

Tasmanian Council of Social Service

# Review of the Tasmanian Education Act

# TasCOSS submission

22 December 2014

TasCOSS is the peak body for the Tasmanian community services sector. Its membership comprises individuals and organisations active in the provision of community services to low income, vulnerable and disadvantaged Tasmanians. TasCOSS represents the interests of its members and their clients to government, regulators, the media and the public. Through our advocacy and policy development, we draw attention to the causes of poverty and disadvantage and promote the adoption of effective solutions to address these issues.

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## Introduction

TasCOSS welcomes this review and the opportunity it provides to raise the profile of education as a key tool for overcoming poverty and disadvantage and securing future prosperity for all Tasmanians.

The review of the Act is a superb opportunity to ensure that Tasmania's education system is aimed squarely at combating disadvantage and ensuring that all Tasmanian children have an equal chance at success, health and happiness in life. These goals can only benefit the state as a whole: the better-educated, healthier and happier all Tasmanians are, the more capacity they have to exercise their creativity and productive potential, the more the state will prosper.

This submission has been heavily informed by consultations with TasCOSS members and stakeholders, and we appreciate their input. We have restricted our comments to those areas identified by these consultations as key, and have ordered our submission according to the logical flow of these points.

# Guiding principles

TasCOSS believes that every child is entitled to an education in a system that strives for excellence, and that allows each student to realise his or her full potential intellectual, economic, social, physical and emotional—and we urge the inclusion of this principle in the new Act.

TasCOSS believes that the purpose of an education system is to ensure that every child is equipped to flourish in life in every way—intellectually, economically, socially, physically and emotionally. We also believe that the broader purpose of an education is to combat disadvantage and to further the development of an equitable society. Indeed, the object of the Australian Education Act 2013 is to ensure that the Australian schooling system provides a "high quality and highly equitable" schooling system for all students. The Act also specifies that the quality of a student's education should not be limited by where the student lives, the income of her or his family, the school s/he attends, or her or his personal circumstances. These principles should be included in the new Tasmanian Act.

TasCOSS believes that the primary intended beneficiary of education must be the child, and the adult into which s/he will develop. For example, the first intended outcome of the high quality, highly equitable approach to education outlined in the Australian Education Act 2013, according to the Act, is for young Australians to become "successful learners, confident and creative individuals, and active and informed citizens." However, we further believe that the benefits of education do not stop with the student. Indeed, a common theme of our advocacy is that the welfare and wellbeing of individuals, communities and societies are closely linked.

We agree that economic prosperity is an important component of individual and societal welfare, and that a highly educated population has the potential to

provide significant benefit to Tasmania's economy. Indeed, we agree with the Australian Education Act 2013 in that a high quality, highly equitable schooling system will additionally create a "highly skilled, successful and inclusive workforce, strengthen the economy, and increase productivity, leading to greater prosperity for all." However, we strongly argue that economic outcomes are only one of several societal objectives for an educational system.

Consequently, we support the inclusion in the new Tasmanian Act of the language of the Canadian Education Act, which refers to the education system as "the foundation of a prosperous, caring and civil society," with the goal of providing students with "the opportunity to realise their potential and develop into highly skilled, knowledgeable, caring citizens who contribute to their society."<sup>1</sup>

Specific skills and attributes relevant to this goal which the Act may wish to specify as objectives of education include:

- Innovative and critical thinking
- Ethical and responsible action
- Tolerant and respectful attitudes
- Imagination and aspiration
- Perseverance and self-control
- Interpersonal and communications skills.<sup>2</sup>

In the pursuit of these principles and objectives, TasCOSS also believes that a new Education Act should mandate and support the Tasmanian education system in delivering on an additional goal, that of fostering the current and future physical and emotional health and well-being of all students. This responsibility flows from two facts which we view as indisputable.

- The value of a good academic education across all realms—economic, social, intellectual, civic—to a person and to the society they live in is reduced if that person suffers from ill health, or is trapped in destructive states of mind and accompanying patterns of behaviour. If the purpose of an education system is to ensure that a child will flourish in the future, all dimensions of that future must be considered: not only intellectual, economic, and social, but also physical and emotional.
- 2. Tasmania's future prosperity will be severely undercut if the cost, to State budgets and to productivity, of chronic lifestyle- and mental health-related illness continues to spiral upwards. Given that concern for Tasmania's future is one of the factors animating this review of the Act, it would be illogical and

<sup>&</sup>lt;sup>1</sup> <u>http://www.e-laws.gov.on.ca/html/statutes/english/elaws\_statutes\_90e02\_e.htm</u> <sup>2</sup> See

http://www.brookings.edu/~/media/research/files/opinions/2014/06/23%20new%20politics%2 0of%20character%20reeves/the new politics of character reeves.pdf for a provocative but compelling examination of the need to include non-cognitive skills in school curricula to address social inequality.

irresponsible to avoid addressing one of the key threats to that future in the new Act.

Childhood health statistics in Tasmania as in Australia show a number of worrying trends, which in turn have alarming implications for the future.

- On the physical side, chronic lifestyle-related health conditions among young people are on the rise. For example, nearly 30% of Tasmanian children are overweight or obese; and as childhood obesity is increasing, so is the incidence of childhood type 2 diabetes.<sup>3</sup> Looking to the future, recent studies have linked childhood obesity, lack of fitness and inactivity to higher risk in adulthood of heart disease, type 2 diabetes, arthritis, certain types of cancers, low bone mass and depression.<sup>4</sup>
- On the mental side, an increasing proportion of children and adolescents in Australia—over 20%, according to one recent study—have mental health problems, with a higher prevalence among children living in low-income, step/blended, and sole parent families.<sup>5</sup> Looking to the future, young people with mental illness are at dramatically increased risk in adulthood of recurring mental illness, substance abuse, self-harm and suicide, as well as at increased risk of a wide range of physical illnesses.<sup>6</sup>
- Meanwhile, the Tasmania Child Trauma Service reports that childhood trauma is on the increase.<sup>7</sup> Looking to the future, survivors of childhood trauma are at increased risk in adulthood not only of the full range of mental illness and personality disorders, but also of a range of physical illnesses ranging from immune and nervous system disorders to diabetes and cardiovascular disease.<sup>8</sup>

Each of the health concerns mentioned above has a disproportionate impact on low-income, disadvantaged and vulnerable Tasmanians and their families.

- http://www.aihw.gov.au/WorkArea/DownloadAsset.aspx?id=6442453396
- <sup>4</sup> <u>http://www.abc.net.au/news/2014-11-08/rise-in-obese-children-leads-to-damaging-</u>

http://www.racgp.org.au/download/documents/AFP/2011/March/201103mcgorry.pdf; de Hert, M et al. (2011), "Physical illnesses in patients with severe mental disorders." World Psychiatry, 10(1), http://www.ncbi.nlm.nih.gov/pmc/articles/PMC3048500/

<sup>&</sup>lt;sup>3</sup> AIHW (2005) Selected diseases among Australia's children.

outcomes/5876528 ; http://www.menzies.utas.edu.au/article.php?Doo=ContentView&id=887 <sup>5</sup> Mission Australia (2014) Youth Mental Health Report, p. 3.

https://www.missionaustralia.com.au/newsroom-page/media-releases/item/522-one-in-fiveyoung-people-struggling-with-mental-illness; Sawyer MG et al. (2000) Mental health of young people in Australia.

http://www.health.gov.au/internet/main/publishing.nsf/Content/7E7B15F442156327CA257BF0 001E4714/\$File/young.pdf

<sup>&</sup>lt;sup>6</sup>Royal Australian Commission of General Practitioners (2011) *Is this normal? Assessing mental health in young people*.

 <sup>&</sup>lt;sup>7</sup> http://www.themercury.com.au/news/tasmania/tasmanian-children-bearing-burden-ofincreasing-parental-drug-and-alcohol-abuse/story-fnj4f7k1-1227148176603
<sup>8</sup> http://www.asca.org.au/Survivors/How-can-abuse-affect-me.aspx

Unfortunately, relying on out-of-school activities or support to address these issues does not seem to be working, particularly in situations where parents lack the resources or skills to support their children towards physically and emotionally healthy lives.

- Given increases in sedentary behaviour at home and the decline of active transport, only 62% of Tasmanian children aged 5-12 achieve the 60 minutes a day of physical exercise recommended by the Department of Health and Human Services. <sup>9</sup> The Active Healthy Kids 2014 report card on physical activity in children and young people in Australia has specifically noted that after-school sport is not sufficient to fill the activity gap.<sup>10</sup>
- The 2007 Australian National Survey of Mental Health and Wellbeing found that although young people have higher rates of mental disorder than other age groups, they are less likely than other age groups to seek professional help; 75% do not access treatment.<sup>11</sup>

The education system is the logical site for trauma-informed early intervention in physical and mental/emotional health by virtue of the fact that schools are the one environment through which virtually all young Tasmanians pass; by the same token, Tasmania's students spend more time at school than anywhere else outside of home. Schools are therefore ideally placed to play the role of protectors and promoters of good physical and mental health in childhood/young adulthood and for the future.

Notably, a legislated requirement to include physical and mental/emotional health among the goals of an education system has the potential to deliver good results for the education system itself in the first instance, since health in childhood is linked to educational achievement and retention.

• Children who are overweight or obese are more likely to have lower grades and test scores.<sup>12</sup> Students with unaddressed mental health issues are significantly more likely to drop out.<sup>13</sup>

tas.org.au/files/State%20of%20Launceston%27s%20Children%202014.pdf;

<sup>&</sup>lt;sup>9</sup> Anglicare (2014) The state of Launceston's children 2014. <u>https://www.anglicare-tas.org.au/sites/anglicare-</u>

http://www.dhhs.tas.gov.au/healthpromotion/wihpw/priority\_areas/promoting\_physical\_activity\_and\_active\_communities

<sup>&</sup>lt;sup>10</sup> <u>http://www.activehealthykidsaustralia.com.au/wp-</u>

content/uploads/2014/05/ahka reportcard longform web.pdf

<sup>&</sup>lt;sup>11</sup> <u>http://www.health.gov.au/internet/publications/publishing.nsf/Content/mental-pubs-m-mhaust2-toc~mental-pubs-m-mhaust2-hig~mental-pubs-m-mhaust2-hig-pre</u>; Royal Australian Commission of General Practitioners (2011) *Is this normal? Assessing mental health in young people.* 

http://www.racgp.org.au/download/documents/AFP/2011/March/201103mcgorry.pdf; 12

http://www.dhhs.tas.gov.au/ data/assets/pdf file/0003/115941/06Telford pes 2012 0006 p 45-57.pdf;

 By comparison, good health in childhood leads to better educational outcomes: healthy students are more likely to attend school, are better able to focus in class and are more ready to learn, ultimately earning better grades and achieving more in school.<sup>14</sup> Schools with fitter children achieve better literacy and numeracy results.<sup>15</sup>

Equally importantly for the long term, however, a school-based strategy of universal trauma-informed early intervention in physical and mental/emotional health has the potential to avert the future physical and mental/emotional health problems outlined above, and their accompanying costs to the Tasmanian state.

For physical and mental/emotional health to be prioritised as an integral part of the school curriculum and environment, their inclusion in the remit of the education system needs explicit recognition in the new Act.

- A legislated commitment to the protection and promotion of good physical health will provide the impetus, rationale, and where necessary requirement for the Department of Education and schools to ensure that curricula, daily schedules, and additional programs all support physical activity and to investigate innovative ways of increasing daily physical activity and reducing sedentary behaviour among students, including active/non-sedentary learning techniques.<sup>16</sup>
- Such a commitment also has the potential to strengthen nutrition-related programs in schools—a key concern for many educators, given that 25% of Australian children go to school without having had breakfast and that 20% of primary school children who are overweight, and 33% of children from low-income households, do not eat a nutritious breakfast.<sup>17</sup> Hunger can negatively affect a student's ability to focus, and prolonged hunger is associated with a number of adverse health outcomes, including learning deficiencies and emotional and behavioural problems.<sup>18</sup> On the flip side,

http://healthyschoolscampaign.org/content/uploads/Programs/Health%20in%20Mind/Documents/Health\_in\_Mind\_Report.pdf, p. 14.

http://healthyschoolscampaign.org/content/uploads/Programs/Health%20in%20Mind/Docu ments/Health in Mind Report.pdf , p. 14.

http://healthyschoolscampaign.org/content/uploads/Programs/Health%20in%20Mind/Docu ments/Health\_in\_Mind\_Report.pdf, p. 14

http://www.dhhs.tas.gov.au/\_data/assets/pdf\_file/0003/115941/06Telford\_pes\_2012\_0006\_p 45-57.pdf

<sup>16</sup> <u>http://www.activehealthykidsaustralia.com.au/wp-</u>

content/uploads/2014/05/ahka reportcard longform web.pdf, p. 18.

<sup>17</sup> University of Sydney (2007) National Children's Nutrition and Physical Activity Study, 2007.

18

http://healthyschoolscampaign.org/content/uploads/Programs/Health%20in%20Mind/Docu ments/Health in Mind Report.pdf , p. 14 eating breakfast can have a significant effect on a child's ability to learn, pay attention in the class room and retain information, and Heart Foundation research in Tasmania indicates it can be easier to get children to school on days when breakfast clubs are available.<sup>19</sup>

• Similarly, a legislated commitment to the protection and promotion of good mental/ emotional health will enable schools to seek adequate resourcing for mental health support programs as well as professional development around trauma-informed practice for staff.

# Raising the profile of education

Education should be a force that breaks down social divisions across generations. For this to be the case, at least four conditions must be met:

1) TasCOSS concurs with the sentiment shared by many that education is too important to be subject to political partisanship. A shared and dedicated commitment to education over time will be required to achieve positive and lasting change. The Act should contain a reference to the importance of a cross-partisan approach to the future of education in the State.

2) Building aspirations requires a conviction that every child, no matter how badly behaved or disengaged, has the potential to contribute something extraordinary. There can be no labelling of certain groups or geographic areas as low performers. The Act should contain a specific reference to striving for excellence.

3) All schools must be adequately resourced to provide the highest level of aspiration for all students and to provide support for students with learning and behavioural difficulties. TasCOSS supports the AEU's call for the inclusion in the Act of a commitment to a resourcing model that will form the basis for general recurrent funding for all students. Inclusion of the broad precepts of such a model in legislation does not lock the government of the day into particular funding amounts, but rather provides an overarching mechanism for determining funding for schools.

The model should:

- Set levels of funding by looking at actual resources used by schools already achieving high educational outcomes for their students over a sustained period of time.
- Provide for periodic review of funding levels (the AEU suggests every four years) as well as annual indexation, based on the actual increase of costs in high-performing schools.

<sup>&</sup>lt;sup>19</sup> Heart Foundation Tasmania, July 2014. Healthy Food Access Tasmania Project - Scoping Report Summary.

- Set different per-student amounts for primary and secondary students.
- Provide loadings for the additional costs of meeting special educational needs related to socioeconomic background, disability, mental health/trauma, English language proficiency, and the specific needs of Aboriginal students, as well as to school size and location.
- TasCOSS argues that current and future costs of failure to engage in early intervention to the health, justice, housing and finance general budgets should be factored in when determining education funding amounts.

#### Parent, community and education partnerships

TasCOSS believes that a child's education emerges from a whole-of-community interplay between parents, carers, families, schools, and the community at large. School associations are one way of bringing the voices of parents/families and of community members into the discussion of education, and deserve encouragement.

However, TasCOSS consultations suggest that despite legislative requirements not all schools have such associations, and that the capacities of different associations vary widely. Capacity-building programs for parents may be necessary to ensure that all school associations can work to their full potential; meanwhile, in areas of low capacity, community service organisations such as Neighbourhood Houses and local government community development officers should have the opportunity to sit on school associations.

Meanwhile, other players and mechanisms have the potential to foster whole-ofcommunity engagement in young people's futures—what some have called 'learning communities.' TasCOSS advocates that the Act mention local government, community education champions and whole-of-community initiatives such as the Glenorchy Community LEARN leadership group as key partners for schools in promoting the value of life-long learning as well as supporting the engagement of students and their learning outcomes.

TasCOSS also supports the call, already issued by the AEU, TASSO, TPA and the University of Tasmania, for the creation of an expert policy body spearheaded by the University of Tasmania and incorporating expertise across a range of areas, including business and community services, to establish an integrated and comprehensive educational model starting from early childhood and extending to life-long learning for all Tasmanians. TasCOSS believes that such a body warrants explicit reference in the new Act.

# Attendance, engagement, and the responsibilities of the education system

By approaching an excellent education as an entitlement of every child, TasCOSS underlines our conviction that education systems must be both sufficiently flexible and adequately resourced to ensure that all children and young people receive equal opportunities to succeed and excel, whether or not they can be accommodated in a conventional classroom. The responsibility for educational engagement thus rests primarily with educational systems, rather than with students or parents.

TasCOSS agrees that school attendance is an absolute priority, and that parents play an important role in ensuring that their children attend daily. However, TasCOSS is concerned by any approach to attendance that places sole responsibility on parents and that criminalises behaviour unnecessarily.

The vast majority of TasCOSS members and stakeholders consulted for this submission raised two points. First, they noted that parents rarely are unaware of the general importance of school attendance, particularly at younger ages. Rather, a failure by parents to ensure that their children are attending usually is related to the unpredictability of the lives of many low-income families. A sudden illness; the car breaking down; another sibling playing up; the absence of a disability or aged carer—all of these minor crises, to which a higher-income family could respond through more expensive alternatives, can throw a low-income family's life into chaos, often for long periods of time. In these conditions, ensuring that a child is at school may be a low priority. Second, attendance by older children often is almost completely out of the control of parents, particularly in the case of single mothers dealing with boys with behaviour issues.

In response to these observations, TasCOSS would make two points. First, the appropriate response to both these situations is not prosecution of parents, but support for the family and for the child. Members and stakeholders observed that many low-income parents had negative school experiences themselves and view school officials and environments as intimidating or threatening, a situation that may help explain some violent behaviour by adults at schools. Any approach to attendance that relies on threats has the potential to reinforce these impressions—a recipe for more trouble in schools.

TasCOSS therefore supports the existing approach of working closely with families as the first line of approach. While we agree that principals should have the ability to convene a compulsory conference to address attendance issues where other strategies are not working, we also support the recognition, as in NSW, that parents do not always have control over a child. Finally, we believe that prosecution should be reserved in the Act as a last resort specifically to deal with parents who wilfully obstruct their children's attendance at school. Second, particularly in the case of older children, TasCOSS's belief that every child has a right to an education underpins our view that responsibility for school attendance is shared between the student and the school. Where students are disengaging, it is not enough to just blame the student or family: these situations may require changes to the way in which education is supported and/or delivered. Furthermore, it is not enough simply to exclude students with behaviour problems; there is a need for high-quality options that support equivalent learning in different settings.

Issues that need to be considered include:

Practical support for students at risk of disengagement. As noted above, practical assistance can often make all the difference for attendance. TasCOSS believes that the education system holds a degree of responsibility for practical support for students at risk of disengagement, and that a commitment to the provision of such support should be included in the new Act.

School hours. TasCOSS believes strongly that the total number of hours of instruction should be the same for all schools if all students are to receive an equitable education. The Minister, through the Act, should have responsibility for setting the hours of instruction for each school. However, in setting these hours, the travel time required by remoter students to reach schools—a particular issue for high school students, who also are facing changing biorhythms—should be taken into account. There may also be cases for flexibility in how these hours are delivered.

Programs to combat disengagement and alternative education programs. Some students are likely to go through periods of disengagement; for others, a conventional school environment is unlikely to ever deliver the best educational outcomes. TasCOSS argues that a truly high-quality education system should make sure that periods outside conventional schools are productive by ensuring that highquality alternatives to conventional schools are available to all. These alternatives may be delivered by partner organisations (community service organisations, for example). However, the new Act should specify that it is the responsibility of the Education Department to ensure that these programs deliver genuinely high-quality educational outcomes for the students who pass through them, or who choose them as lasting alternatives to conventional schools. Reintegration into school settings clearly is the most desirable outcome of such programs; but reintegration must not be seen as their only objective. Rather, they must be seen as alternative mechanisms for delivering the same "opportunity to realise their potential and develop into highly skilled, knowledgeable, caring citizens who contribute to their society" afforded to other students. Given the relatively high levels of experience of trauma among disengaging/disengaged students, such programs bear a particular responsibility for addressing emotional health.

TasCOSS agrees that the attendance provision in the Act should be amended to include online/virtual education programs, as well as programs designed to combat

disengagement and alternative education programs. However, as noted above, we believe strongly that these types of programs should be carefully assessed for their educational value to ensure that they deliver educational outcomes as good as or better than school attendance for the students involved. For instance, many participants in TasCOSS consultations noted that young people who are disengaged frequently are poor candidates for home e-learning due to lack of internet access or access to technology, chaotic home lives, and/or peer pressure. E-learning alternatives therefore must be highly supported to be effective.

TasCOSS also notes that overall, school attendance records must be accurate and schools must be honest about rates of disengagement. In our consultations, we have heard disturbing stories of schools reporting children as present at school when in fact they are sitting in the kitchens of Neighbourhood Houses. Whether such overreporting of attendance is due to overwork in schools or to a fear of criticism or losing funding, sweeping disengagement problems under the rug is not going to lead to effective solutions.

#### Safety in schools

As noted earlier, many parents/families have highly negative associations with the education system based on their own experiences; many also lack effective conflict resolution skills. Some participants in TasCOSS consultations called for the creation of a neutral service that could mediate between children/parents/families on the one hand and schools on the other when either side has issues they want to raise—a idea that has the potential to defuse some situations that currently turn threatening for school staff. We are concerned that increasing the responsibility of Department of Education staff to deal with threatening behaviour themselves without significant training in conflict management has the potential to expose them to danger; schools should work closely with police in such circumstances.

#### Early years and kindergarten

TasCOSS supports the appropriate recognition in the Act of Kindergarten and early learning programs, including the collection of data.

# Responsibilities of a principal

In addition to the practical responsibilities assigned to principals, TasCOSS believes that the responsibilities of a principal must include:

1) Outreach and engagement with the broader community. TasCOSS consultations have revealed highly differing levels of outreach on the part of principals, a situation that does not further the broader goal of building whole-of-community partnerships and initiatives and fostering cooperation rather than competition between different schools. 2) Ensuring that high-quality alternative education and re-engagement programs are being delivered to all students who have disengaged from the school for which the principal is responsible. It should be the responsibility of the principal to ensure that clear pathways exist for each alternative education/disengagement program operating in their area for the reintegration of disengaged students into their school environment.

In line with earlier comments, principals should have the power to engage with families who are not ensuring that their children attend school.

#### Responsibilities of a teacher

TasCOSS supports the inclusion in the Act of language outlining the responsibility of teachers and believes that such responsibilities should include providing effective and inspiring instruction and encouraging and supporting students' learning.

#### Unacceptable student and adult behaviour

Students themselves are key players in the effort to promote positive behaviour and TasCOSS concurs with calls for a reference in the Act to a Student Engagement Policy that includes a strategy to promote positive student behaviour and a safe and inclusive environment, prevent bullying and anti-social behaviour, and encourage respect, compassion and cooperation.

#### Starting and leaving ages

TasCOSS consultations revealed highly divided opinions on the issue of changing Tasmania's starting and leaving ages, and we lack the expertise to adjudicate. It also is unclear to us whether in the case of the starting age, the existing pre-school system is to be retained. Given the fact that Tasmania's Year 3 NAPLAN results track more closely with national averages than those of higher years, the need or desirability to make changes to that end of the educational system are not clear.

We agree with the suggestion that the expert policy body discussed above would be ideally placed to provide the appropriate research and evidence to determine starting and leaving ages for Tasmanian students. However, we do note that:

- Any discussion should carefully consider the potential impact of changes in the starting age on children from low-income and disadvantaged families, who may be the least equipped to make the transition to school.
- Raising the leaving age before all high schools are equipped to offer meaningful programs past Year 10 is a recipe for behavioural problems and disengagement.

### Government schools

TasCOSS agrees that government schools should be secular and apolitical and should not promote any particular political party, religious practice, denomination or sect. We also agree that comparative religious studies do not violate these principles.

#### Additional issues

TasCOSS concurs with the points raised by Eleanor Ramsay and Michael Rowan around terminology in the Act, which we agree is often imprecise and/or confusing and should where possible be brought into line with that used in the Acts of other states.

Thank you for the opportunity to make a submission to this vital reform process. We look forward to further participation as the process continues, and are happy to be of assistance in any way.