

# Submission to the Red Tape Committee

August 2018

## Introduction

The Queensland Catholic Education Commission (QCEC) provides this submission to the Select Committee on Red Tape (the 'Red Tape Committee') to inform the inquiry into the effect of restrictions and prohibitions on private education.

QCEC is the peak strategic body with state-wide responsibilities for Catholic schooling in Queensland. This submission is provided on behalf of the five Diocesan Catholic school authorities and 17 Religious Institutes and other incorporated bodies which, between them, operate a total of 304 Catholic schools that educate more than 147,000 students in Queensland.

## The Queensland Catholic Education Commission

QCEC has responsibility for state-wide policy making and for action in the areas of:

- funding (distribution of, negotiations concerning and accountability for the funding of Catholic schools by the Australian Government and the State Government)
- research and collection of statistical, financial and educational data relevant to QCEC's prime functions.

The following government programs that are being administered by QCEC are available to Catholic schools in Queensland:

Queensland Government programs	Australian Government programs
Capital Assistance Scheme	General Recurrent Grant
Education Support Funding for Children in Care	Student First Support Fund
External Infrastructure Subsidy Scheme	Capital Grants Program
Textbook and Resource Allowance	
Alcohol Education Program	
Queensland Kindergarten Funding Scheme	
Living Away from Home Allowance	
Non-state School Transport Assistance Scheme	
Youth Support Coordinators Initiative	
Vocational Education and Training (VET) in Schools	
Special Needs Organisation	
Special Needs Students Recurrent	
State Recurrent per capita Grant	
National School Chaplaincy Program	

## Catholic schools in Queensland

All Catholic schools in Queensland are members of a system and QCEC is the system authority. As system authority QCEC plays a crucial role in meeting the compliance and accountability demands on Catholic schools and partially mitigates the regulatory burden on individual schools. However, this does not diminish the accountability of Catholic schools.

Catholic schools are subject to the same reporting requirements as government schools, including My School, annual reports, the Financial Questionnaire and state accountability mechanisms. Catholic schools and systems also report to the Australian Charities and Not-for-profits Commission (via the Financial Questionnaire).

## Red tape in Catholic education

For the purpose of this submission, QCEC defines red tape as the excessive and unnecessary burden imposed on Catholic schools and Catholic school authorities as a result of legislation.

QCEC supports that all schools should transparently account for their use of government funding in support of educational outcomes. However, accountability and transparency measures should be reasonable and should not impose an excessive compliance burden. It is important to recognise that schools are also accountable to parents and communities and that red tape can significantly increase the time principals and teachers spend on paperwork at the expense of quality teaching and learning.

One significant area of red tape in Catholic schools is the duplication of reporting, particularly in relation to enrolment data collected in census style data collections and data on students with a disability.

## Census data

Currently, Queensland Catholic schools are required to provide data to the Queensland Government non-state school census and the Australian Government non-government school census. While the information collected is essentially the same, the reporting requirements are different which places a significant compliance burden on schools. Differences in determining the eligibility of students to be reported, for example for repeating students, increase the reporting burden.

### [Queensland Government School Survey Data for Non-State Schools](#)

Under Section 168 of the *Education (Accreditation of Non-State Schools) Act 2017*, the governing body of an accredited school must give the Non-State Schools Accreditation Board enrolment data on the last Friday of February each year.

Information derived from the annual Census is used in the allocation of funds distributed by the State Government to non-state schools and representative bodies. It is therefore imperative that all schools ensure that the data provided are accurate and that the Census form is submitted by the due date.

Census data include:

- school/site details
- overseas students
- full-time students
- part-time students
- English as a second language students
- indigenous students
- students with disability
- students from isolated zones
- boarding students and boarding fee concessions

## [Australian Government Non-Government Schools Census](#)

The Department of Education and Training conducts the *Non-Government Schools Census* on the first Friday of August each year. The Census collects information on students and staff from all non-government schools in Australia.

The purpose of the Census is to:

- Contribute to calculating the annual entitlement in respect of schools receiving Commonwealth Recurrent Funding. This is in line with the *Australian Education Act 2013* and *Australian Education Regulation 2013*.
- Form part of the National Schools Statistics Collection, the official statistical description of Schooling in Australia.
- Form part of the school's profile published by the Australian Curriculum, Assessment and Reporting Authority (ACARA) on the 'My School' website.

In 2018, the collection of the Nationally Consistent Collection of Data on Students with Disability (NCCD) will be included as part of the Census. The NCCD has replaced the previous Students with Disability reporting process in the Census and Census collection timeframes will also apply to the provision of NCCD data.

### **Students with disability data**

All Queensland schools are required to adhere to the Commonwealth *Disability Discrimination Act 1992* and the *Disability Standards for Education 2005*. Schools must therefore make reasonable adjustments to ensure students with disability are able to participate in education on the same basis as students without disability.

The identification of students with disability in Queensland requires each school to maintain two separate processes – one to satisfy Queensland State Government requirements and another to satisfy Australian Government requirements. This is particularly burdensome, complex and represents a duplication of effort which impacts negatively on the educational outcomes of this significantly disadvantaged group of Australians.

## [Queensland Government Student with Disability Program](#)

For Catholic schools, the program is administered by QCEC under a three-year service agreement.

The State Government requires QCEC to account for the allocation and use of the funds and therefore requires the collection of information from relevant authorities and/or schools to facilitate this requirement.

Schools are required to:

- hold relevant documentation that verifies the impairment and educational adjustments in place for each eligible student
- develop, implement and review education plans for each eligible student which includes any adjustments required to achieve educational outcomes
- provide audited statements to their respective authority verifying that the funds were expended to support the educational adjustments in place for the eligible student.

A student with disability must meet the following criteria:

- the student must have a diagnosis of Autism Spectrum Disorder, Hearing Impairment, Intellectual Disability, Physical Impairment, Speech-Language Impairment, Vision Impairment or Social Emotional Disorder
- the student must be verified under the [Education Adjustment Program \(EAP\)](#) as meeting the diagnostic criteria and be eligible for additional resources in respect of activity limitations and participation restrictions in relation to their educational program
- the student must be in receipt of a support service or program in response to the activity limitations and particular restrictions of the disability.

[Australian Government Nationally Consistent Collection of Data on School Students with Disability \(NCCD\)](#)

As mentioned above, as of this year, NCCD is included within the general school Census rather than as a parallel collection. It counts the number of students who are supported under the obligations that schools have towards students under the Commonwealth *Disability Discrimination Act 1992* and the *Disability Standards for Education 2005* based on the professional judgement of teachers and their understanding and knowledge of their students.

Under the model, teachers use their professional, informed judgement to determine:

- which of their students are being provided with a reasonable adjustment to access education because of disability, consistent with definitions and obligations under the *Disability Discrimination Act 1992* and the *Disability Standards for Education 2005*
- the level of adjustment that students with disability are being provided with, in both classroom and whole of school contexts
- the broad category of disability under which each student best fits.

A student is eligible to be counted in the national data collection where there is evidence at a school that the student is being provided with an educational adjustment to meet ongoing, long-term specific needs associated with disability and that decisions have been made in consultation with the student and/or their parents or carers. The definition of 'long-term' for this purpose is over a minimum period of 10 weeks of school education (excluding school holiday periods), in the 12 months preceding the national data collection.

The requirement for dual processes for student with disability identification and their associated ongoing compliance and monitoring requirements comes at a significant cost in many respects: opportunity cost; financial cost; and the emotional and time costs to parents and carers of students with disabilities. Queensland Catholic school authorities have provided the following information about the impact of duplication of reporting on individuals and groups and how this ultimately impacts negatively on students with disability to access and participate in school education on an equitable basis (as per the *Melbourne Declaration on Educational Goals for Young Australians (2008)* and legislation).

#### *Students*

Students with disability are impacted negatively when schools are required to deploy specialist staff and teaching staff to attend to dual disability identification and ongoing compliance activities instead of implementing the educational support program for students with disability.

#### *Schools and School Systems*

Schools and school systems are also negatively impacted by duplicate identification and compliance activities. The obligation to devote resources to the development, maintenance and updating of data systems to store evidence and key metrics associated with students with disabilities is onerous. Funds

devoted to these record-keeping costs could be devoted to other purposes including services for students with disabilities.

### *Parents and Carers*

Parents and carers of students with disability negotiate significant challenges as they seek to provide ongoing appropriate care, therapy and education. In most cases, parents and carers have extensive engagement with health professionals and early intervention programs prior to school commencement.

School enrolment (even pre-enrolment) introduces these parents and carers to new school-based processes aimed at confirming the disability and its impact on access to the curriculum and the educational services of the school, as a precursor to delivering support services tailored to student needs. Negotiating these school processes impose further time costs on parents and carers.

The fact that each school runs two processes simultaneously to satisfy different State and Commonwealth requirements for identification and compliance compounds the impact on parents and carers, without delivering any tangible enhancement to services for students with disabilities.

### **Conclusion**

The cumulative impact of the compliance burden linked to various mandatory reporting requirements is significant for Catholic schools. Unfortunately, the Committee's short consultation period does not allow for detailed discussions with schools and school authorities and the estimation of the economic cost of these requirements. However, it is clear, reducing red tape has the potential to offer significant economic benefits for Catholic schools and their students. More comprehensive guidelines and better access to government departments would assist schools and school authorities in complying with government reporting requirements in a less burdensome way. QCEC cautions about increasing the reporting burden for Catholic schools and is looking to the Committee to make recommendations to Government for streamlining and simplifying existing reporting processes.

For any further information or clarification, please contact Beatrix Brice, Principal Policy Advisor, by phone (07) 3316 5856 or email [beatrib@qcec.catholic.edu.au](mailto:beatrib@qcec.catholic.edu.au)

A handwritten signature in black ink, appearing to read 'L. Perry', with a large, stylized loop at the end.

**Dr Lee-Anne Perry AM**  
Executive Director