

Annual Report **2013 - 2014**

Report No. 39
Education and Innovation Committee
October 2014

Education and Innovation Committee

Chair	Mrs Rosemary Menkens MP, Member for Burdekin
Deputy Chair	Mr Ray Hopper MP, Member for Condamine (from 5 March 2014)
Members	Mr Steve Bennett MP, Member for Burnett Mr Mark Boothman MP, Member for Albert Mr Michael Latter MP, Member for Waterford Dr Anthony Lynham MP, Member for Stafford Mr Neil Symes MP, Member for Lytton
Committee Staff	Ms Bernice Watson, Research Director Ms Emily Booth, Principal Research Officer (to 1 May 2014) Ms Melissa Salisbury, Principal Research Officer (from 12 May 2014) Ms Carolyn Heffernan, Executive Assistant
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1. Introduction

The Education and Innovation Committee of the 54th Parliament (the committee) is a portfolio committee established by resolution of the Legislative Assembly on 18 May 2012.¹ The committee consists of government and non-government members.

In accordance with the *Parliament of Queensland Act 2001*, the committee is required to table in the Legislative Assembly a report about its activities during the year. The report must include:

- (a) a list of meetings of the committee and the names of members attending or absent from each meeting and
- (b) a summary of issues considered by the committee, including a description of the more significant issues arising from the considerations and
- (c) a statement of the committee's revenue and spending for the year and
- (d) a brief description of responses by Ministers to recommendations of the committee.

This report has been prepared in accordance with these requirements for the period 1 July 2013 to 30 June 2014.

2. The Education and Innovation Committee

2.1. Membership

The committee comprised of four members nominated by the Leader of the House and two members nominated by the Leader of the Opposition. They were:



Mrs Rosemary Menkens MP, Chair and Member for Burdekin (LNP)



Mrs Desley Scott MP, Deputy Chair and Member for Woodridge (ALP)
(to 4 March 2014)



Mr Ray Hopper MP, Deputy Chair and Member for Condamine (KAP)
(Deputy Chair from 5 March 2014)



Mr Stephen Bennett MP, Member for Burnett (LNP)



Mr Mark Boothman MP, Member for Albert (LNP)



Mrs Yvette D'Ath MP, Member for Redcliffe (ALP)
(from 4 March 2014)



Mr Michael Latter MP, Member for Waterford (LNP)



Mr Neil Symes MP, Member for Lytton (LNP)

¹ *Parliament of Queensland Act 2001*, s 88 and Standing Order 194

2.2. Committee attendance

The committee met on twenty-nine occasions during the 2013-14 period. The following table sets out each committee member's attendance.

	Menkens	Scott (to 4 March)	Hopper	Bennett	Boothman	D'Ath (from 4 March)	Latter	Symes
2013								
10 July	✓	✓	✓	✓	✓		✓	✓
11 July	✓	✓	✓	✓	✓		x	✓
22 July	✓	✓	✓	✓	✓		✓	✓
23 July	✓	✓	✓	x	✓		✓	✓
30 July	✓	✓	✓	x	✓		✓	✓
7 August	✓	✓	✓	✓	x		✓	✓
21 August	✓	✓	✓	✓	✓		✓	✓
28 August	✓	✓	x	✓	✓		✓	✓
11 September	✓	x	✓	✓	✓		✓	✓
20 September	✓	✓	x	✓	✓		✓	✓
1 October	✓	✓	✓	✓	✓		✓	✓
4 October	✓	✓	✓	✓	✓		✓	✓
8 October	✓	✓	x	✓	✓		✓	x
16 October	✓	✓	x	✓	✓		✓	x
30 October	✓	✓	✓	✓	✓		✓	✓
20 November	✓	✓	✓	✓	✓		✓	✓
21 November	✓	✓	x	✓	✓		✓	✓
22 November	✓	x	✓	✓	✓		x	✓
5 December	✓	✓	x	✓	✓		✓	✓
2014								
12 February	✓	✓	✓	✓	✓		✓	✓
5 March	✓		✓	✓	✓	✓	✓	✓
19 March	✓		✓	✓	✓	✓	✓	✓
2 April	✓		✓	✓	✓	✓	✓	✓
4 April	✓		x	✓	x	✓	✓	✓
22 April	✓		x	✓	✓	✓	✓	✓
7 May	✓		x	x	✓	✓	✓	✓
21 May	✓		✓	✓	✓	✓	✓	✓
22 May	✓		✓	✓	✓	x	x	✓
4 June	✓		✓	✓	✓	✓	✓	✓

Section 189 of the *Standing Orders of the Legislative Assembly* requires the tabling of minutes when they relate to the committee's consideration of the proposed expenditure stated in Appropriation Bills. This resulted in four instances where the committee held a second meeting to consider Appropriation Bill matters. As these meetings immediately followed standard meetings and were separated for administrative purposes only, they have not been counted or recorded as separate meetings in this report.

3. Summary of issues considered by the committee

3.1. Committee's areas of responsibility

The committee's primary areas of oversight responsibility are education, training, employment, science, information technology, innovation and the arts. These portfolio areas are administered through the following government departments:

- Department of Education, Training and Employment (DETE) and
- Department of Science, Information Technology, Innovation and the Arts (DSITIA).

In relation to its areas of responsibility, the committee:

- examines bills to consider the policy to be enacted, and the application of the fundamental legislative principles set out in s 4 of the *Legislative Standards Act 1992*
- examines the estimates of relevant departments
- considers the lawfulness of subordinate legislation
- assesses the public accounts of each relevant department in respect of the above areas of responsibility, with regard to the integrity, economy, efficiency and effectiveness of financial management by:
 - examining government financial documents and
 - considering the annual and other reports of the auditor-general and
- considers departments' public works in light of matters including, but not limited to the:
 - suitability of the works for the purpose
 - necessity for the works
 - value for money of the works
 - revenue produced by, and current costs of, the works, or estimates of revenue and costs
 - present and prospective public value of the works
 - procurement methods used for the works and
 - actual suitability of the works in meeting the needs in and achieving the stated purpose of the works.

The committee must also deal with any issue referred to it by the Legislative Assembly or under an Act, whether or not the issue is within the committee's areas of responsibility.

This report details the activities undertaken by the committee during the 2013-14 period. Detailed information about committee activity is published on the committee's webpage at www.parliament.qld.gov.au/eic.

3.2. Examination of Bills

During the 2013-14 reporting period, the committee considered and reported on Bills as detailed below.

Under s 107 of the *Parliament of Queensland Act 2001*, ministers are required to table a response to committee recommendations contained in reports to the Legislative Assembly, where the recommendation is that the government or minister take or not take a particular action. The government responses to committee recommendations are also outlined below.

- **Report No. 16, Education Legislation Amendment Bill 2013**

The Bill amended legislation to:

- support implementation of the move of Year 7 to secondary school from 2015
- include the Prep year in a state school student's basic allocation
- allow for the cancellation of the enrolment of international students at state schools for non-payment of fees.

After a public briefing from the Department of Education, Training and Employment, and receipt of written submissions, the committee deliberated on a range of aspects and recommended that the Bill be passed. The committee made four other recommendations in relation to fee charging practices, the provision of information to students, and typographical errors.

The Bill was passed on 21 August 2013.

On 21 August 2013, the Government tabled its response to the committee's report, accepting all five of the committee's recommendations. The response also addressed four points of clarification sought by the committee.

- **Report No. 20, Education and Care Services Bill 2013**

The Bill amended legislation to:

- establish a new regulatory framework for services currently regulated under the *Child Care Act 2002* that aligns with the *Education and Care Services National Law (Queensland) Act 2011* whilst retaining some elements of the *Child Care Act 2002*
- repeal the *Child Care Act 2002*
- make consequential amendments to other legislation.

The committee received a public briefing from DETE, and three submissions from stakeholders. After deliberating on a range of aspects of the Bill, the committee recommended that the Bill be passed.

The Bill was passed, with amendment, 12 September 2013.

- **Report No. 23, Vocational Education, Training and Employment (Skills Queensland) and Another Act Amendment Bill 2013**

The Bill amended legislation to:

- abolish Skills Queensland and give the Director-General of DETE responsibility for its functions regarding:
 - i. apprentices and trainees
 - ii. restricted callings
 - iii. vocational placements
 - iv. group training organisations
 - v. principal employer organisations
 - vi. employment exemptions and non-departmental employment skills development programs; and
- ensure TAFE Queensland has the capacity to employ staff on a temporary basis.

The committee was briefed by DETE and TAFE Queensland. Two written submissions were received from stakeholders. After careful committee deliberation on a range of aspects, the committee recommended that the Bill be passed. The committee made two other recommendations: one

relating to Ministerial Industry Commission requirements, and the other amending a term in the explanatory notes.

The Bill was passed on 16 October 2013.

On 15 October 2013, the government tabled its response to the committee's recommendations. All three recommendations were supported. The government also provided detailed information in response to two points for clarification raised by the committee.

- **Report No. 24, Education (Strengthening Discipline in State Schools) Amendment Bill 2013**

The Bill amended the *Educational (General Provisions) Act 2006* to support the implementation of initiatives to strengthen discipline in Queensland state schools by:

- providing principals with stronger disciplinary powers and more flexibility and autonomy around the making of discipline decisions
- bolstering the grounds for suspension and exclusion and
- reducing administrative burdens to enable quick and firm responses to problem behaviour.

After a public briefing from DETE, receipt of written submissions from stakeholders, and holding a public hearing, the committee deliberated on a range of aspects and recommended that the Bill be passed. It also made seven other recommendations seeking assurances that procedures were in place to ensure suspensions or exclusions are used as a 'last resort', and that these policies and procedures are clearly communicated to the entire school community.

After tabling its report, but before the Bill was debated in the Legislative Assembly, the committee sought and received a further public briefing from DETE about the policy and procedures that would support implementation of the new provisions. These had not been finalised by DETE prior to the committee's report being tabled. The second, more detailed briefing addressed a number of areas that had been identified by stakeholders during the committee's inquiry; and informed the debate on the Bill in the Legislative Assembly.

The Bill was passed on 31 October 2014.

On 31 October 2014, the government tabled its response to the committee's report. The government supported six of the committee's eight recommendations. In relation to the two recommendations not supported, additional information was provided detailing the reasons.

- **Report No. 28, Education (Queensland Curriculum and Assessment Authority) Bill 2013**

The Bill amended legislation to establish the Queensland Curriculum and Assessment Authority as the new statutory body responsible for:

- syllabus development for all senior subjects (years 11 and 12)
- syllabus development for preparatory year to year 10 (P-10), where there is no Australian curriculum
- guideline development for kindergarten.

After an initial briefing on the Bill was provided by DETE, written submissions were invited from stakeholders, and a public hearing was held. Additional information was then sought from and provided by DETE.

The committee recommended that the Bill be passed. The committee made a further three recommendations, identifying clauses where clarity was an issue.

The Bill was passed, with amendment, on 13 February 2014.

On 12 February 2014, the government tabled its response to the committee's report. Two recommendations were supported by the government. The two recommendations not

supported sought legislative changes which would clarify particular aspects of the Bill. In detailing its reasons for not supporting the recommended changes to the Bill, the government provided clarifying information.

- **Report No. 31, TAFE Queensland (Dual Sector Entities) Amendment Bill 2014**

The Bill amended the *TAFE Queensland Act 2013* to provide a framework for the recognition of dual sector entities in Queensland. It also amended the *Central Queensland University Act 1998* to provide that the university's council has at least one member with knowledge and experience of vocational education and training.

After two public briefings from DETE, receipt of two written submissions from stakeholders, and holding a public hearing, the committee deliberated on a range of aspects and recommended that the Bill be passed.

A further two recommendations sought legislative amendments to clarify that dual sector entities are public providers of VET; and to require that Ministerial approval be obtained before any 'significant action' is undertaken by dual sector entities. The fourth recommendation was that consideration should be given to using the CQUniversity/CQIT merger as a pilot project.

The Bill was passed on 8 May 2014.

On 8 May 2014, the government tabled its response to the committee's recommendations, indicating support for two of those. In relation to the two recommendations not supported, detailed information was provided detailing the reasons.

- **Report No. 32, Further Education and Training Bill 2014**

The Bill amended legislation to:

- establish a new regulatory framework for apprenticeships and traineeships
- reduce legislative barriers to employment and training opportunities
- modernise apprenticeship and traineeship provisions through: changes to restricted callings; reducing duplication regarding employment related matters; introducing permanent transfers and encouraging parties to resolve disputes themselves
- recognise alternative training pathways by providing for the issuing of a certificate of achievement by the chief executive
- establish a new regulatory framework for group training organisations and principal employer organisations
- repeal legislation regulating vocational placements.

The Bill also repealed the *Higher Education (General Provisions) Act 2008*.

After a public briefing from DETE, receipt of five written submissions, and holding a public hearing, the committee deliberated on a range of aspects and recommended that the Bill be passed. It made a further recommendation that there be an amendment to the legislation to define the terms 'calling' and 'restricted calling'.

The Bill was passed, with amendment, on 8 May 2014.

On 8 May 2014, the government tabled its response to the committee's recommendations, supporting one. In relation to the recommendation not supported, information was provided detailing the reason. The response also addressed a number of points for clarification raised by the committee.

3.3. Consideration of estimates

- **Report No. 17, 2013-14 Budget Estimates**

As required under *the Parliament of Queensland Act 2001*, the committee is required to consider Appropriation Bills to the extent they relate to the committee's portfolio area of responsibility. The Appropriation Bill 2013 was introduced into Parliament and the estimates for the committee's area of responsibility were referred to the committee for investigation and report, during the 2012-13 period.

In the 2013-14 period, the committee conducted a public hearing and took evidence about the proposed expenditure from the Minister for Education, Training and Employment, the Minister for Science, Information Technology, Innovation and the Arts, Directors-General, senior officials of the relevant departments and Chief Executive Officers listed in Schedule 7 of the Standing Rules and Orders.

The committee also considered the estimates referred to it by using information contained in:

- budget papers;
- answers to pre-hearing questions on notice;
- evidence taken at the hearing;
- additional information given in relation to answers.

The committee recommended that the proposed expenditure, as detailed in the Appropriation Bill 2013 for the portfolios of Education, Training, Employment, Science, Information Technology, Innovation and the Arts be agreed to by the Legislative Assembly without amendment.

The Bill was passed, without amendment, on 7 August 2014.

- **2014-15 Budget Estimates**

In June 2014, the Appropriation Bill 2014 was introduced to Parliament and the estimates for the committee's area of responsibility were referred to the committee for investigation and report on 1 August 2014. The committee undertook initial research during the period.

3.4. Consideration of subordinate legislation

During 2013-14 the committee examined and reported on 15 pieces of subordinate legislation in relation to the policy to be given effect by the subordinate legislation; the application of fundamental legislative principles; and lawfulness.

Summaries of the committee's findings are set out below.

- **Report No. 18, Subordinate legislation tabled between 6 March 2013 and 5 August 2013**

The committee examined and reported on subordinate legislation no. 56 of 2013, Proclamation made under the *Education and Care Services National Law (Queensland) Act 2011* in this report. The committee did not identify any significant issues in this piece of legislation, and recommended that the House note the contents of the committee's report.

- **Report No. 27, Subordinate legislation tabled between 6 August 2013 and 19 September 2013**

This committee examined and reported on five pieces of subordinate legislation in this report:

- 107 of 2013, Vocational Education, Training and Employment Amendment Regulation (No.1) 2013
- 108 of 2013, Proclamation made under the *TAFE Queensland Act 2013*
- 109 of 2013, TAFE Queensland Regulation 2013
- 129 of 2013, Public Records Amendment Regulation (No.1) 2013
- 155 of 2013, Public Records Amendment Regulation (No.2) 2013

The committee did not identify any significant issues in these pieces of legislation, and recommended that the House note the contents of the committee's report.

- **Report No. 29, Subordinate legislation tabled between 20 September 2013 and 19 November 2013**

The committee examined and reported on subordinate legislation no. 180 of 2013, Education and Training Legislation (Fees) Amendment Regulation (No. 1) 2013 in this report. The committee did not identify any significant issues in this piece of legislation, and recommended that the House note the contents of the committee's report.

- **Report No. 30, Subordinate legislation tabled between 20 November 2013 and 11 February 2014**

This committee examined and reported on eight pieces of subordinate legislation in this report:

- 227 of 2013, Proclamation made under the *Vocational Education, Training and Employment (Skills Queensland) and Another Act Amendment Act 2013*
- 228 of 2013, Education, Training and Other Legislation Amendment Regulation (No.1) 2013
- 229 of 2013, Education (Accreditation of Non-State Schools) Transitional Regulation 2013
- 262 of 2013, Proclamation made under the *Education (Strengthening Discipline in State Schools) Amendment Act 2013*
- 263 of 2013, Education (General Provisions) Amendment Regulation (No.1) 2013
- 264 of 2013, Proclamation made under the *Education and Care Services Act 2013*
- 265 of 2013, Education and Care Services Regulation 2013
- 275 of 2013, Public Records Amendment Regulation (No.3) 2013

Whilst the committee did not identify any issues of fundamental legislative principles; it did identify two possible drafting errors, and recommended that these be amended.

On 23 May 2014, the Government tabled its response to the committee's report. Both recommendations were supported by the Government.

- **Report No. 33, Subordinate legislation tabled between 12 February 2014 and 6 May 2014**

The committee examined and reported on subordinate legislation no. 16 of 2014, Education (Accreditation of Non-State Schools) Amendment Regulation (No. 1) 2014 in this report. The committee identified one potential breach of fundamental legislative principle, but considered it was justified in the circumstances. The committee recommended that the House notes the contents of the committee's report.

3.5. Assessment of public accounts

Section 194B of the *Parliament of Queensland Act 2001* provides that:

The Committee of the Legislative Assembly shall as soon as practicable after a report of the Auditor-General is tabled in the Assembly refer that report to the relevant portfolio committee(s) for consideration.

In addition to the estimates process in 2014, the committee considered the following Auditor-General reports as referred to the committee in 2013-14.

- **Report No. 19, Review of the Auditor-General's Report 11: 2012-13 - Results of Audits: Education Sector Entities 2012**

The audit report summarised the results of the 2012 financial audits of universities and grammar schools and the entities that they control.

After a briefing from the Auditor-General, and review and consideration of the issues raised in the report, the committee recommended that guidelines for short term cash flow liquidity management proposed by the Auditor-General be adopted by all of the relevant entities. The committee also recommended that Parliament be informed about how the issues raised in the report were being addressed.

On 8 November 2013, the Government tabled its response to the committee's report. Both recommendations were supported by the Government.

- **Report No. 21, Review of Auditor-General's Report 2: 2012-13, Follow up of 2010 audit recommendations**

The follow up report covered three audit reports tabled in Parliament in 2010. Only one of the reports fell within the committee's area of responsibility, namely, *Report to Parliament No. 6 for 2010 – Using student information to inform teaching and learning*.

After reviewing the report, receiving a briefing from the Auditor-General, and seeking departmental advice, the committee recommended Parliament note the contents of the report.

- **Report No. 22, Review of Auditor-General's Report 8: 2012-13, Online service delivery**

The performance audit examined four government departments and the Brisbane City Council to determine whether the public sector has optimised its use of information technology for the delivery of services online. It considered the availability, accessibility, reliability and security of online services, and the cost-effectiveness of online service delivery.

After reviewing the report and receiving a briefing from the Auditor-General, the committee recommended the Parliament be advised: on the progress of the implementation of the audit report's recommendations; and whether a number of identified strategies had been developed and implemented.

On 31 October 2013, the government tabled its response to the committee's report, providing detailed information to the Parliament in response to each of the four recommendations, as had been requested.

- **Report No. 34, Review of Auditor-General's Report 2: 2013-14 - Supply of specialist subject teachers in secondary schools**

The report outlined the findings from the audit office's performance audit which examined how effectively the Department of Education, Training and Employment attracts and places specialist subject teachers in secondary schools to maximise student academic outcomes.

After receiving a number of briefings and examining the report, the committee recommended the minister table a report in 2015, detailing the department's progress towards implementing the recommendations contained in the Auditor-General's report.

3.6. Consideration of public works

No public works inquiries were undertaken by the committee during the reporting period.

3.7. Consideration of matter referred by the Legislative Assembly

- **Report No. 25, The Assessment Methods used in Senior Mathematics, Chemistry and Physics in Queensland Schools**

In February 2013 the Legislative Assembly directed the committee to inquire into and report on the assessment methods used in senior mathematics, chemistry and physics in Queensland schools. The terms of reference set by the Legislative Assembly were:

1. That the Education and Innovation Committee inquire into and report on the assessment methods used in Senior Mathematics, Chemistry and Physics in Queensland schools.
2. That, in undertaking this inquiry, the committee should consider the following issues:
 - ensuring assessment processes are supported by teachers
 - student participation levels
 - the ability of assessment processes to support valid and reliable judgments of student outcomes.
3. Further, that the committee take public submissions and consult with key stakeholders and relevant subject matter experts.
4. The committee is to report to the Legislative Assembly by 16 August 2013.

During the 2013-14 period, the committee continued its research; held a public hearing on the Sunshine Coast; undertook a study tour to New South Wales and Victoria; and met with current and recent past senior students of mathematics, chemistry and physics.

After consideration of the many issues raised, the committee made sixteen recommendations covering the number, format, and proportion of marks for assessment tasks; the introduction of external examinations as part of the assessment process; expanding syllabus documentation to be more clear and explicit; additional support for teachers; and undertaking further research to establish benchmarks to assist with evaluating performance progress against Australian and international schools.

On 6 January 2014, the government tabled its response to the committee's report. All of the committee's recommendations were supported by the government either directly or in principle, with several recommendations referred to the review of senior assessment and tertiary entrance processes in Queensland for further consideration as they were directly within the scope of that broader review.

One matter, in relation to evidence received from submitters, was referred to the Ethics Committee on 21 November 2014. The Ethics Committee reported its findings on the matter in its report no. 144 which was tabled on 21 November 2014.

4. Statement of revenue and spending

The committee had no revenue for the year. Its operations are funded from the appropriation provided to the Legislative Assembly.

The following table outlines the committee's expenditure during the year.

Expenditure Items	\$
Employee expenses ²	308 743
Business Travel	21 777
Printing and production	6 533
Advertising	0
Communications	2 193
Other Costs	3 785
Expenditure Total	343 031

4.1. Committee travel

During 2013-14 the committee undertook the following travel as part of their investigations into assessment methods used in senior mathematics, chemistry and physics in Queensland schools:

10 July 2013	Public hearing held on the Sunshine Coast
28-30 August 2013	Sydney and Melbourne Study Tour to meet with the Australian Curriculum Assessment and Reporting Authority, the Board of Studies New South Wales, the Victorian Curriculum and Assessment Authority and teachers of mathematics, chemistry and physics in both of these states.



Mrs Rosemary Menkens MP
Chair

² Figures for staffing expenditure shown above reflect a three person secretariat supporting the committee. The committee's staffing may have varied at some points over the year.