

# **EDUCATION, TOURISM, INNOVATION AND SMALL BUSINESS COMMITTEE**

## **REPORT No. 36**

**on the**

### **EDUCATION (ACCREDITATION OF NON-STATE SCHOOLS) BILL 2017**

#### **QUEENSLAND GOVERNMENT RESPONSE**

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#### **INTRODUCTION**

On 9 May 2017, the Education (Accreditation of Non-State Schools) Bill 2017 (the Bill) was introduced into Parliament.

The Bill was referred to the Education, Tourism, Innovation and Small Business Committee (the Committee), with a report back of 14 July 2017.

On 12 July 2017, the Committee tabled its report (No. 36) in relation to the Bill.

The Queensland Government response to the recommendations made by the Committee is provided below.

#### **RESPONSE TO RECOMMENDATIONS**

##### **Recommendation 1**

The Committee recommends the Education (Accreditation of Non-State Schools) Bill 2017 be passed.

##### ***Government response***

The Government thanks the Committee for its consideration of the Bill and notes the Committee's recommendation that the Bill be passed.

##### **Recommendation 2**

The Committee recommends that clause 7 of the Bill be amended to ensure that a governing body of multiple schools is not prevented from using some income to support the operation of some or all of its schools.

##### ***Government response***

The Government accepts this recommendation. The Minister for Education and Minister for Tourism, Major Events and the Commonwealth Games (the Minister) will move an amendment during consideration in detail to amend clause 7.

Clause 7 of the Bill provides that a school is operated for-profit if any part of the income arising from the school's operation is used for any purpose other than the operation of the school.

The current *Education (Accreditation of Non-State Schools) Act 2001* (the Act) provides when a school is not operated for-profit. Under the current Act, a school is not operated for-profit only if any profits made from the school's operation are used entirely to advance the school's philosophy and aims, as stated in the school's statement of philosophy and aims.

The policy behind the change was to provide clearer guidance to the Non-State Schools Accreditation Board (the Board) about when a school is to be considered to be operating for-profit.

As noted by the Committee, stakeholders identified the potential for there to be unintended consequences as a result of clause 7 that could restrict the existing, legitimate arrangements of schools. For example, clause 7 could restrict how governing bodies that operate more than one school distribute income, received through the operation of all of its schools, across the schools.

In response of these concerns it is proposed to amend clause 7 to provide that a school will be operated for-profit if any profits arising from the school's operation are used for any purpose other than to advance the school's philosophy and aims, as stated in the school's statement of philosophy and aims. This proposal will continue existing arrangements and ensure governing bodies of multiple schools are not prevented from using some of the income to support the operation of other schools it operates.

The Board will be asked to monitor the operation of this section and report to Government on its effectiveness in ensuring schools operating on a for-profit basis do not attract State government funding.

### **Recommendation 3**

The Committee recommends that clause 119 of the Bill be amended to correct a minor drafting error.

### ***Government response***

The Government accepts this recommendation. The Minister will move an amendment in consideration in detail to insert the word "under" in clause 119(8) of the Bill.

**Queensland Legislative Assembly**

Number: 5517T1298



10 AUG 2017

Tabled ☒

By Leave ☐

MP: Hon Jones MP

Clerk's Signature: [Signature]