



QUEENSLAND PARLIAMENT **COMMITTEES**

Education (General Provisions) Amendment Bill 2025

Education, Arts and Communities Committee



Report No. 2

58th Parliament, April 2025

Education, Arts and Communities Committee

Chair Nigel Hutton MP, Member for Keppel

Deputy Chair Corrine McMillan MP, Member for Mansfield

Members Wendy Bourne MP, Member for Ipswich West

Nicholas (Nick) Dametto MP, Member for Hinchinbrook

Ariana Doolan MP, Member for Pumicestone

Jon Krause MP, Member for Scenic Rim

Committee Secretariat

Telephone 07 3553 6623

Email eacc@parliament.qld.gov.au

Committee Webpage www.parliament.qld.gov.au/eacc

All references and webpages are current at the time of publishing.

Acknowledgements

The committee acknowledges the assistance provided by the Department of Education.

Table of Contents

Chair's Foreword	iv
Executive Summary	v
Recommendations	vi
1. Overview of the Bill	1
1.1. Aims of the Bill.....	1
1.1.1. Background	1
1.1.2. Consultation.....	2
1.2. Inquiry process	2
1.2.1. Key issues	2
1.3. Legislative compliance	2
1.3.1. <i>Legislative Standards Act 1992</i>	3
1.3.2. <i>Human Rights Act 2019</i>	3
1.4. Should the Bill be passed?	3
2. Examination of the Bill	4
2.1. Approved online services	4
2.1.1. Stakeholder Submissions and department advice	5
2.1.2. Right to privacy	5
Committee comment.....	6
2.2. Home education eligibility	7
2.2.1. Stakeholder Submissions and department advice	7
Committee comment.....	7
2.3. Enabling principals to delegate the notification of suspension decisions	8
2.3.1. Stakeholder Submissions and department advice	8
2.4. Student transfer notes	9
2.4.1. Stakeholder Submissions and department advice	10
2.5. Parents and Citizens' Associations	11
2.5.1. Forming separate P&C Associations for schools with multiple campuses.....	11
2.5.2. Enabling donations between P&C Associations.....	11
2.5.3. Precluding person convicted of an indictable offence from being a P&C Association Executive Committee or subcommittee member	12
2.5.4. Right to take part in public life.....	12
Committee comment.....	13
2.5.5. Stakeholder submissions and department advice.....	13
2.6. eKindy	14
2.6.1. Stakeholder Submissions and department advice	14
2.7. Collection of information from non-State schools.....	15
2.7.1. Stakeholder Submissions and department advice	15
2.8. Special school enrolment	16

2.8.1. Stakeholder Submissions and department advice	16
2.9. Technical amendments	16
2.10. Issues raised by stakeholders outside the scope of the Bill	17
Committee comment	17
Appendix A – Submitters	18
Appendix B – Public Briefing, 2 April 2025	20
Appendix C – Witnesses at Public Hearing, 17 April 2025.....	21

Chair's Foreword

This report presents a summary of the Education, Arts and Communities Committee's examination of the Education (General Provisions) Amendment Bill 2025.

This bill represents common sense responses to requests from the Education community over time for practical administrative changes which benefit the learning communities of Queensland schools and families.

Our committee has benefitted from the lived experiences of our members; inclusive of a former principal, a former teacher and former teaching assistant. Along with the shared experiences of many committee members as parents and caregivers. The wealth of knowledge, the shared wisdom and willingness of submitters and attendees to invest time and effort was greatly appreciated by the committee and provided valuable insight to our inquiry.

On behalf of the committee, I also thank our Parliamentary Service staff and staff from the Department of Education for their assistance.

I commend this report to the House.



Nigel Hutton MP

Chair

Executive Summary

About the Bill

The Education (General Provisions) Amendment Bill 2025 proposes to amend the *Education (General Provisions) Act 2006* and other legislation to reduce the regulatory burden and red tape on schools, parents and students by:

- streamlining student access to online services for digital learning
- extending the age eligibility of students in home education to 31 December in the year the student turns 18
- allowing separate Parent and Citizens' (P&C) Associations for schools with multiple campuses and enabling donations between P&Cs under special circumstances
- further clarifying the provision of information by non-state schools to the Department of Education in relation to school attendance and enrolment
- further clarifying the eligibility criteria of children to access eKindy
- implementing a recommendation of the Royal Commission into Institutional Responses to Child Sexual Abuse (Royal Commission) in relation to information sharing between Queensland schools when students transfer; and
- amending Queensland statutes by making minor and technical amendments.

The committee has recommended that the Bill be passed.

The committee called for and received 34 written submissions, held a public briefing with the Department of Education, and a public hearing with selected stakeholders.

There was general support from stakeholders for the reforms proposed by the Bill.

The committee notes the commentary provided with regard to streamlining student access to online learning services, and the vigorous but qualified support for the reforms to the age eligibility of students in home education. The committee notes the support for reforms relating to eKindy, the sharing of transfer notes and other information, and the reforms to streamline aspects of the administration of P&Cs; provided these reforms reduce the regulatory burden on schools.

The committee is also cognisant of the issues raised by stakeholders in relation to the school disciplinary absence process, despite those issues being outside the scope of the Bill.

In addition to recommending that the Bill be passed, the committee made a second recommendation, that there be further consideration around the extension of the age eligibility of students in home education by 6 months, to 31 December in the year the student turns 18 *and 6 months*.

Legislative compliance

The committee's task was to consider the policy to be achieved by the legislation and the application of fundamental legislative principles – that is, to consider whether the Bill has sufficient regard to the rights and liberties of individuals, and to the institution of Parliament. The committee also examined the Bill for compatibility with human rights in accordance with the *Human Rights Act 2019*.

The committee concluded that the Bill was compatible with the *Legislative Standards Act 1992* and the *Human Rights Act 2019*.

Recommendations

Recommendation 1 3

The committee recommends that the Bill be passed.

Recommendation 2 8

The committee recommends further consideration around the extension of the age eligibility of students in home education by 6 months, to 31 December in the year the student turns 18 *and 6 months*.

1. Overview of the Bill

The Education (General Provisions) Amendment Bill 2025 (Bill) was introduced by the Honourable John-Paul Langbroek MP, Minister for Education and the Arts, and was referred to the Education, Arts and Communities Committee (the committee) by the Legislative Assembly on 14 March 2025.

1.1. Aims of the Bill

The Bill proposes to amend the *Education (General Provisions) Act 2006* (EGPA) and other legislation to achieve the Bill's objectives.¹ The objectives of the Bill are to:

- reduce the regulatory burden associated with:
 - approved online services
 - home education age eligibility
 - the notification of suspension decisions
 - enrolment transfers between special schools
 - Parents and Citizens' Associations
 - collecting information from non-State schools
 - eKindy
- strengthen protection for students and school communities with reforms to the sharing of prescribed student information through transfer notes
- provide for technical amendments to update legislative cross references between the EGPA and the *Child Protection Act 1999*.

1.1.1. Background

The Department of Education (department) undertook a focused review of the EGPA in 2022 and 2023. During the 57th Parliament, the Education (General Provisions) and Other Legislation Amendment Bill 2024 (EGPOLA Bill) was introduced and referred to the former Education, Employment, Training and Skills Committee (former committee). On 15 April 2024 the then Minister announced that changes would be made to the EGPOLA Bill and that there would be further consultation with stakeholders. The former committee tabled its report on 19 April 2024. The former committee made a number of recommendations for the Department of Education to undertake further review and consultation, and these were accepted by the Queensland Government.² The EGPOLA Bill lapsed on 1 October 2024 at the conclusion of the 57th Parliament.

¹ The Bill also proposes to amend the *Child Protection Act 1999*.

² Queensland Government response to Education, Employment, Training and Skills Committee, Report No. 6, Education (General Provisions) and Other Legislation Amendment Bill 2024, <https://www.parliament.qld.gov.au/Work-of-the-Assembly/Tabled-Papers/docs/5724T1136/5724t1136-899e.pdf>

1.1.2. Consultation

The department advised that consultation on proposed key reforms in this Bill occurred when policy positions were presented to stakeholders in 2024 (see section 1.1.1 above).³

The department reported that during further consultation, stakeholders held concerns in respect to the proposed:

- use of student information in the context of approved online services
- mandatory use of transfer notes.⁴

In respect to transfer notes, the department stated that ‘the transfer notes reforms will not commence for up to 12 months after passage of the Bill to enable the Department of Education and the non-state sector to work collaboratively on implementation’.⁵

1.2. Inquiry process

The committee considered 34 submissions to its inquiry (see Appendix A for a list of submitters).

The committee conducted a public briefing with officers from the department, and a public hearing with witnesses drawn from submissions.

1.2.1. Key issues

The following key issues were raised during the committee’s examination of the Bill,⁶ which are discussed in Section 2 of this Report:

- access to online services
- home education eligibility
- student transfer notes
- enabling principals to delegate notification of suspension decisions
- special school enrolment
- administrative changes to Parents and Citizens’ Associations
- access to eKindy.

1.3. Legislative compliance

The committee’s deliberations included assessing whether the Bill complies with the requirements for legislation as contained in the *Parliament of Queensland Act 2001*, the *Legislative Standards Act 1992* (the LSA),⁷ and the *Human Rights Act 2019* (the HRA).⁸

³ Explanatory notes, p 13.

⁴ Correspondence dated 27 March 2025, p 8.

⁵ Explanatory notes, pp 12-13.

⁶ Note that this section does not discuss all consequential, minor, or technical amendments.

⁷ *Legislative Standards Act 1992* (LSA).

⁸ *Human Rights Act 2019* (HRA).



1.3.1. *Legislative Standards Act 1992*

Assessment of the Bill's compliance with the LSA identified one issue, the right to privacy. As noted below in section 1.3.2, this issue is analysed in Section 2 of this Report as part of the consideration of compatibility with human rights protected under the HRA.

Explanatory notes were tabled with the introduction of the Bill. The notes contain the information required by Part 4 of the LSA and a sufficient level of background information and commentary to facilitate understanding of the Bill's aims and origins.



1.3.2. *Human Rights Act 2019*

Assessment of the Bill's compatibility with the HRA identified the following issues, which are analysed further in Section 2:

- the right to privacy
- the right to take part in public life.

The committee found that the Bill is compatible with human rights.

A statement of compatibility was tabled with the introduction of the Bill as required by section 38 of the HRA. The statement contained a sufficient level of information to facilitate understanding of the Bill in relation to its compatibility with human rights.

1.4. **Should the Bill be passed?**

The committee is required to determine whether or not to recommend that the Bill be passed.



Recommendation 1

The committee recommends that the Bill be passed.

2. Examination of the Bill

This section discusses the key themes raised by stakeholders during the committee's examination of the Bill.

2.1. Approved online services

The Bill proposes to amend the *Education (General Provisions) Act 2006* (EGPA) by enabling public service employees to use personal information about a student that is relevant for setting up and using online services approved by the chief executive of the Department of Education (see cl 37).⁹

State schools use a variety of third-party technology solutions. Such services can support:

- curriculum delivery
- activities and assessments
- publishing work
- managing school operations
- communicating with parents.¹⁰

It is estimated that state schools, at any one time, may be using hundreds of online services.¹¹

Under the current EGPA consent must be obtained for each service that requires information about a student.¹² With this consent, information such as the student's name, date of birth, email address, achievement data and year level may be shared with the service provider to allow account registration and student access. State schools, under this framework, undertake a consent process whereby either students or parents have to review and agree to sharing the information required by the online service. Due to the increasing number of online services being used, this consent process has been deemed burdensome.¹³ The department cited the Mathletics service as an example, noting 'we have 349 schools using Mathletics. Some of them are large schools with large enrolments—for example, Warrigal Road State School has 1,236 licences; McDowall State School has 1,003 licences'.¹⁴

If passed, the Bill would remove the requirement that individual consent be obtained for each online service. The explanatory notes state that the 'reforms will establish a robust framework whereby the chief executive may approve an online service that requires the disclosure, recording or use of personal information about a state school student'.¹⁵

To be approved, a service's purpose must be for education support of state school students, or to help with school administration. The assessment of online services will be

⁹ Explanatory notes, p 2.

¹⁰ Explanatory notes, p 2.

¹¹ Explanatory notes, p 2.

¹² *Education (General Provisions) Act 2006* (EGPA), s 426(4)(b).

¹³ Explanatory notes, p 2.

¹⁴ Department of Education, public briefing transcript, Brisbane, 2 April 2025, p 5.

¹⁵ Explanatory notes, p 2.

underpinned by the *Safer Technologies 4 Schools framework*, a nationally supported approach to endorsing digital products.¹⁶

2.1.1. Stakeholder Submissions and department advice

Stakeholders were generally supportive of the proposed amendments, with some stakeholders provided additional recommendations.

The Queensland Law Society (QLS) did not support the removal of requirement for students and/or their parents/caregivers to consent to the disclosure of their personal information for the purpose of using an online service. The QLS recommended that the requirement for consent be maintained (i.e. an opt-in model, rather than an opt-out) and that parent/students be given information to inform their decision to consent.

PeakCare recommended the Bill incorporate appropriate and rigorous protections to ensure security of student data, and that the use and success of these protections be included in the Department of Education's annual report, including any data breaches and management of those breaches.¹⁷

In response, the department advised that assessment of the privacy impacts of the proposal for approved online services, and ways in which the department's obligations under the *Information Privacy Act 2009* (IP Act) can be met, were key considerations for the Department of Education during development of the Bill's provisions. According to the department, this is evident in the requirement that for a service to be an approved online service, the chief executive must be satisfied that a contract or other arrangement entered into with the entity that provides the online service is a service arrangement (under section 34 of the IP Act) and the entity is a bound contracted service provider (defined in schedule 5 of the IP Act) in relation to the contract or arrangement.¹⁸

2.1.2. Right to privacy

The Bill's proposed amendments to the EGPA enable a public service employee of the Department of Education (department) to record, use and disclose to an approved online service,¹⁹ personal information about a student of a State school that is relevant to the provision and use of an approved online service.²⁰ These provisions may limit the right to privacy and reputation.

The right to privacy may be limited by the Bill because it provides for the recording, use and disclosure of personal information, for example, the student's name, date of birth,

¹⁶ Department of Education, correspondence dated 27 March 2025, p 2.

¹⁷ Submission 18.

¹⁸ Department of Education, correspondence dated 14 April 2025, pp 2-3.

¹⁹ Bill, cl 37 inserts EGPA, s 426A. Statement of compatibility, p 3.

²⁰ 'Personal information' means information or an opinion, whether true or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion. EGPA, s 426(5). Bill, cl 36(6) rennumbers EGPA, s 426(5) as s 426(6). However, the proposed amendment is restricted to personal information that is 'relevant information' about a student of a State school. Relevant information about a student of a State school means personal information, other than sensitive information (as defined by the *Information Privacy Act 2009*, sch 5), about the student that is relevant to the provision, or use, of an approved online service. Bill, cl 37 inserts EGPA, s 426A. The personal information includes information that the public service employee gained, or had access to, before commencement of the Bill, and information that came into existence before commencement. Bill, cl 38 inserts EGPA, s 544.

achievement data, email addresses, and year level,²¹ and removes the existing requirement that prior parent/student consent be obtained.²²

The primary purpose of the limitation on the right to privacy is to reduce the administrative burden on State schools, parents and students by streamlining student access to approved online services for digital learning and administration in State schools.²³

According to the statement of compatibility, State schools currently undertake and maintain a consent process for the use of online services, including when a new service is offered:

*To provide consent, either the student or parent have to review and agree to information required for the use of the online service. Due to the increase in use of these services, the consent process has become burdensome for schools, students and parents, and there is an increased risk of information security breaches due to variability of online services' privacy and security protections.*²⁴

The statement of compatibility acknowledges the limitation on the right to privacy, but states that the limitation is consistent with a free and democratic society based on dignity, equality and freedom 'as parents and students would still have the ability to opt out of the disclosing, recording or using of the student's personal information for the purpose of using an approved online service'.²⁵

Importantly, the statement of compatibility notes that, for online services that require sensitive information about a student or that are not approved online services, parent or student consent would continue to be required.²⁶

Committee comment



The committee is satisfied that the proposed amendments are reasonable and justified, have sufficient regard to rights and liberties of individuals, and are compatible with human rights as prescribed by the *Human Rights Act 2019*.

²¹ Explanatory notes, p 2. Statement of compatibility, p 3.

²² Currently, the EGPA (s 426) requires that consent must be obtained for each individual service that requires disclosure of personal information about a student. Statement of compatibility, p 3. Section 426(4) of the EGPA provides that it is an offence to unlawfully disclose information (attracting a maximum penalty of 50 penalty units, being \$8,065). The Bill does not remove the existing provisions, it seeks to insert additional provisions that authorise a public service employee to record, use and disclose specified personal information in specified circumstances. Bill, cl 37 inserts EGPA, s 426A. This effectively removes the specified matters from being captured by the existing offence provisions.

²³ Explanatory notes, p 2.

²⁴ Statement of compatibility, p 3.

²⁵ Statement of compatibility, p 4.

²⁶ The responsibilities and processes for obtaining and managing consent are currently provided for in the department's "*Obtaining and managing student and individual consent procedure*" and is administratively managed by schools. Statement of compatibility, p 4.

2.2. Home education eligibility

The Bill proposes to amend ss 206 and 210 of the EGPA (at cls 9–10) to extend the age eligibility for home education students. Under current legislation a student can only be registered until 31 December in the year in which they turn 17 years of age. The amendment would extend eligibility by one year, to 31 December of the year the student turns 18.²⁷

The department advised extending the age limit ‘eliminates a regulatory impediment to education access and supports’.²⁸ The changes would align age eligibility for home education registration with students who attend State or non-State schools. The changes would also extend eligibility for student-related financial supports and educational resources, participation in sporting competitions, and applications for travel and other further education opportunities.²⁹

2.2.1. Stakeholder Submissions and department advice

The majority of submissions received by the committee addressed the Bill’s provisions relating to reforming the age eligibility of home education students. All the submissions were supportive of extending the age eligibility to 18 years.

A number of submissions called for further extension to the registration period, beyond 18 years, as follows:

- to 31 December in the year the student turns 18 and 6 months
- additional 12 months, or two semesters, for students who had a delayed start to education or who repeated a year of schooling, similar to students attending school
- universal increase by an additional 12 months to 19 years, for students with special circumstances or learning requirements
- extra time available upon application, similar to New South Wales arrangements under the *Education Act 1990* (NSW), where students are eligible for an additional 2 years only if completing the planned educational program based on the NSW syllabus.³⁰

Committee comment



The committee notes the passionate and invested submissions from peak bodies and families representing home schooled students, calling for an extension to the age eligibility of home schooling.

²⁷ Explanatory notes, p 3.

²⁸ Explanatory notes, p 3.

²⁹ Department of Education, public briefing transcript, Brisbane, 2 April 2025, p 5.

³⁰ Free2homeschool Queensland, correspondence dated 17 April 2025; submissions 8, 10, 12, 14, 19, 23, 24.



Recommendation 2

The committee recommends further consideration around the extension of the age eligibility of students in home education by 6 months, to 31 December in the year the student turns 18 *and 6 months*.

2.3. Enabling principals to delegate the notification of suspension decisions

The Bill proposes an amendment to authorise principals to delegate the notification of a suspension decision to another of the school's senior staff members, including the Head of School, Deputy Principal, or Head of Campus. The explanatory notes state this change 'supports the administrative responsibilities of a principal and the provision of timely advice to students about suspension decisions'.³¹

Clauses 12–13 would amend the Bill to facilitate this change, and cl 14 inserts new s 289A to enable the delegation of this function.³²

According to the department these changes respond to feedback obtained during consultation about the workload burden on principals:

*[these amendments are] a way of reducing the workload burden for principals. In this way, people who are in appropriate positions of authority in the school and who are likely to have good relationships with those children and their families can undertake that work.*³³

The principal would continue to be responsible for making suspension decisions; it is only the authority to notify of the suspension that would be delegated.³⁴



2.3.1. Stakeholder Submissions and department advice

Stakeholders supported the proposed provisions in the Bill enabling principals to delegate the telling of suspension decisions.³⁵

The department noted the support for the Bill's provisions and stated:

*Enabling other members of staff to convey decisions to students and their families will support communication about the reasons for the decision. Further, the ability to delegate the telling of a suspension decision does not mean that a principal must use it in every case. Where a principal wishes to be the person communicating the decision and reasons, they will still be able to do so.*³⁶

The committee notes that in addition to providing commentary on the provisions in the Bill relating to the delegation of disclosing suspension decisions, a number of key stakeholders provided further opinion in relation to the school disciplinary absence (SDA) process. See section 2.10.

³¹ Explanatory notes, pp 3–4.

³² See Bill, cls 12–14; explanatory notes, p 17.

³³ Department of Education, public briefing transcript, Brisbane, 2 April 2025, p 5.

³⁴ Explanatory notes, pp 3 and 17.

³⁵ Submissions 21, 22, 25, 30.

³⁶ Department of Education, correspondence dated 14 April 2025, p 5.

2.4. Student transfer notes

Currently, when a student moves between State and non-State schools, the student, a parent, or the principal can request a transfer note from the former school. The transfer note includes:

- student-identifying information
- medical details
- school details
- level of schooling and allocation of state education
- attendance
- educational performance
- educational support
- behavioural issues and custody
- residence or guardianship orders.³⁷

Under the EGPA the use of transfer notes is currently optional. To align Queensland legislation with recommendations by the Royal Commission into Institutional Responses to Child Sexual Abuse, the Bill proposes to make transfer notes mandatory. The explanatory notes state:

It is critical to protect students and school communities and to ensure that schools provide appropriate support for students. The Bill includes amendments to facilitate timely and effective sharing of relevant student information between Queensland schools and strengthens protections for students and school communities, consistent with the Royal Commission recommendations.³⁸

The proposed changes would require that the principal of a State or non-State school must request a transfer note within 90 days of the student's enrolment to the new school. The transfer note would be required to be provided within 10 school days. The 90-day period is intended to provide time for the principal to welcome the new student and settle them, and to make their own assessment about the student. It is set at 90 days rather than 90 school days to ensure the timeframe is not extended by holiday periods.³⁹

The principal is not required to request the transfer note if they have received the information elsewhere (such as through the department's data management system, OneSchool, or if a parent had requested a transfer note and provided it to the school).⁴⁰

³⁷ Explanatory notes, p 8.

³⁸ Explanatory notes, p 8.

³⁹ Explanatory notes, pp 8-9.

⁴⁰ Explanatory notes, p 9.



2.4.1. Stakeholder Submissions and department advice

Stakeholders provided qualified support to making transfer notes mandatory, with some submissions calling for the timely sharing of appropriate information to allow schools to be better able to support students.⁴¹

The Queensland Teachers Union and Independent Education Union of Australia - Queensland and Northern Territory Branch (QTU/IEU) submitted that the 90-day period is ‘potentially problematic’ especially when schools are managing students with complex and challenging behaviours. The joint submission stated that, while sensitive to the workload implications of a shorter timeframe for requesting the transfer note, ‘the need for schools, and school staff, to be aware of potential health and safety risks is acute.’⁴²

Queensland Independent Schools Parents Network sought assurance that the Queensland Government had given thought to the provision of a secure mode to allow for data sharing between school sectors and between non-state schools, given the inherent security issues with email, which will arguably increase with mandatory transfer notes for new students. The submission also noted the ‘significant financial and workload burden on independent schools’ to request, receive and respond to transfer notes and their accompanying documentation.⁴³

In response, the department noted the support expressed for the amendments. In relation to the proposed time frame, the department stated:

*The 90-day period (which is up to approximately a school term) post transfer to the new school will provide time for the principal to welcome and settle the student into their school and make their own assessment of the student. Setting the timeframe at 90 days rather than 90 school days ensures that if the timeframe coincides with one or more holiday periods that the timeframe is not extended by those holiday periods. However, it is also open to a principal to request a transfer note earlier in the 90-day period and to expect a response within 10 days.*⁴⁴

The department acknowledged that while requiring proactive information sharing via transfer notes may increase administrative processes for schools, it is balanced by the ‘critical outcome’ of strengthening protections for students and school communities, consistent with the Disability Royal Commission recommendations, and supporting continuity of education.⁴⁵

The department advised that it will provide guidelines ‘to support principals to implement the changes, including determining the proportionate information that should be included in a transfer note, when they should be requested and how information should be managed.’⁴⁶

⁴¹ Submissions 15, 18, 20, 22, 32.

⁴² Submission 25.

⁴³ Submission 28.

⁴⁴ Department of Education, correspondence dated 14 April 2025, p 6.

⁴⁵ Department of Education, public briefing transcript, Brisbane, 2 April 2025, p 2.

⁴⁶ Department of Education, correspondence dated 14 April 2025, p 6.

The amendments are proposed to commence at proclamation and will take effect in 2026.⁴⁷ According to the department, the precise commencement will be established through consultation with the State and non-State school sectors. Considerations for commencement will take into account periods of the year where schools are under increased workload, such as at the start of Term 1.⁴⁸

2.5. Parents and Citizens' Associations

The Bill proposes amendments to the EGPA related to P&C Associations. The amendments are designed to enable separate P&C Associations to be established for schools with multiple campuses, enable donations between P&C Associations, and preclude a person convicted of an indictable offence from being a member of a P&C Association's executive committee or a subcommittee.

2.5.1. Forming separate P&C Associations for schools with multiple campuses

Clause 31 of the Bill would insert a new part 11 in chapter 7 of the EGPA. The provision would allow a regional State school with multiple campuses to establish separate P&Cs for each campus. This is intended to allow schools with multiple geographically dispersed campuses to each have their own P&C Association.⁴⁹

The explanatory notes state that very few schools have multiple campuses that are significantly distant from one another but those that do may encounter issues relating to distance, local interests and issues, and concerns about the distribution of school funds. Tagai State College, for example, has 17 campuses through the Torres Strait Islands, within a 48,000 square kilometre area. This amendment proposes that schools, subject to being prescribed in a Regulation, could form separate P&Cs for separate campuses. The decision to allow the formation of multiple P&C Associations within a school would be made by the principal in consultation with other relevant persons, in a manner consistent with pre-existing processes to form P&C Associations.⁵⁰

2.5.2. Enabling donations between P&C Associations

The Bill proposes to amend the EGPA to allow a P&C Association to fundraise for another school and donate funds in order to purchase goods to another P&C Association following an adverse event (such as a natural disaster). The Minister for Education, introducing the Bill, said 'The proposed reform empowers P&Cs, should they wish, to actively support one another following natural disasters to help fellow school communities and support students'.⁵¹

⁴⁷ Department of Education, public briefing transcript, Brisbane, 2 April 2025, p 2.

⁴⁸ Department of Education, correspondence dated 14 April 2025, p 6.

⁴⁹ Explanatory notes, p 19.

⁵⁰ Explanatory notes, p 15.

⁵¹ Queensland Parliament, Record of Proceedings, 14 March 2025, p 512.

Clause 7 of the Bill would insert a new s 142A that states nothing in the EGPA prevents a P&C Association giving assistance to:

another State instructional institution, if the institution's ability to provide primary, secondary or special education or other educational instruction has been adversely affected by an event.⁵²

Examples of an event include 'an accident, a deliberate act, a natural disaster'.⁵³

2.5.3. Precluding person convicted of an indictable offence from being a P&C Association Executive Committee or subcommittee member

Clauses 28–29 propose to prohibit a person being a member of a P&C Association's executive committee or a subcommittee if convicted of an indictable offence, unless approved by the Minister. The explanatory notes state this restriction is necessary due to 'the additional responsibilities and expectations required' of such roles, and the potential for involvement in the financial operations of the P&C Association.⁵⁴

The amendment would not apply to spent convictions, nor would it prohibit a person convicted of an indictable offence from general membership of a P&C Association.⁵⁵

2.5.4. Right to take part in public life

The EGPA already contains an existing provision providing that a person can not become, or continue as, a member of a school council⁵⁶ if the person has been convicted of an indictable offence, unless the Minister approves the person's membership.⁵⁷ The Bill proposes that similar restrictions would apply to a member of the executive committee, or of a subcommittee, of a P&C Association.

These provisions may limit the right to take part in public life.

Every person in Queensland has the right to participate in the conduct of public affairs, directly or through freely chosen representatives. This includes the right to vote and be elected, and have access, on general terms of equality, to the public service and to public office.⁵⁸ The right to take part in public life is construed broadly, covering all aspects of public administration.⁵⁹ It could encompass State school governance, including membership of an executive committee of a P&C Association, and appointment to positions within the committee.

The right to take part in public life may be limited by the Bill because the proposed amendments impose additional requirements for suitability and eligibility for appointment of persons to executive roles. In this regard, the provisions exclude individuals who have

⁵² Bill, cl 7.

⁵³ Bill, cl 7.

⁵⁴ Explanatory notes, pp 6, 11, 19.

⁵⁵ Explanatory notes, pp 6, 11.

⁵⁶ Being, an elected parent member, elected staff member, or appointed member.

⁵⁷ EGPA, s 93.

⁵⁸ HRA, s 23.

⁵⁹ Queensland Government, *Guide: nature and scope of the human rights protected in the Human Rights Act 2019*, version 2, 2022, p 67.

a conviction, other than a spent conviction, for an indictable offence from becoming or continuing as a member of the executive committee or of a subcommittee.

According to the statement of compatibility, the purpose of the amendments is to ‘ensure P&C Associations, and the funds they control, are managed with integrity and in a manner appropriate to expectations of the community’.⁶⁰ The provisions are said to encourage ‘community confidence in the appropriate management of funds’ and protect ‘the interests of schools and the students for which these funds are raised’.⁶¹

The explanatory notes state that the proposed amendments recognise the additional responsibilities of persons appointed to executive positions in a P&C Association as being ‘beyond expectations of an ordinary member, and the potential for those members to become involved in the financial operations of the association’.⁶²

Committee comment



The committee is satisfied that, on balance, the limitations on the human right to take part in public life will help achieve the purpose of the proposed amendments and strike a fair balance between allowing individuals to participate in the school community, and the additional responsibilities placed on executive members and subcommittee members of an association.



2.5.5. Stakeholder submissions and department advice

Submitters who commented on the provisions relating to P&C Associations were largely supportive of the proposed reforms. Notably, P&Cs Qld supported the proposed reforms in full.⁶³

The QTU/IEU submitted that any amendments to the EGPA should not adversely impact on the workload of principals and staff. Consequently, the submission did not support the proposed amendments allowing for campus associations to be established, contending that ‘duplication or replication of the functions of a school campus by campus associations undermines the authority of the school council and will result in additional work, accountability and responsibility’.⁶⁴

In response to the QTU/IEU submission, the department advised that clauses 16 to 24 do not duplicate or replicate the functions of a school council by campus associations. Accordingly, schools retain the status quo but incorporate the new concept of a campus P&C Association, in the same way that existing P&C Associations operate in relation to school councils.⁶⁵

⁶⁰ Statement of compatibility, p 8.

⁶¹ Statement of compatibility, p 8.

⁶² Explanatory notes, p 6.

⁶³ Submission 26.

⁶⁴ Submission 25.

⁶⁵ Department of Education, correspondence dated 14 April 2025, p 5.

2.6. eKindy



The Bill proposes to clarify the distance and medical eligibility criteria for eKindy.⁶⁶

The explanatory notes state that current distance and medical eligibility criteria 'are prohibiting some persons from registering a child in eKindy'. Section 419F requires that a child's home is more than 16 kilometres from the nearest centre-based service that caters to kindergarten aged children. The centre-based service is not required to be an approved kindergarten program provider, which would mean it must comply with certain operational and legislative requirements, such as that the program must be delivered by an Early Childhood Teacher. Clause 35 of the Bill proposes to change the distance criterion so that a child is eligible if their home is more than 16 kilometres from a centre-based service that delivers 'an approved kindergarten program', or a prescribed State school that provides State school kindergarten program.⁶⁷

Clause 35 also proposes a change to the current medical eligibility criterion to eKindy that makes it available to children who will miss more than 10 consecutive weeks due to a health condition. If passed, the Bill would provide that eKindy is available to students who will likely miss 10 weeks cumulatively throughout the year (not necessarily consecutively).⁶⁸



2.6.1. Stakeholder Submissions and department advice

Stakeholders expressed support for the Bill's proposed reforms to eKindy.⁶⁹

PeakCare supported clarifying the eligibility and accessibility criteria for families to participate in eKindy programs across Queensland as part of a commitment to improving access to early childhood education, particularly for children who may otherwise face barriers due to distance or health related absences.⁷⁰ Ms Kate Bjur, Acting Chief Executive Officer of PeakCare, emphasised the financial importance of eKindy at the public hearing on the Bill: 'The evidence is clear: early intervention is not only a good policy but also a smart investment.'⁷¹

Downs Syndrome Queensland also supported the proposed changes to eligibility which would provide 'equitable access for children with intermittent medical needs.'⁷²

Queenslanders with Disability Network (QDN) provided qualified support to the proposed provisions, noting that 'it is important that this is not seen as an alternative to reinforce exclusion practices based upon inadequacy of staff knowledge and experience and supports for children with disability in early childhood programs.'⁷³

In response, the department noted the comments of stakeholders.⁷⁴

⁶⁶ Explanatory notes, p 7.

⁶⁷ Explanatory notes, p 7.

⁶⁸ Explanatory notes, p 7–8, 21.

⁶⁹ Submissions 15, 18, 19, 25.

⁷⁰ Submission 18, p 5.

⁷¹ Public hearing transcript, Brisbane, 17 April 2025, p 15.

⁷² Submission 19, p 4.

⁷³ Submission 29, p 2.

⁷⁴ Department of Education, correspondence dated 14 April 2025, pp 5-6.

2.7. Collection of information from non-State schools

The Bill proposes to clarify the roles and responsibilities for non-State schools when information is requested by the chief executive of the Department of Education.

Section 180 of the current EGPA provides that the chief executive may, by notice to the principal of a non-State school, ask the principal about:

- (a) the enrolment and attendance of a student who is of compulsory school age
- (b) decisions relating to a student being temporarily exempted from the requirement to attend school.

The chief executive may also ask for information that may:

- (c) help in investigations into parents not meeting their obligation (under s 176(1)) to ensure a child is enrolled at a State or non-State school
- (d) help the chief executive or an authorised person to give notice to a parent about their obligation to have their child enrolled, or to meet with the parent about this obligation
- (e) otherwise help with a decision about contravention of s 176(1).⁷⁵

Section 181 of the EGPA provides protection from liability to a principal of a non-State school when complying with s 180. Similar information sharing provisions and protection from liability are found at ss 251AB and 251AC. These requests relate to a non-State school's decision whether to grant an exemption to a younger person who is participating in an 'eligible option' (see s 232 of the EGPA, eligible options include tertiary education courses, vocational education and training courses, apprenticeships or traineeships).

The EGPA currently provides for the chief executive of the Department of Education to seek particular information from non-State school principals. The proposed amendments intend to make a non-State school's responsibilities clearer, reflecting that a non-State school's governing body may be in control of the information.⁷⁶



2.7.1. Stakeholder Submissions and department advice

The Queensland Catholic Education Commission, Queensland Secondary Principals' Association, Queensland Independent Schools Parents Network and the Isolated Children's Parents' Association Queensland (ICPA) were supportive of the provisions in the Bill.⁷⁷ The Queensland Catholic Education Commission stated that the amendments 'will enhance the safety and wellbeing of students'.⁷⁸

The department noted the Queensland Catholic Education Commission's views on this reform.⁷⁹

⁷⁵ EGPA, s 180 (paraphrased).

⁷⁶ Explanatory notes, pp 7, 16.

⁷⁷ Submissions 20, 22, 28, 32.

⁷⁸ Submission 20, p 2.

⁷⁹ Department of Education, correspondence dated 14 April 2025, p 2.

2.8. Special school enrolment

The Bill proposes to change the enrolment process for students transferring between Queensland State special schools. Under the EGPA, special school principals are required to refer enrolment applications to the chief executive (or their delegate). This is required even if the student is transferring between Queensland State special schools. In such cases, the student has already been assessed as meeting eligibility criteria, so the requirement is redundant. The amendments propose that, when an applicant was enrolled in another Queensland State special school immediately prior to the application, the principal must enrol the prospective student.⁸⁰



This change is proposed at cl 32 of the Bill, to amend s 156 so that if:

- (i) the prospective student is a continuing special school student and the principal is satisfied—
 - (A) the student is a person with a disability; and
 - (B) the special school is able to cater for the educational needs of the student

The principal must enrol the student.⁸¹



2.8.1. Stakeholder Submissions and department advice

Stakeholders were supportive of the reforms relating to special school enrolment transfers.

The Queensland Family and Child Commission (QFCC), QTU/IEU and the ICPA all supported the proposed reforms as a means to simplify the process for transfer of enrolment, reduce administrative delays and help ensure that students with disabilities experience smoother transitions to schools that can meet their specific educational needs.⁸²

Their views were noted by the department.⁸³



2.9. Technical amendments

The Bill proposes several technical amendments to the EGPA that:

- clarify the policy intent that for information that the chief executive may request from a non-State school, the information must be provided to the chief executive;
- reflect that the requested information may be held by the governing body for a non-State school, not the principal of the school, enabling the chief executive to request the information from the governing body; and
- update legislative cross references in the *Child Protection Act 1999* and the EGPA.⁸⁴

⁸⁰ Explanatory notes, p 4.

⁸¹ Bill, cl 32; explanatory notes, p 4.

⁸² Submissions 15, 25, 32.

⁸³ Department of Education, correspondence dated 14 April 2025, p 5.

⁸⁴ Explanatory notes, p 12.

The explanatory notes state that the technical amendments do not engage human rights under the HRA.



2.10. Issues raised by stakeholders outside the scope of the Bill

On the issue of school disciplinary absences, submissions from PeakCare, Down Syndrome Queensland, the Office of the Aboriginal and Torres Strait Islander Children's Commission, QDN and Queensland Advocacy for Inclusion (QAI) raised concerns beyond the scope of the bill; including requests for a comprehensive review of SDA's and consideration of holistic models of supports in schools.

PeakCare, QDN and QAI proposed that suspensions and exclusions be implemented strictly as a last resort, safeguarding the educational rights and wellbeing of Queensland students, particularly those with disabilities.⁸⁵

Committee comment



The committee acknowledges the issues raised by stakeholders in relation to school disciplinary absences, despite those issues being outside the scope of the Bill.

⁸⁵ Submissions 18, 19, 29, 30.

Appendix A – Submitters

<i>Sub No.</i>	<i>Name / Organisation</i>
1	Amanda Bartle
2	Patricia Fitzgerald
3	Paul Rogers
4	Name withheld
5	Name withheld
6	Fiona Wersin
7	Sarah Goodenough Wheatley
8	Name withheld
9	Name withheld
10	Jennifer Drew
11	Melissa Wolters
12	Rebecca Radasandaran
13	Office of the Information Commissioner
14	Samantha Bryan
15	Queensland Family and Child Commission
16	Sarah Weir
17	Name withheld
18	PeakCare
19	Down Syndrome QLD
20	Queensland Catholic Education Commission
21	Office of the Aboriginal and Torres Strait Islander Children's Commissioner, Queensland Family and Child Commission
22	Queensland Secondary Principals' Association
23	Home Education Association (Qld Chapter)
24	Free2homeschool
25	Joint submission - Queensland Teachers Union of Employees, and Independent Education Union of Australia – Queensland and Northern Territory Branch
26	P&Cs Qld
27	Name withheld
28	Queensland Independent Schools Parents Network
29	Queensland with Disability Network (QDN)

<i>Sub No.</i>	<i>Name / Organisation</i>
30	Queensland Advocacy for Inclusion
31	Samantha Bryan
32	ICPA Queensland
33	Jillina Whittaker
34	Queensland Law Society

Appendix B – Public Briefing, 2 April 2025

Department of Education

Ms Kathleen Forrester	Deputy Director-General, Policy, Performance, International and Governmental
Ms Tania Porter	Deputy Director-General, Early Childhood
Ms Hayley Stevenson	Assistant Director-General, Schools and Student Support
Ms Karen Edwards	Executive Director, Information and Technologies

Appendix C – Witnesses at Public Hearing, 17 April 2025

Queensland Family and Child Commission

Mr Luke Twyford	Principal Commissioner
Ms Natalie Lewis	Aboriginal and Torres Strait Islander Children's Commissioner
Mrs Tammy Walker	Government Relations Manager

Queensland Teachers' Union and Independent Education Union of Australia

Ms Cresta Richardson	President
Dr Craig Wood	Research Officer
Mrs Kathleen Janecek	QTU Member – Principal (Secondary)

Queensland Secondary Principals' Association

Mr Mark Breckenridge	President
Ms Sharon Barker	Principal Board Member

PeakCare

Ms Kate Bjur	Acting Chief Executive Officer
--------------	--------------------------------

Home Education Association (Queensland Chapter)

Mrs Samantha Bryan	Queensland Chapter Team Leader
--------------------	--------------------------------

Free2homeschool

Miss Amanda Bartle	Director
Mrs Patricia Fitzgerald	Manager

ICPA Australia

Mrs Wendy Henning	President
-------------------	-----------