



Changing the Education Act: Update

In Term 1, we told you about SAASSO's submission to the Education Minister, Jane Lomax-Smith, regarding concerns about changing the role of Governing Councils (download the submission at www.saasso.asn.au/educationmatters).

This submission covered several key points:

- The timing of Discussion Paper 3 would result in paltry feedback.
- The paper was biased to one viewpoint of Local Governance.
- The focus seemed directed at completing the reform in time for the state election rather than getting the job done right.
- The well-known problems with Local Governance are a result of bureaucratic resistance and will not be remedied by changing the Act.

The submission was sent to the Minister in December 2008. As of writing this – June 4, 2009, SAASSO has received no response from the Minister.

SAASSO's State Council has, however, continued its meetings with the legislative reform team. When we last met, in October 2008, the process was moving ahead apace, with predictions of Legislation by February.

At our most recent meeting, however, we learned things have slowed. It has now been decided that the feedback from Discussion Paper 3 is not sufficient to proceed and more consultation is being conducted. 'It's more important we get it right, than get it done to any specific timeframe', is now the official word.

The new phone consultation being conducted echoes SAASSO's advice to the Minister – as does the feedback being heard:

- Main area for concern is operational – issues around the conduct of DECS, which has nothing to do with the Act – 'DECS clearly has some responsibility here' we were told (and were told is being passed on to the Minister).
- Issues around training of principals in Local Governance and more accurate information being distributed.
- Dramatic inconsistencies in the implementation of Local Governance across SA.
- The success of Local Governance being too reliant on the attitude of the school principal.

We were also given the following guarantees at the meeting:

- OSHC will remain under the control of Governing Councils.

- Any changes to the Act in terms of 'flexibility' in Governing Council composition and roles would be solely at the discretion of the Governing Council and not some thing that could be forced on parents by DECS.
- While the legislative team balked at any punitive measures for DECS staff who breach Local Governance rules, we were told there was the possibility of embedding some rules into the Act around accountability and transparency.

Two other key ideas were also discussed:

1. Ending the polling process for the Materials and Services Charge and replacing it with a proposed fee - from the Governing Council - that is simply voted on at the AGM.

2. The creation of a Statutory Authority to be the watchdog over DECS. As SAASSO stated in its submission and as the new round of consultation is confirming, DECS policing itself is not working. This idea seems preferable to the current situation, however, just how effective it would be will be in the composition, scope and focus of the new Board.

Most interesting; how would such a body work in conjunction with an Education Ombudsman? ■