

15 May 2023

Professor Cheryl Vardon
Non-State Schools Accreditation Review

By email: nssaf.review@qed.qld.gov.au

Dear Ms Vardon

The Australian Association of Christian Schools (AACS) welcomes the opportunity to submit a response to the Review of the Queensland Non State School Accreditation Framework (the Review). We also appreciated the opportunity to be involved in a virtual roundtable discussion with other governing bodies of independent schools on Thursday 27 April 2023, where significant concerns were raised by stakeholders about the implementation of the current accreditation framework. Our submission provides further feedback to the Review and expands upon the concerns provided at the roundtable.

About the Australian Association of Christian Schools (AACS)

AACS represents over a hundred Christian Schools in every state and territory across Australia. Characterised as low-fee, our non-denominational schools operate autonomously and are largely open-enrolment, serving 43,000 students and their families from a variety of socio-economic, cultural and religious backgrounds. Our schools range from very small to large; urban to regional; rural and remote. Christian schools are an alternative educational model to the state school system and provide parents with a genuine educational choice within a multi-faith and multicultural society. Faith shapes all parts of the educational experience and is the foundation upon which the character and ethos of our schools are based.

Parental Choice in Education

Christian schools were primarily established by parents who wanted their children to be raised in a faith-based learning environment by Christian teachers and staff. The right of parents to choose a religious school for their children is a human right recognised in international law and covenants to which Australia is a signatory.

Article 18(4) of the International Covenant of Civil and Political Rights (ICCPR) enshrines the **'liberty of parents and, when applicable, legal guardians to ensure the religious and moral education of their children in conformity with their own convictions'**. This right is given effect by the Government through regulation and funding which allow for a variety of educational models. Christian schools, along with government, independent and other religious schools, provide this choice to parents.

Spiritual Wellbeing of Students

All Australian governments acknowledge the importance of fostering the spiritual wellbeing of young Australians. The [Alice Springs \(Mparntwe\) Education Declaration](#) is a vision and commitment for improving educational outcomes for young Australians. Goal 2 includes a commitment of all Australian governments to work in collaboration with the education community to ‘...**support all young Australians to become confident and creative individuals who have a sense of self-worth, self-awareness and personal identity that enables them to manage their emotional, mental, cultural, spiritual and physical wellbeing**’.

In a pluralistic society, there will be many different views about what ‘spiritual wellbeing’ looks like and how this can be achieved through education. There are many options available and Christian schools provide one offering to parents who choose this path for their children. Christian schools place a high value on the spiritual formation of students where faith is taught not just as a separate subject by a religious teacher but permeates all areas of school life and is embedded within all parts of the teaching and learning program as part of a holistic educational model. All staff strive to work together to provide an authentic ‘community of faith’ where students can be mentored and encouraged to grow in their spiritual formation.

Religious Freedom

While beyond the scope of the Terms of Reference, we encourage the Review team to view the accreditation framework through the prism of preserving the religious freedom of parents to choose a religious education for their children. Religious freedom is intrinsically linked to several other fundamental liberties, including speech, association and conscience. The International Covenant on Civil and Political Rights makes clear that religious organisations and individuals have the right to act in accordance with the doctrines, beliefs or teachings of their traditions and faith, subject only to limitations that are necessary to protect public safety or the fundamental rights and freedoms of others.

Currently in Australia there is a glaring omission within the Commonwealth legislative framework which does not explicitly protect the human right of religious freedom consistent with international law.¹ Australians are protected from discrimination based on race, sex, age and disability but not on the basis of religion. To those who hold a faith or who are involved with faith-based organisations, the long-awaited Religious Discrimination Bill is more than just about ‘completing the suite’ of discrimination laws. It will send a clear message to the Australian community that religious freedom is a fundamental human right, protected in Commonwealth law, which will to create confidence and clarity for religious individuals, organisations and schools across the country.

¹ Article 18 of the International Covenant on Civil and Political Rights (ICCPR)

We also recognise that many of the levers to protect to religious freedom lie in the hands of the states and territories governments that set anti-discrimination laws, register schools and manage government policies that guide the operation of workplaces and education bodies. AACS believes a robust framework for religious freedom protections, enshrined within Commonwealth law, and championed by all levels of government, will benefit all Australians regardless of their views and religious beliefs.

Response to Consultation Paper

1. Community expectations of schools

1. Why is regulation of non-state schools important?

AACS acknowledges that regulation by government is important to ensure non-state schools are meeting the needs of their students and school community. Regulation also instils community confidence that non-state schools meet the relevant curriculum standards through monitoring the teaching and learning program, academic performance, financial management and compliance with applicable laws and regulations. We believe there is a high degree of community confidence in the sector as shown by Queensland Independent schools recording the highest average annual growth rate (3.0% per year on average) of all Independent school sectors across the country in the five years to 2021.²

2. What issues have been raised with your organisation that can shed light on community expectations for non-state schools?

Queensland parents value their ability to choose an authentic Christian school for their children that aligns with their own values and beliefs. Our parents want an environment where they believe their child will be shown care and compassion, while also achieving their full potential. They make a deliberate choice, and a financial sacrifice, to enrol their children in a school where staff are committed to not only teach the tenets of the Christian faith but also model a life of faith in their everyday life.

3. What contemporary issues should the Non-State Schools Accreditation Framework seek to address?

Queensland parents are increasingly wanting to choose a school that aligns with their values and beliefs. For Christian schools, religion is not simply taught as a stand-alone subject by religious teachers or school chaplains but permeates school life and is embedded within all areas of the

²Independent Schools Australia, *Enrolment Trends: Independent Sector Deep Dive, 2022 Edition*, p. 3: <https://isa.edu.au/wp-content/uploads/2022/10/Enrolment-Trends-Independent-Sector-Deep-Dive-2022-Public.pdf>

teaching and learning program. Our teachers are expected to teach all subjects through a Christian worldview as part of a holistic educational model.

4. *How can the Accreditation Framework support a quality Queensland non-state schooling sector?*

The Non-State Schools Accreditation Framework should recognise that parents have a high regard for genuine educational choice and ensure the accreditation framework facilitates and encourages the expression of diverse educational paradigms within the education sector rather than restrict it.

5. *How can a quality, contemporary Accreditation Framework enable school communities, including students, to have a voice in how schools are run?*

Non-state schools already have obligations to report to school communities including: annual reporting requirements regarding school satisfaction data along with demonstrable school improvement processes informed, for example, by student, parent and staff satisfaction surveys or focus groups. We believe these processes are sufficient and do not require any additional government regulation.

2. Protecting students, promoting wellbeing

6. *To what extent do you consider the Accreditation Framework aligns with community expectations of non-state schools in relation to safeguarding students?*

The Accreditation Framework has comprehensive regulations and safeguards in place to ensure that non-state schools meet certain minimum standards related to the quality of education they provide to students. The regulatory environment regarding child protection and mandatory reporting is extensive and sets out the minimum requirements for non-state schools to operate and receive funding from the Queensland Government.

In terms of aligning with community expectations, the accreditation framework is designed to ensure that non-state schools meet the same standards as state-run schools when it comes to safeguarding students. This includes requirements related to screening staff, staff training, responding to and reporting suspected abuse, and providing appropriate support and services for students who have experienced harm. Furthermore, the accreditation process involves a rigorous evaluation of each school's compliance with the standards by NSSAB, including a review of policies, procedures, and documentation, as well as on-site inspections and interviews with staff and students as part of the school's cyclical review.

We believe these processes are sufficient and do not require any additional government regulation.

7. *In what way should the Accreditation Framework embed concepts of student health and wellbeing and set associated expectations of non-state schools?*

Christian schools place a high value on their wellbeing and pastoral care programs which form a significant part of their mission and ethos. Any consideration of incorporating student health and wellbeing as part of the Accreditation Framework should be done in a way that ensures religious schools are able to deliver these programs through the lens of their religious values and beliefs.

8. *Are there any changes needed to better protect students and promote wellbeing?*

The Accreditation Framework plays an important role in ensuring that non-state schools are held accountable for safeguarding their students. Any improvements that simplify child protection processes in schools would be welcomed to ensure there is increased confidence by schools and the community in dealing with incidents of harm.

3. Setting the standards of education – Expectations of schools

9. *How should community expectations of a quality, contemporary non-state schooling sector be reflected in the Accreditation Framework? Are any changes needed?*

In a multicultural and multi-faith society like Australia there are a wide range of beliefs about educational philosophy and expectations of school delivery which cannot be easily generalised as one set of 'community expectations'. Our schools serve a sub-set of the general parent community who are making an active decision to choose a Christian school because they place a premium upon the values and beliefs our schools teach and promote. AACCS believes the regulatory framework provide flexibility to accommodate the unique characteristics and expectations of each individual school community, rather than attempting to impose a one-size-fits-all approach upon all non-state schools. The effect of such a narrow and regimented approach would be to restrict the freedom and expression of genuine educational choice for parents.

10. *How can the Accreditation Framework for non-state schools be made sufficiently flexible to adapt to shifting community expectations for standards of education over time?*

AACCS considers that the Accreditation Framework should remain set for significant periods of time to ensure the sector experiences stability and community confidence as part of a consistent and fair regulatory system. Any new updates to the framework should be designed in a way that allows schools the flexibility to meet the unique needs and circumstances of their communities. This can be achieved by allowing non-state schools to develop their own policies and procedures that consider the particular faith communities the school has been established to serve and their unique pedagogical approach to education. The framework could ensure that emerging community issues

and challenges are identified and addressed in a timely and effective manner through well-established school processes without increasing the bureaucratic control by NSSAB.

11. To what extent do the government funding eligibility criteria under the Act align with community expectations?

AACS believes that every child has a right to education supported by a contribution from tax payers, and all parents should be able to choose the type of education they want for their child. The current needs-based, sector-blind funding eligibility criteria for non-state schools continues to align with community expectations of providing diversity and choice for parents in education. The ongoing financial viability of non-state schools depends on state and federal governments maintaining predictable funding for the sector and the continuing commitment and capacity of parents to pay school fees. The latest data from Independent Schools Australia show that the highest student growth is in low-fee Independent schools and that average government funding per student in Independent schools is \$11,620 compared to \$20,180 per student in Government schools.³ This data is reflective of our member schools who continue to experience enrolment growth due to their low fees without compromising a quality education in a safe and caring Christian learning environment.

4. Accrediting non-state schools – expectations and improvements

12. What, if any, changes are required to the scope of the Accreditation Framework?

AACS would be opposed to increasing the scope of the current Accreditation Framework in the absence of clear evidence to demonstrate failures of the current regulatory regime to maintain quality of the non-state schooling sector. NSSAB has significant investigative powers that allow it to review the compliance and registration of schools as part of its cyclical review framework.

Parents enrolling their child in a school embark upon the beginning of a 13-year journey of education in partnership with the school. The expectation of parents is for the ongoing accreditation of that school, subject to the school maintaining the minimum educational standards required by the Accreditation Framework. An automatically lapsing accreditation would raise the question that the ongoing nature of their child's enrolment at their school of choice could be in question, generating an unnecessary level of insecurity and fear in the parent community. AACS is opposed to any moves in this direction and recommends the NSSAB focus on supporting non-state school's ability to comply with the Accreditation Framework in the interests of maintaining community confidence in the non-state school sector.

³<https://isa.edu.au/documents/at-a-glance/>

5. Maintaining standards through monitoring and compliance

18. What, if any, changes are required to strengthen monitoring and compliance activities and enable a flexible, proactive and risk-based approach to regulation?

Feedback from member schools has highlighted the current approach taken by NSSAB in monitoring and compliance activities is overly bureaucratic, unnecessarily burdensome and unfairly punitive. Our schools have experienced inconsistencies in the implementation of the accreditation framework across different regions and assessors. This can lead to schools being assessed differently based on the assessor they are assigned, which undermines the integrity of the accreditation process.

Furthermore, the approach from NSSAB is not one of seeking to assist schools to be compliant, but is rather one based on an aggressive, unhelpful foundation. The starting point in dialogue seems to be for school governing bodies to 'show cause' regarding their fitness to govern, which is an extraordinarily heavy-handed approach.

19. To what extent should information be made publicly available where a school's existing accreditation is being considered, noting the need to strike a balance between public interest and due process?

While there is a legitimate public interest in knowing about the quality and safety of schools, making information publicly available raises a number of significant concerns. For example, publicly releasing concerns about a school's accreditation status before all relevant facts have been gathered and a decision has been made could lead to irreparable damage of the school's reputation. This information could generate public pressure that could bias the outcome of the accreditation decision and have negative impact on students, parents, and staff. If the investigation is lengthy, it could create uncertainty for the school community about the school's long term viability, leading to decreased student enrolment with a resultant loss of funding, difficulty attracting and retaining qualified staff.

20. What level of support should be provided to non-state schools to make sure they implement the accreditation requirements and uphold standards? Should this approach differ for new schools?

Our member schools report a lack of clear guidance and support to assist them in understanding and complying with their regulatory obligations. The accreditation process is not transparent and schools are not provided with clear guidelines and examples of evidence required to meet the standards. This lack of transparency makes it difficult for schools to prepare for the accreditation process and can lead to inconsistencies in the assessment of schools. Schools would greatly benefit from further guidance on how to meet accreditation requirements, including information on best practices, sample policies and procedures that could be provided through workshops or online training modules.

6. Striking the right regulatory balance

22. What, if any, opportunities exist to streamline regulatory and administrative processes, without compromising standards?

We believe that the accreditation process places an unnecessary burden on schools, particularly small schools with limited resources. The process is time-consuming, bureaucratic, and involves a significant amount of paperwork. This can detract from the important work of teaching and learning and can discourage schools from seeking accreditation. Inconsistencies in application of the current regulatory process by individual assessors creates uncertainty for non-government schools, which is not conducive to encouraging best practice in non-state schools.

23. Are there any areas within the Accreditation Framework where regulatory and administrative processes should be strengthened to meet community expectations and uphold standards?

AACS opposes increasing or strengthening the powers of NSSAB. This would only increase the regulatory burden faced by non-government school leaders who are already weighed down by complicated and stringent compliance framework to maintain educational and child safety standards.

7. The importance of powers

24. Are the Board's current powers sufficient to enable it to take strong and immediate action to maintain public confidence when concerns are raised? If not, what areas should be strengthened?

AACS does not support strengthening the powers of NSSAB. Rather, AACS recommends further checks and balances are put in place to ensure the accreditation framework sufficiently recognizes the diversity of non-state schools in Queensland. Schools should be allowed to demonstrate their compliance with the standards in a way that is consistent with their unique educational approach and philosophy. We believe that the current framework does not adequately accommodate this diversity. Christian schools should be able to demonstrate their compliance with the standards in a way that reflects their Christian ethos. There is an increasing tendency to make 'guidelines' mandatory expectations, diminishing one of the key obligations of the NSSAB which is to support choice in education. Mandating outcomes and expectations limit parental choice.

8. Good governance

25. What improvements could be made to the Board's governance, decision making, administrative and operating arrangements to support a quality, contemporary non-state schooling sector in Queensland?

AACS considers the current application and implementation of the Non State School Accreditation Framework has significant flaws that need to be addressed by the Board. We ask that the feedback from our members schools be taken onboard to redesign the framework to improve transparency, reduce the burden on schools, recognise and support diversity within the sector and ensure consistent implementation.

We appreciate the opportunity to provide feedback on this issue and look forward to working with the Queensland Government to ensure that the accreditation framework is fair, transparent, and fit for purpose.

Yours faithfully



Vanessa Cheng

Executive Officer

Australian Association of Christian Schools.