



everyone's family

Submission on the Draft South Australia Education and Children's Services Bill 2016

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Introduction

The Smith Family welcomes the opportunity to comment on the new Education and Children's Services Bill. Educational achievement is the critical driver for individuals of economic and social wellbeing. It is also key to South Australia being able to thrive in a rapidly changing 21st century.

The context for this submission is that children and young people in South Australia from disadvantaged backgrounds are generally not performing as well educationally and in their overall development as their more affluent peers. This is evidenced for example by the following outcomes:

- In disadvantaged communities, around one-third of children start school developmentally vulnerable on one or more key measures (such as physical, social, emotional, language and communication skills)
- In Year 3, 64.8% of children who do not have a parent who has completed Year 12 achieve above the national minimum standard in reading. This compares to 94.2% of those who have a parent with a Bachelor degree.
- In Year 9, 41.9% of Aboriginal students achieve above the national minimum standard in numeracy, compared to 79.1% of non-Aboriginal students.

The new Education Bill should be cognisant of and provide a legislative framework for supporting efforts that aim to improve the educational disadvantage being experienced by many young South Australians.

Background on The Smith Family

The Smith Family is Australia's largest education-oriented charity and delivers programs in 94 communities across all states and territories. Our mission is to support disadvantaged children and young people's long-term participation in education. In 2015/16 we supported over 127,000 disadvantaged children, young people and their families. This included over 14,000 from Aboriginal and Torres Strait Islander backgrounds.

In South Australia, we work across 10 communities, including Christie Downs, Elizabeth Vale, Morphett Vale, Port Augusta, Salisbury North and Whyalla. In 2015/16 we supported more than 15,000 disadvantaged children, young people and their families in South Australia. Around 1,200 of these young people and their carers/parents were from Aboriginal and Torres Strait Islander backgrounds.

Our programs begin in the early years, with a focus on early literacy and numeracy, continue through school and to the end of tertiary education. Our largest program, *Learning for Life*, is a long-term educational scholarship which nationally supports around 33,000 children and young people each year. There are over 4,000 disadvantaged young South Australians on a *Learning for Life* scholarship.

Our approach is one of deep and long-term partnerships – with families, schools, universities, governments, corporates and philanthropy. There are also over 8,000 volunteers who support our work.

We have a strong focus on evaluation and outcomes measurement and have a unique longitudinal dataset which is tracking the school attendance, achievement, Year 12 completion and post-school engagement of the young people on our *Learning for Life* program. Our evaluation focus has contributed to 84 percent of young people who were on the *Learning for Life* program being in further study or employment a year after leaving the program.

A new Education and Children's Services Bill for South Australia

Given the importance of continuity across early childhood, schools and technical and further education, The Smith Family supports the bringing together of education and childhood services under a single Act.

Objects and principles

The introduction of a new Act provides an opportunity to clearly articulate to the community, the overarching framework which underpins education within South Australia. It is also an opportunity to emphasise the importance of education for individuals and the community as a whole. This can be made most obvious in the Objects and Principles that the Act adopts.

The Smith Family welcomes the identification in the draft Bill of the importance of high quality education, accessibility, and the involvement of parents and other members of the community in education and children's services. We also welcome the reference to education being a "child's right" and that paramount consideration be given to the "best interests of children and students".

The Smith Family would also argue that the Objects and Principles could be strengthened so that they provide a stronger and clearer vision that can be owned by the South Australian community. We would suggest that the United Nations *Convention on the Rights of the Child*, the *Melbourne Declaration on Educational Goals for Young Australians* and the *Australian Education Act 2013*, provide direction in this regard.

The UN Convention identifies in Article 29 that the education of children should be directed to:

- a. The development of the child's personality, talents and mental and physical abilities to their fullest potential;
- b. The development of respect for human rights and fundamental freedoms and for the principles enshrined in the Charter of the United Nations;
- c. The development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own;
- d. The preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of Indigenous origin; and
- e. The development of respect for the natural environment.

The Melbourne Declaration identifies the goals of equity and excellence for Australian schooling and that all young Australians be: successful learners; confident and creative individuals; and active and informed citizens.

In addition, The Smith Family would suggest consideration in the South Australian context of some of the Preamble to the *Australian Education Act 2013*, including:

“All students in all schools are entitled to an excellent education, allowing each student to reach his or her full potential so that he or she can succeed and contribute fully to his or her community, now and in the future.

The quality of a student’s education should not be limited by where the student lives, the income of his or her family, the school he or she attends, or his or her personal circumstances.

The quality of education should not be limited by a school’s location, particularly those schools in regional Australia...

Strong partnerships across the broader community are necessary to support all school students, including partnerships between teachers, parents, carers and families, not-for-profit and community organisations and employers.”

The United Nations Convention, the Melbourne Declaration and the *Australian Education Act 2013* provide a broad and holistic perspective on the goals of education, both for individual children and young people and the community as a whole. The Smith Family would urge the South Australian Government to draw on them when reforming the Bill.

With regards to the currently drafted principle (d) relating to parental involvement, given the clear evidence of the importance of parental engagement in children’s learning for children’s educational success, we would suggest that the language of ‘promotion’ be strengthened. It is also important that the Act acknowledge that for some children and young people the term ‘carer’ will be a more appropriate one.

The Smith Family would also suggest that the currently drafted principle (e) relating to consulting with stakeholders and communities ‘in respect of decisions...that *may affect them*’, is too narrow in focus. As the Australian Education Act has identified, strong partnerships across the broader community are a key component of supporting children’s development. This necessitates consultations beyond just those who may appear to be affected by decisions.

There is now strong evidence that improving and sustaining the educational and wellbeing outcomes of children and young people, especially those from disadvantaged backgrounds, will require strong partnerships between schools, educational organisations and systems, families, community organisations, businesses and the wider community. The Smith Family would argue that the importance of these partnerships to achieving the goals of the Education and Children’s Services Bill should be much more explicitly noted in the Act. The Australian Education Act for example explicitly acknowledges the role of not-for-profit and community organisations in supporting students. This is a very welcome recognition, and stronger than the current draft of the South Australian Act which mentions ‘other members of the community’ ‘stakeholders and communities’, without specifically noting the role of non-government and community organisations.

Children and young people's records and data

The draft Bill notes the importance of sharing information 'between certain persons and bodies'. This is understandably an important dimension of efforts aimed to ensure child safety and wellbeing. The value of sharing data however can go beyond this, to positively contribute to children's educational development. This is particularly the case for disadvantaged children and young people, whose educational journey is often interrupted due to higher levels of mobility and generally lower levels of school attendance.

As identified in the introduction to this submission, The Smith Family has a strong focus on evaluation and the use of data to better support students and assess the effectiveness of our work with them. The Smith Family has invested in a custom-designed database and in-house research team to enable detailed data analysis, including longitudinal analysis, and for particular cohorts of students. This analysis is directly informing our work with children, young people and their families.

We also note the key leadership role the South Australian Department of Education has had in the development of a number of national data initiatives. We therefore suggest there would be merit in considering including stronger statements within the draft Bill regarding the collection and use of data to better inform decision making in relation to the delivery of education and children's services in South Australia. Such collection and use must of course consider appropriate privacy and confidentiality issues.

We would also strongly support consideration being given to the development of a unique student identifier as this is an important tool in identifying children and young people who need additional support and for assessing the impact of particular initiatives. We would urge that the Bill mention the provision of publicly available data in this context. The availability of such data is a key platform for building public confidence and accountability in the education and children services system. Such data should be available at the aggregate level, as well as for key sub-groups, such as Aboriginal and Torres Strait Islander students, including with respect to gender, and socio-economic status.

We would also urge consideration be given to how data might be shared with non-government organisations, in particular circumstances, and with individuals and organisations undertaking educational research and evaluation. The Smith Family's Research and Advocacy team has developed strong relationships with the data units of a number of educational jurisdictions, including in South Australia, and significant new knowledge is being gained through appropriate sharing and analysis of data. This approach is contributing to better informed decision making and more targeted program delivery. The Smith Family would urge that consideration be given to making such reciprocal research and evaluation relationships more explicit within the Bill.

Composition of governing councils of schools

The Smith Family strongly supports efforts to ensure parental engagement in school governance. Research shows the importance of parental engagement in their child's learning and this includes involvement in how schools operate and the culture that they develop. Different models of parental engagement will be appropriate for different school communities. Therefore we support the Bill's emphasis on the role of parents within governing councils of schools. We also note that some parents, particularly in disadvantaged schools and communities, may need support to participate in such

governance arrangements. We would also argue that non-government organisations can make a particular contribution on such governing councils.

Penalties and fines

The Smith Family notes that the draft Bill contains a significant number of offences and associated penalties, including in relation to enrolment and attendance. We appreciate the importance of publicly identifying the importance of these, particularly as strong school attendance is a prerequisite for positive educational outcomes.

The Smith Family has a very strong focus on school attendance and to working *with* students and their families to improve school attendance where it is an issue. The average school attendance rates for South Australian students on our *Learning for Life* program in 2014 were:

- Primary school students – 91.8%
- Secondary school students – 88.4%

These are strong results for highly disadvantaged students, many of whom are of Aboriginal and Torres Strait Islander background. Our experience over many years has shown that developing respectful long-term partnerships with highly disadvantaged families, which focus on improving the educational outcomes of their children, is the key to bringing about positive sustainable change and desired behaviours, such as strong school attendance. We would suggest that this approach is much more successful over the long-term than more punitive approaches.

We would therefore strongly urge that fines and penalties only be used as an absolute 'last resort' and where there is indication that such a fine will bring about the desired behavioural change. There must be multiple strategies in place prior to any escalation to the Chief Executive and/or a family conference, both in terms of the likelihood of getting the desired outcome and from an efficiency perspective. We would also urge that consideration be taken of the impact of such fines on disadvantaged families, particularly where there may be a number of fines. A clear and accessible review process for such decisions should also be established as part of any fine regime.

It is also important that cultural considerations, such as those associated with "sorry business" be respected and not result in financial penalties to families who are potentially already experiencing significant financial disadvantage.

Family conferences

The Smith Family appreciates the intent of family conferences as identified in Clause 71 of the draft Bill. The role of the Chief Executive in convening such conferences highlights the seriousness of them. The Smith Family would urge that the availability of family conferences under the Act not rule out more informal and early intervention strategies focused on ensuring strong school attendance and other related behaviours.

The potential benefit of family conferences will clearly be heavily influenced by the quality of the Family Conference Coordinator. It will be critical to ensure that such Coordinators are well trained and supported in an ongoing way to undertake this work. It is likely that a significant proportion of parents/carers and students, particularly from disadvantaged backgrounds will find the family conference process stressful. While noting the serious intent of the conferences, every effort should be made to help parents/carers and students feel comfortable and supported in the process, with the focus being on how all participants can work together to support the student's educational outcomes.

While The Smith Family's staff who work directly with families and schools are not resourced to participate in family conferences, in some cases, their strong long-term relationships and the level of trust they have developed with very vulnerable families could be a useful contributor to a positive outcome.