rather than, or as well as, mainstream subjects. They also took part in workplace learning and TAFE. Of the 17 students undertaking the Program in 2001, 14 completed the course and remained at school and one returned to normal classes.⁸¹

The education and training reforms appear to have received support from areas within the Queensland industry sector. Queensland had 4237 school-based apprenticeships and traineeships in 2002, accounting for around 57% of the national total.⁸²

For example, companies such as BHP, Comalco and Riviera Marine work with schools to provide apprenticeships and traineeships to students. The automotive company Zupps has joined by offering 21 motor mechanic apprenticeships to Brisbane and Gold Coast students (who are currently in Year 10) from 2004. The students will attend school four days and work at Zupps for one day. Students must maintain a level of sound achievement or better in their schoolwork.⁸³ Comalco has also taken an interest in providing opportunities for young people, particularly Indigenous students in Cape York. The Western Cape College was established following the Wik Coexistence Agreement

⁷⁹ Amanda Watt, "'Earn or learn" pioneers already savouring success', *Courier Mail*, 27 November 2002, p 15.

⁸⁰ Queensland Government, Green Paper, March 2002, p 13.

⁸¹ Hon A Bligh, 'Smart State Education and Training Reforms Come to Townsville', *Media Statement*, 27 November 2002.

⁸² Hon A Bligh MP, Minister for Education, 'Qld Automotive Dealer Offers Career Pathway for Students', *Media Statement*, 10 September 2003.

⁸³ Hon A Bligh MP, Minister for Education, 'Qld Automotive Dealer Offers Career Pathway for Students'.

with Comalco. Education Queensland and Comalco work together to provide training and employment opportunities for these students. Comalco has set out skilling and work competency requirements while the College provides targeted learning to assist young people into training and employment with Comalco. Comalco is committed to train and employ all Wik students who attain at least Year 10.⁸⁴

The Government has committed funding to top up Commonwealth Government incentives to employers, particularly not for profit bodies and employers offering places to young people in remote or rural areas.

⁸⁴ Queensland Government Green Paper, p 16.

APPENDIX A – MINISTERIAL MEDIA STATEMENTS

Hon Anna Bligh MP, Minister for Education

9 September 2003

Qld Automotive Dealer Offers Career Pathway for Students

The State Government's learning or earning initiative is being embraced by industries that are looking to schools for apprentices and trainees, Education Minister Anna Bligh said today.

Brisbane-based automotive company Zupps is offering 21 motor mechanic apprenticeships to students from the Brisbane and Gold Coast regions, starting from next year.

The apprenticeships will be open to current Year 10 students located around the Mount Gravatt, Browns Plains, Rocklea, Aspley, Southport and Burleigh Heads regions. Students from outside these areas may also apply and will be considered.

Zupps is holding an information night at their Mount Gravatt dealership tonight and will announce the successful applicants next term.

"Zupps has joined companies such as BHP, Comalco and Riviera Marine which work alongside schools to provide apprenticeships and traineeships to Queensland students," Ms Bligh said.

"The successful students will attend school four days a week and work at Zupps one day each week. Both males and females are being encouraged to apply.

"With partnerships like the one Zupps is establishing with local schools it's easy to see why Queensland leads the country in the take-up of school-based apprenticeships and traineeships.

"Last year Queensland recorded 4237 new school-based apprenticeship and traineeship commencements which was more than 57 percent of the national total."

Member for Mt Gravatt Judy Spence congratulated Zupps on creating career opportunities for young Queenslanders.

"This is a great opportunity for local students to get a headstart on their career while still at school," Ms Spence said.

"Our Government has embarked on a comprehensive reform agenda to create a more flexible education and training system. We want to see all young people aged 15-17 years at school, at work or in training.

"Local companies like Zupps have an important role to play in these changes."

Ms Spence said the Zupps apprenticeships were subject to a written contract.

"Students will be required to sign a two-year formal training contract, undergo a probation period and work during part of their holidays," she said.

"They will also be required to maintain a level of sound achievement or above with their schoolwork."

The careers information night will be held tonight at Zupps Mt Gravatt, 1310 Logan Road from 7pm to 9pm.

More information can be obtained by contacting Zupps at Mount Gravatt or on the website at www.zupps.com.au.

Media contact: Shari Armistead 3235 4593

Hon Anna Bligh MP, Minister for Education

19 August 2003

Smart State Laws Introduced into State Parliament to Ensure Learning or Earning

The Beattie Government made history today when it introduced new education and training laws into State Parliament that will require young people to be learning or earning until they are 17.

Education Minister Anna Bligh and Minister for Employment, Training and Youth Matt Foley said these reforms were the first major legislative changes to the structure of the Queensland education system in nearly 40 years.

The legislation was tabled under two Bills, the Youth Participation in Education and Training Bill 2003 and The Training Reform Bill 2003.

Ms Bligh said the legislative reforms under the Youth Participation in Education and Training Bill 2003 will equip young Queenslanders to lead the way into the future by giving them greater flexibility to achieve qualifications beyond Year 10.

"It will make it compulsory for young people to stay at school until they finish Year 10 or turn 16, whichever comes first," she said.

"It will then place requirements on young people to remain in education or training for a further two years- in school, in TAFE or through other forms of learning such as on-the-job training.

"It is the first time in this country that a Government has given legislative meaning to the importance of further education and training for our economic and social well being.

"All young people in Year 10 will be required to be registered with the Queensland Studies Authority to ensure compliance.

"The major parts of the Bill are proposed to start in 2006.

"This legislation highlights the Government's commitment to providing a foundation for the future success of young Queenslanders," Ms Bligh said.

Mr Foley said The Training Reform Bill 2003 reinforces Queensland's leadership in vocational education and training and commitment to young people.

"It complements the Youth Participation in Education and Training Bill 2003 by providing young people with the option to gain valuable life and work experience through employment," he said.

"The Bill also provides support for a flexible, high quality training system that will develop the skills of Queensland's workforce both now and for the future.

"Ten thousand young Queenslanders aged 15 to 17 are out of school, out of work and out of training. This is a scandal and we must remedy it.

"The reforms provided for by this legislation are directed at helping these young people realise their potential through participation in school, vocational education or training, employment or a combination of these options.

"Change is something that all great institutions must confront and the time for change in the Queensland education and training structure has arrived.

"It is born out of significant change in the world of work.

"The involvement of our local communities is integral to the success of these reforms and ultimately the success of our young people."

Ms Bligh and Mr Foley said both pieces of legislation highlight the Government's commitment to providing a foundation for the future success of young Queenslanders.

"Education and training is at the heart of the Government's Smart State vision."

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Minister Foley's Office: Russ Morgan 3224 2170

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