

Annual Report **2020-21**

Report No. 10, 57th Parliament
Education, Employment and Training Committee
September 2021

Education, Employment and Training Committee

Chair	Kim Richards MP, Member for Redlands
Deputy Chair	James Lister MP, Member for Southern Downs
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1 Education, Employment and Training Committee

The Education, Employment and Training Committee (the committee) is a portfolio committee of the Legislative Assembly which commenced on 26 November 2020 under s 88 of the *Parliament of Queensland Act 2001* and the Standing Rules and Orders of the Legislative Assembly.¹

The committee's primary areas of responsibility are:

- Education, Industrial Relations and Racing
- Employment, Small Business, Training and Skills Development.

Section 93(1) and s 93(3) of the *Parliament of Queensland Act 2001* provides that a portfolio committee is responsible for examining each bill and item of subordinate legislation in its portfolio areas to consider:

- the policy to be given effect by the legislation
- the application of fundamental legislative principles
- the compatibility of bills and subordinate legislation with the *Human Rights Act 2019*
- for subordinate legislation – its lawfulness.

Portfolio committees also examine the budget estimates of each department and relevant statutory agency within their portfolio areas; have responsibility for the scrutiny of public accounts and public works which relate to their portfolio areas²; consider reports of the Auditor-General and other referrals from the Legislative Assembly; and may initiate an inquiry into any other matter they consider appropriate.³

2 Annual report

In accordance with section 108 of the *Parliament of Queensland Act 2001*, the committee is required to table an annual report within 4 months and 14 days after the end of each financial year. The report must include:

- a list of meetings of the committee and the names of members attending or absent from each meeting
- a summary of issues considered by the committee, including a description of the more significant issues arising from the considerations
- a statement of the committee's revenue and spending for the year
- a brief description of responses by ministers to recommendations of the committee.

This report provides a summary of the activities of the committee from 26 November 2020 to 30 June 2021.

3 Inquiries and reports

The committee considered a number of issues and tabled 7 reports during the 2020-21 financial year. The committee's reports and inquiries are discussed below.

Copies of the committee's publications are available from the committee's webpage.⁴

¹ *Parliament of Queensland Act 2001*, s 88 and Standing Order 194.

² *Parliament of Queensland Act 2001*, s 94.

³ *Parliament of Queensland Act 2001*, s 92.

⁴ www.parliament.qld.gov.au/EETC.

3.1 Bills and subordinate legislation

The committee examined three bills and 10 pieces of subordinate legislation in accordance with its responsibility under ss 93(1) and 93(3) of the *Parliament of Queensland Act 2001*, in particular the committee considered:

- the policy to be given effect by the legislation
- the application of fundamental legislative principles (FLPs) to the legislation
- the compatibility of bills and subordinate legislation with the *Human Rights Act 2019*
- for subordinate legislation - its lawfulness.

3.1.1 Subordinate legislation tabled on 14 July 2020 (Report No. 1)

On 1 December 2020, the committee tabled Report No 1: *Subordinate legislation tabled on 14 July 2020*. The report advised of the committee's findings with respect to the following subordinate legislation:

- SL No. 121 – Racing Integrity (Fees) Amendment Regulation 2020

No significant issues were identified by the committee regarding the policy, consistency with FLPs, compatibility with human rights, or lawfulness of the subordinate legislation.

3.1.2 2020-21 Budget Estimates (Report No. 2)

On 1 December 2020, Hon Cameron Dick MP, Treasurer and Minister for Investment introduced the Appropriation (2020-2021) Bill 2020. The Bill and the estimates for the committee's areas of responsibility were referred to the committee for investigation and report.

At its public hearing on 9 December 2020, the committee questioned the Minister for Education, Minister for Industrial Relations and Minister for Racing, and the Minister for Employment and Small Business and Minister for Training and Skills Development, about the proposed expenditures for their portfolio areas. On 12 February 2021 the committee tabled Report No 2: *2020-2021 Budget Estimates*. The Bill was passed on 24 February 2021.

3.1.3 Workers' Compensation and Rehabilitation and Other Legislation Amendment Bill 2020 (Report No.3)

On 26 November 2020, the Workers' Compensation and Rehabilitation and Other Legislation Amendment Bill 2020 was referred to the committee for examination and report. The committee was required to table its report by 12 February 2021.

The Bill was identical to a bill of the same name which was introduced in the 56th Parliament. The earlier bill lapsed on the dissolution of that Parliament on 6 October 2020.

As set out in the explanatory notes, the Bill:

...introduces presumptive workers' compensation laws for first responders diagnosed with PTSD. The objective of the Bill is to provide an alternative claims pathway for first responders who are struggling to cope with PTSD that presumes they have a work-related injury, unless it is proved their injury was not caused by work.⁵

During its examination of the Bill the committee accepted 14 submissions and 2 supplementary submissions. A public hearing was held in Brisbane on 16 December 2020. A public briefing by the Department of Education was also held on this date.

⁵ Workers' Compensation and Rehabilitation and Other Legislation Amendment Bill 2020, explanatory notes, p 2.

The committee tabled its report on 12 February 2021, making 7 recommendations including that the Bill be passed.

Minister Grace tabled her response to the committee's report during the second reading debate. Her response noted the recommendation to pass the Bill, supported one recommendation and supported in part one recommendation. The remaining 4 recommendations were not supported.

The Bill was passed with amendment on 12 May 2021.

3.1.4 Subordinate legislation tabled between 16 July 2020 and 8 September 2020 (Report No. 4)

On 2 March 2021, the committee tabled Report No 4: *Subordinate legislation tabled between 16 July 2020 and 8 September 2020*. The report advised of the committee's findings with respect to the following subordinate legislation:

- SL No. 167 - Electrical Safety and Other Legislation (Fees) Amendment Regulation 2020
- SL No. 182 - Proclamation No. 2—Community Services Industry (Portable Long Service Leave) Act 2020 (commencing remaining provisions)
- SL No. 183 - Community Services Industry (Portable Long Service Leave) Regulation 2020
- SL No. 184 - Education Legislation (Fees) Amendment Regulation 2020

No significant issues were identified by the committee regarding the policy, consistency with FLPs, compatibility with human rights, or lawfulness of the subordinate legislation.

3.1.5 Subordinate legislation tabled between 9 September 2020 and 14 September 2020 (Report No. 5)

On 18 March 2021, the committee tabled Report No 5: *Subordinate legislation tabled between 9 September 2020 and 14 September 2020*. The report advised of the committee's findings with respect to the following subordinate legislation:

- Education and Care Services National Amendment Regulations 2020 (made under the Education and Care Services National Law)

The committee noted that the Amendment Regulations are not 'subordinate legislation' as the term is used in various Queensland Acts. Explanatory notes were not required to accompany the Amendment Regulations and, consequently, the committee did not report on the compliance of any explanatory notes with the *Legislative Standards Act 1992*.

In the absence of explanatory notes the committee sought written and oral briefs from the Department of Education. A public briefing by the department was held on 8 March 2021.

No significant issues were identified by the committee regarding the policy, consistency with FLPs, compatibility with human rights, or lawfulness of the subordinate legislation.

3.1.6 Subordinate legislation tabled between 15 September 2020 and 26 November 2020 (Report No. 6)

On 31 March 2021, the committee tabled Report No 6: *Subordinate legislation tabled between 15 September 2020 and 26 November 2020*. The report advised of the committee's findings with respect to the following subordinate legislation:

- SL No. 251 - Proclamation – Criminal Code and Other Legislation (Wage Theft) Amendment Act 2020 (commencing remaining provisions)
- SL No. 252 - Work Health and Safety (Plant Registration) Amendment Regulation 2020

No significant issues were identified by the committee regarding the policy, consistency with FLPs, compatibility with human rights, or lawfulness of the subordinate legislation.

3.1.7 Subordinate legislation tabled between 27 November 2020 and 24 February 2021 (Report No. 7)

On 18 March 2021, the committee tabled Report No. 7: *Subordinate legislation tabled between 27 November 2020 and 24 February 2021*. The report advised of the committee's findings with respect to the following subordinate legislation:

- SL No. 10 - Industrial Relations (Tribunals) Amendment Rule 2021
- SL No. 12 - Electrical Safety (Codes of Practice) and Other Legislation Amendment Notice 2021

No significant issues were identified by the committee regarding the policy, consistency with FLPs, compatibility with human rights, or lawfulness of the subordinate legislation.

3.1.8 2021-22 Budget Estimates

On 15 June 2021, Hon Cameron Dick MP, Treasurer and Minister for Investment, introduced the Appropriation Bill 2021. On 18 June 2021, the Bill and the estimates for the committee's area of responsibility were referred to the committee for investigation and report.

In a motion agreed by the House, the committee's public hearing to consider the portfolio budget estimates was scheduled for 9.00am to 5.15pm on Thursday 28 July 2021. The committee was required to report on the estimates by 20 August 2021.

3.2 Consideration of Auditor-General's Reports to Parliament

3.2.1 Auditor-General's Report 18: 2020-21—Education 2020

The Auditor-General's report titled *Report 18: 2020-21—Education 2020* was tabled on 27 May 2021 and referred to the committee on the same date for consideration. The report summarises the audit results of entities in Queensland's education sector, including the Department of Education, the Department of Employment, Small Business and Training, TAFE Queensland, seven universities, eight grammar schools, and some other statutory bodies.

The committee commenced its consideration of the report by seeking briefs from the Auditor-General and departments audited. The committee will complete this work in the 2021-22 year.

3.3 Consideration of public accounts and public works

As noted previously, portfolio committees have responsibility to assess the public accounts of entities within its portfolio areas with regard to the economy, efficiency and effectiveness of financial management, and may also consider public works undertaken by an entity that is a constructing authority⁶ for the works, or consider any major works, should the committee decide to do so.⁷

The committee received written and oral portfolio briefings on 8 March 2021 by officers of the Department of Education and the Department of Agriculture and Fisheries (in relation to racing integrity), and on 22 March 2021 by officers of the Department of Employment, Small Business and Training and officers representing other entities within the employment, training and small business portfolio. These briefings assisted the committee to understand the key activities and policy areas within the committee's areas of responsibility.

During the period covered by this report, the committee did not identify public accounts issues within its portfolio responsibilities warranting inquiry.

In relation to portfolio public works, the committee sought written advice in June 2021 from the Department of Employment, Small Business and Training on upgrades to TAFE facilities that were

⁶ See *Parliament of Queensland Act 2001*, s 96.

⁷ See *Parliament of Queensland Act 2001*, s 94.

budgeted during 2018-19, 2019-20 and 2020-21. As at 30 June 2021, the committee had not commenced consideration of any works.

4 Committee expenditure

The committee had no revenue during 2020-21 period. The committee is funded from the appropriation made to the Legislative Assembly. The expenditure of the committee from 26 November 2020 to 30 June 2021 is shown in the table below.

Item	\$
Employee expenses ⁸	205,786
Meeting expenses	6,803
Technology	3,543
Printing and supplies	1,567
Miscellaneous expenses	199
Expenditure Total	217,898

5 Meeting attendance record

The table below shows the attendance of committee members at committee meetings and other activities during the reporting period.

Standing Order 202(1) provides that in the case of a committee members' illness or inability to attend, another member may be appointed to attend that meeting or stand in for a particular inquiry.

Meeting Date	Activity	KIM RICHARDS MP	JAMES LISTER MP	MARK BOOTHMAN MP	NICK DAMETTO MP	BARRY O'ROURKE MP	JIMMY SULLIVAN MP
30-Nov-20	PrM	✓	✓	✓	✓	✓	✓
09-Dec-20	PrM	✓	✓	✓	✓	✓	✓
09-Dec-20 ⁹	PH	✓	✓	✓	✓	✓	✓
16-Dec-20	PB	✓	✓	✓	✓	x ¹⁰	✓
16-Dec-20	PrH	✓	✓	✓	✓	x	✓
09-Feb-21	PrM	✓	✓	✓	✓	✓	✓

⁸ These figures reflect a three person secretariat supporting the committee. The committee's staffing might have been supplemented with additional resources from general Committee Office staff throughout the year.

⁹ Dr Christian Rowan MP, Dr Amy MacMahon MP, Fiona Simpson MP, Steve Andrew MP, Michael Berkman MP, Tim Mander MP, Jarrod Bleijie MP and Brent Mickelberg MP were granted leave to participate in the public hearing held on 9 December 2020 for the committee's examination of the 2020-21 Budget Estimates.

¹⁰ Don Brown MP was appointed as a substitute member in accordance SO202(1) for Barry O'Rourke MP for all committee business on 16 December 2021.

Meeting Date	Activity	KIM RICHARDS MP	JAMES LISTER MP	MARK BOOTHMAN MP	NICK DAMETTO MP	BARRY O'ROURKE MP	JIMMY SULLIVAN MP
22-Feb-21	PrM	✓	✓	✓	✓	✓	✓
08-Mar-21	PrM	✓	✓	✓	✓	✓	✓
08-Mar-21	PB	✓	✓	✓	✓	✓	✓
08-Mar-21	PrB	✓	✓	✓	✓	✓	✓
12-Mar-21	PrM	✓	✓	✓	✓	✓	✓
22-Mar-21	PrM	✓	✓	✓	✓	✓	✓
22-Mar-21	PrB	✓	✓	✓	✓	✓	✓
06-Apr-21	PrM	✓	x ¹¹	✓	x	✓	✓
19-Apr-21	PrM	✓	x	✓	✓	✓	✓
19-Apr-21	PrB	✓	x	✓	✓	✓	✓
10-May-21	PrM	✓	x	✓ ¹²	✓	✓	✓
24-May-21	PrM	✓	x	✓	✓	✓	✓
14-Jun-21	PrM	✓	✓	✓	✓	✓	✓
18-Jun-21	PrM	✓	✓	✓	✓	✓	✓
24-Jun-21	PrM	✓	✓	✓	x	✓	✓

Legend: PrM private meeting
PrB private briefing
PrH private hearing
PB public briefing
PH public hearing



Kim Richards MP
Chair

September 2021

¹¹ James Lister MP undertook medical leave from 30 March to 4 June 2021.

¹² Mark Boothman MP was elected by the committee to act as Deputy Chair in the absence of Mr James Lister MP for the period he was absent from parliament on leave from 10 May 2021 until 4 June 2021.