



Speech by

**Jann Stuckey**

**MEMBER FOR CURRUMBIN**

Hansard Tuesday, 6 October 2009

---

## **EDUCATION LEGISLATION AMENDMENT BILL AND EDUCATION AND TRAINING LEGISLATION AMENDMENT BILL**

**Mrs STUCKEY** (Currumbin—LNP) (5.26 pm): I rise to join this cognate debate on the Education and Training Legislation Amendment Bill 2009 and the Education Legislation Amendment Bill 2009, as introduced into this House on Tuesday, 4 August and Wednesday, 16 September 2009 respectively by the Minister for Education and Training, the honourable member for Ferny Grove. As members have already heard from my colleague the shadow minister for education and training, the honourable member for Moggill, we will be supporting these amendments with some reservations.

The debate focuses on two separate bills introduced into this House in a short space of time. The first is the Education and Training Legislation Amendment Bill 2009, which aims to provide the legislative basis for a pre-preparatory learning program in certain state and non-state schools. It also removes redundant provisions, corrects deficiencies or omissions and clarifies existing provisions in the following acts: the Education (Capital Assistance) Act 1993, the Education (Queensland College of Teachers) Act 2005, the Education (Queensland Studies Authority) Act 2002, the Grammar Schools Act 1975, the James Cook University Act 1997 and the Vocational Education, Training and Employment Act 2000. The second bill, being the Education Legislation Amendment Bill 2009, amends the Child Care Act 2002, the Education (General Provisions) Act 2002, the Education (Queensland Studies Authority) Act 2002 and the University of Queensland Act 1998.

These amendments are being rushed through because the government requires retrospective action to 1 September this year for the University of Queensland Act amendments. A clerical error has meant that the expiry of the statutes passed without being renewed. These amendments also introduce a blame and shame approach to child-care centres that do not comply with legislation by allowing the government to display on its webpage their name and non-compliance issue or whether their licence has been suspended or cancelled as well as making it possible for students studying Queensland syllabuses at overseas schools the opportunity to be eligible for Queensland senior school qualifications. The amendments enable the Queensland Studies Authority to develop, purchase, revise, approve and accredit kindergarten guidelines.

The amendments that this speech will focus on are primarily the pre-preparatory learning program and universal access to kindergartens and the publication of information about child-care services that contravene this legislation. I turn to the pre-preparatory learning program aspects of this bill. Prior to the commencement of a preparatory year, preschool education meant education that was provided by a school to children in the year immediately before year 1. The amendment of the Education (General Provisions) Act 1989 during 2004 and 2006 enabled the delivery of programs and services to children below the compulsory school age other than the preparatory year. This was to capture services provided to children with a disability and preparatory services to children in Indigenous communities. However, as we have heard from other honourable members, only services to children with disabilities were included. The government is now playing catch-up and including providing services to children in Indigenous communities. I note that these children will be excluded from the requirements of the Child Care Act 2002.

Currently there are 35 communities that assist Indigenous children to get a head start by providing pre-preparatory schooling. Five of these are run by non-state schools and the rest by state schools. These children are not technically enrolled in school but are instead classed as being registered for the program. They are, however, covered by the same conditions as those enrolled in schools such as reporting of abuse and collection of information.

The Education Legislation Amendment Bill provides for universal access to kindergartens, but I echo the shadow minister for education's sentiments that more certainty and clarity is required, and I ask: on which schools will the 240 kindergartens be built? What will the qualifications of the teachers be? What happens to the children after they complete their 15 hours per week? What is the rollout of funding? I do hope that these issues will be debated, if not in the summary, once we get to the consideration in detail stage. Current child-care centres have no ability to plan for the future as the government has no idea what the rollout will be and how it will be funded. How can child-care centres plan their enrolments, fees and programs if they are not told if the school across the road from them will suddenly have a kindergarten built?

**Mr O'Brien** interjected.

**Mrs STUCKEY:** These are serious issues indeed for parents and it really is a shame that some members of this House do not seem to take it the same way. This is yet another example of the Bligh government jumping feet first with no idea of where it will land. The child-care industry and the community have a right to know what is happening and what the level of service will be in their area.

The Premier is always beating her 'jobs, jobs, jobs' drum, but one does have to ask exactly where her government plans to find qualified kindergarten teachers to teach in the 240 new kindergartens. While child-care workers do an excellent job and certainly fill a niche in our community, simply giving them professional development training will not turn them into qualified kindergarten teachers, certainly not at the same level as our university qualified teachers. There is a growing trend to dumb down prerequisites and training required for tertiary positions and it really scares me. As sections of our society seem hell-bent on self-destruction and also self-interest, it is critical we place due importance on the skills of those who care for and educate our children. After all, these early years set children's behaviours and attitudes for adult life.

In addition to issues with appropriately trained workers, there is the matter of overcrowding. Almost one in 10 prep schools have more than their recommended class size of 25. That is a staggering 124 prep classes with too many children. Teachers are struggling to provide an adequate learning environment for our children and say that even one extra student has a detrimental effect on learning. The Early Childhood Teachers Association President, Kim Walters, has recently stated that the quality of the education process drops with every extra child and it has a major impact on both the quality of the program and the quality of the interaction.

While Education Queensland adamantly states that schools were allocated enough funding to meet class sizes, this is obviously not true, with many schools having to find extra resources such as teacher aides to cope with the larger class sizes. Due to this government's neglect, Queensland students are lagging behind other states in literacy and numeracy standards, with Queensland being ranked sixth out of eight in Australia. Granted, this is an improvement on last year's ranking of seventh. However, it is still an appalling ranking. In Queensland there is currently only 29 per cent of children in kindergarten compared to almost 85 per cent in Victoria. Once again, Queensland is playing catch-up to the other states. Sadly, though, it is with the education of our young children.

A program known as STEP—Supporting the Transition for Entry to Prep, which is an extension of Mission Australia and Griffith University's crime prevention Pathways to Prevention program—is being trialled in Queensland's lower socioeconomic areas. This program teaches parents and children in prep school basic etiquette. It aims to tackle bad behaviour and improve academic success. This program was initiated because of the rise in violent behaviour in prep classes, with Education Queensland introducing suspensions for four- and five-year-olds. Undisputedly, overcrowding in these classrooms contributes significantly to the children's behaviour and makes it almost impossible for teachers to spend extra time with those who may need it.

These bills contain provisions that will allow for the publication of noncompliance. Previously, the publication of child-care centres with notices of noncompliance was not issued by the government. Therefore, parents of children who were looking for suitable child care for their young ones had no way of knowing the past history of the child-care centre. These amendments will allow the government to post certain information about licensed child-care services and stand-alone services, including home based services known as family day care, that fail to comply with the Child Care Act.

The publication of information will only occur if a child-care centre and the contravention pose more than a minor risk to the wellbeing and safety of children. The information will be published on the department of education's website and recorded in the register that is kept by the chief executive. The name of centres will be displayed along with the action taken by the department when serious non-

compliance sanctions are applied to a child-care service. These include when a licence is amended, suspended, revoked or refused. Types of incidences that may invoke this would include if a centre had harmed a child or a building is structurally unsound due to termite damage or if they have a history of noncompliance that amounts to a disregard of child-care laws. This information will be published for up to one year, or three years if it is for repeated noncompliance. If the child-care centre is transferred to a new owner then the noncompliance may be removed.

The publication of noncompliance does raise concerns but may give parents more confidence when choosing a suitable child-care facility. There obviously needs to be a balance between the rights of the child-care provider and the rights for full disclosure to parents on the child-care centre's compliance. The LNP will be keeping a close eye on this to ensure it is not being abused or that old information that is no longer relevant is not published which would cause unnecessary harm to the child-care centre's reputation.

A local child-care centre in my electorate has concerns about the inflexibility of non-compliance issues when they relate to staffing levels. While I agree that staffing levels are important and noncompliance should be treated seriously, isolated special cases do occur. If, for example, a child-care worker calls in sick only a few hours before their shift, it is almost impossible for the centre to find a replacement, as casual employees are hard to find because of the limited hours to be offered. If an inspection occurs during this period of being short-staffed, the authorised officer can issue a non-compliance notice.

The concern that has been raised with me is whether this will then be published on the department's website. Surely if it is a noncompliance that can be fixed then appropriate times should be given and, if corrected, the noncompliance should not be published. I would ask for some clarification on that from the minister at a later stage. I do, however, strongly believe that if the noncompliance is severe enough to have the licence suspended, revoked or cancelled this should be readily available for the public to see, and this bill moves in that direction.

The overall squeeze on our schools is exacerbated not only by the Bligh government's lack of attention but also by the Rudd government's delays of broadly advertised and much touted facilities to thousands of schools across Australia. One school in my electorate, after intense community consultation, applied for stimulus money to enable a gymnasium to be built. However, the Rudd government decided that it was to have a new library instead. The school already has a library, but it was told that it was not state-of-the-art so it had to have a new one and the P&C was expected to foot the bill for thousands of dollars of new modern furniture. Surely teachers at the grassroots working at the school every day and involved parents know what is needed for their children. While libraries are an essential resource for children, is it really necessary to build a new library when the teachers and school community do not think it is? Gymnasiums provide countless benefits to our children, promoting healthy activities that can be enjoyed away from our damaging sunshine. One would have thought a move to encourage physical activities, especially with the growing number of children with obesity, would have attracted support.

State schools in Currumbin and elsewhere in Queensland are regularly being allowed to fall into derelict conditions by this Labor government, with grounds needing attention, overcrowded classrooms, literacy and numeracy problems as well as a growing concern about violence being committed by four- and five-year-olds. Education is something to be cherished. Without it, our children will not be equipped for the challenges that lie ahead, nor will they be able to develop emotionally or intellectually in a manner that permits them to utilise their potential as best they can.

Some years ago I collected a mountain of unwanted books from one end of the Gold Coast to the other and shipped them to Fiji for distribution to schools there. When I went over and visited some of the local schools, I remember the sign on one little village school in Nadi Town that simply said 'Enter to learn'. The message has stayed with me. We must always place priority on the provision of education for all children, no matter their circumstances or their geographic location.