



# Ministerial Submission: Education Act Reform

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## Introduction

As the state's peak parent body and state school Governing Council association, SAASSO believes the current process for the reform of the Education Act, as it pertains to governance, is prohibitive to a positive outcome. As such, we recommend the process be suspended. We ask that the Minister join SAASSO in conducting an external and independent review of Local Governance to develop an accurate depiction of our situation and identify key areas for improvement.

## Overview

SAASSO identifies two key objections to the current reform:

### This is not the right time

The Federal Government, through COAG is proposing many new initiatives, particularly in relation to quality teaching, performance-based remuneration and transparency. This forms part of an openly espoused journey to federalising education. Governance reform at a state level may prove futile when a federal construct is possible.

For example, in the Education Revolution manifest, *Quality Education: The Case For An Education Revolution In Our Schools*, Prime Minister Rudd specifically cites the Business Council of Australia's recent release, *Teaching Talent: The Best Teachers For Australia's Classrooms*. This document states that our education is still highly bureaucratised (despite Local Governance) and posits; 'It is time to question whether bureaucratic management of schools by state education departments is sufficient to deliver the kind of leadership that influences teachers' practice significantly or improves student learning outcomes'.

### This is not the right way

The Business Council of Australia also believes that 'Reforms to the governance of the education system should be aimed at removing all unnecessary duplication between government bureaucracies and, whenever possible, devoting a greater proportion of overall resources to the delivery of education services to our schools'. This is a controversial idea, but one that deserves serious consideration.

While Australia's quality of education has declined in numerous areas in the last decade, many other countries, such as New Zealand have improved and even overtaken Australia. New Zealand, for example, has embraced an advanced form of Local Governance in their state schools – to the point where they have done away with their education department.

Radical ideas such as these, however, are not being explored as part of the current legislative reform process. Rather than a true review, we instead have the suggestions of a small group of people determining reform.

## **Inherent Limitations Of Current Reform Process**

The purpose of the current reform process (as cited on page 7 of Discussion Paper 3) is to seek 'the views of the education and early childhood development sectors and wider community....' SAASSO believes a reform process should be based on fact, rather than 'views' and also that 'views' would be more relevant to positive outcomes if they were based on objective data.

As SAASSO has previously discussed with the Minister, the process employed is insular. Reform is being driven out of the Legislative Review Unit or the Minister's Office; it is not clear which - vague language, such as, 'it has been suggested' is used, without identifying 'who' is doing the suggesting. Peculiarly declarative statements such as, 'an enabling Act should not be overly prescriptive' are made, without referencing any data supporting these positions.

Regardless of the origins of these arbitrary reform proposals, the filter through which these ideas are refined is the Legislative Reform Stakeholder Advisory Group; the majority of who are government employees. So, besides being geared toward accumulating opinion, rather than fact, the reform process is also focussed on capturing a very narrow perspective of opinion – that of government employees.

Although it is meant to be an open process, from what has been reported to SAASSO, there is precious little input coming from the greater South Australian community.

While arguments could be made that this narrow, opinion base may be appropriate for certain aspects of legislative reform, Local Governance is about de-centralisation – to review a de-centralised system from a narrow perspective, of a centralised system is incongruous.

For the reform of the SSABSA Act, we relied heavily on an independent, data-based review – for the reform of Local Governance, we are asking a select group of people what they think....

### **Some Specific Complaints About Discussion Paper 3**

SAASSO has received complaints and criticisms from parents and Governing Councillors regarding the current discussion paper:

- Some of the proposals appear arbitrary, lacking a clear, holistic vision of education and are expressed in so vague a manner as to be almost impossible to comment on.
- The release of this document so late in the year and with a December deadline will result in reduced feedback from parents and Governing Councillors. As one parent expressed it, 'If the Government wants real feedback from parents, they couldn't have picked a worse time to release this – if they don't want real feedback from parents, they couldn't have picked a better time'.
- Some of the language is blatantly biased – telling only one side of the story, with no actual data to back up the assertions made. Just two examples are:

***'Some parents and members of schools have expressed the view that they do not want the responsibility of saying the service in their community should close.'*** How many parents? From where does this data come? Conversely, how many parents do want the responsibility? How many parents have expressed the view that they do not believe their rights are being observed? Why is this not even mentioned? Certainly, SAASSO as the state school Governing Council Association and peak parent body has not been consulted about any data to support such 'expressed views'.

***'There have been instances where parents have privately expressed the view that a school should close, but have voted to keep it open in the interests of being seen to support their community.'*** It beggars the imagination how the authors of this document could possibly know what parents privately express, or what they were thinking at the time they voted. Regardless, we ask how many instances such as this have there been; three? And again, what about the counter viewpoint; how many parents have voted to close a school, while feeling 'railroaded' to do so? Again, since the inception of Education Works, nobody has contacted SAASSO to ascertain parent experiences and attitudes relating to the resultant school closures and amalgamations.

SAASSO represents 90 per cent of South Australian state school Governing Councils. Representatives from a number of these schools sit on SAASSO's State Council and Board. SAASSO trainers hold workshops with scores of councils each year and the SAASSO office receives in excess of 100 phone enquiries per week – and the two previous viewpoints have not once been 'expressed' to SAASSO.

### Key Issues Not Addressed in Discussion Paper 3

While some curiously vague and anonymous parent issues have been included in the paper, numerous other problems are completely ignored.

For at least three years SAASSO has informed, or been asked to inform, the Minister and DECS of serious ongoing problems with the practice of Local Governance in our schools – none of these problems are even hinted at in this proposed reform.

The proposals refer to an unknown number of parents wanting less responsibility, but there is nothing to address the countless number from perhaps more than a hundred schools who have complained of having their rights ignored in recent years.

Local Governance in South Australia has been a turbulent experience. As the association which represents them, SAASSO knows better than any other stakeholder, the *bureaucratic resistance* that has hindered, if not blockaded the de-centralisation process to governing our schools at the local level. Parliamentary inquiries, calls for an Education Ombudsmen and the more 'notorious' episodes are the 'tip of the iceberg' of the sad experience for many, many parents and local community members who have volunteered on Governing Councils.

In the three years of the current SAASSO administration, there have been scores of schools record negative experiences – whether due to ignorance, bureaucratic obfuscation or outright and open opposition to the very notion of either parental involvement or Local Governance.

While the rest of the world is developing and advancing Local Governance, we hear whispers of rolling back Local Governance in South Australia. The Rann Government effectively 'gutted' Local Governance when it ended Partnerships 21 and sadly the Department for Education and Children's Services has failed to effectively implement the self governing system in schools. For too many, Local Governance is openly opposed or treated as tokenism:

- Too many Governing Councils are denied the opportunity to set the strategic direction of their schools
- Too many Governing Councils are afforded no involvement in the school budget
- Too many schools are given a budget and told they must approve it that night – having not been involved in the development process
- Too many schools are told that OSHC is not part of their role
- Too many schools do not see budget reports
- Too often, Governing Councils bring issues such as these to the attention of DECS, only to have nothing happen....

The Self Governing School has become a 'global phenomenon'. In South Australia it has become a battleground in far too many schools.

## Summary

Whether the Act even requires reform is unknowable as Local Governance has not been comprehensively implemented in South Australia.

Whether the current governance model is the ideal one for our state cannot be measured, as it has never truly operated at a state-wide level.

It has been said repeatedly that part of the role of this reform is to 'bring the Act in line with current practice'. It would be a travesty if that were to apply to Local Governance. If ignorance, lack of training, personal opposition and bureaucratic resistance were to re-write the Act, it would be a failure of the Rann Government.

The tragedy of Local Governance in South Australia is that it has been too reliant on individual attitudes and personal opinions; if school leaders recognise the benefits and embrace and support parent and community involvement, Governing Councils are of incalculable benefit. If key individuals oppose such involvement, or are ignorant of the Act or unfamiliar with practices, Governing Councils fail. We need reform based on experiences and fact, not opinion.

The fundamental point of Self Governing Schools, is that education outcomes and student wellbeing are improved and enhanced when decisions and policy are made by the local community rather than a centralised bureaucracy – this will naturally breed resistance from the centralised bureaucracy – to leave it to the centralised bureaucracy to then decide if and how the local governing system should be reformed is therefore, quite frankly, ludicrous.

## Conclusion

SAASSO asks the Minister to afford the parents and community of South Australia the same respect and consideration she afforded the SSABSA Board.

SAASSO asks the Minister to regard the governance of our schools as seriously as she did the transformation of the SACE Board.

Before any ideas were posed to the Legislative Reform Advisory Group and before any discussion paper, an external review of the existing system was conducted, which studied the effectiveness of the existing system and examined worldwide trends – it was based on data and review, not the consensus opinion.

SAASSO asks that the deadlines of the legislative review calendar take a back seat to the needs of our children.

SAASSO asks the Minister to suspend legislative reform of governance until we can base it on experience and fact, rather than select opinion. Such an external review would not only be beneficial to the students of our state, but may also be invaluable at a national review level.

SAASSO asks the Minister to join with SAASSO to conduct an external review of Local Governance in our state.

Before we make sweeping changes to where we are going, let us first determine, honestly, where we are and identify the true reasons for that situation.

One thing is clear – the problems being experienced on Governing Councils across our state have little to do with the Education Act.