

Education (Accreditation of Non-State Schools) (National Declaration) Amendment Regulation 2020

Explanatory notes for SL 2020 No. 91

made under the
Education (Accreditation of Non-State Schools) Act 2017

General Outline

Short title

Education (Accreditation of Non-State Schools) (National Declaration) Amendment Regulation 2020

Authorising law

Sections 11 and 179 of the *Education (Accreditation of Non-State Schools) Act 2017*

Policy objectives and the reasons for them

The policy objective of the *Education (Accreditation of Non-State Schools) (National Declaration) Amendment Regulation 2020* (Amendment Regulation) is to amend sections 9(1)(e) and 10(2) of the *Education (Accreditation of Non-State Schools) Regulation 2017* (EANSS Regulation) to:

- omit the reference to the *Melbourne Declaration on Education Goals for Young Australians* (Melbourne Declaration); and
- insert the reference to the *Alice Springs (Mparntwe) Education Declaration* (Mparntwe Declaration).

The *Education (Accreditation of Non-State Schools) Act 2017* (EANSS Act) provides for the accreditation of non-State schools and deciding the eligibility of non-State school's governing bodies for government funding for the schools. The EANSS Act establishes the Non-State School Accreditation Board (NSSAB) to determine applications for accreditation of non-State schools and investigate and monitor compliance of accredited schools with accreditation criteria.

The EANSS Regulation prescribes matters under the EANSS Act to uphold standards of and maintain public confidence in Queensland's non-State schools: including prescribing accreditation criteria to ensure that non-State schools provide a quality education program such as: the school's administration and governance arrangement; the school's financial viability; the school's student welfare processes; the school's resources; and the school's improvement processes.

On 12 December 2019, the Council of Australian Governments' Education Council (Education Council) endorsed the Mparntwe Declaration which replaces the former Melbourne Declaration. The key changes between the Melbourne Declaration and Mparntwe Declaration include a greater emphasis on early learning, the individual needs of all learners, and the importance of students having a voice in their education. The Mparntwe Declaration specifically focuses on the wellbeing of young people, including mental health and resilience.

Sections 9(1)(e) and 10(2) of the EANSS Regulation make the reference to the Melbourne Declaration. An amendment to sections 9(1)(e) and 10(2) of the EANSS Regulation is required to reflect the new Mparntwe Declaration and enable the NSSAB to implement appropriate administrative processes to transition from the Melbourne Declaration to the Mparntwe Declaration.

The Amendment Regulation removes the reference to the Melbourne Declaration and inserts the reference to the Mparntwe Declaration.

Achievement of policy objectives

The Amendment Regulation achieves its policy objective by amending the EANSS Regulation to omit the reference to the Melbourne Declaration and insert the reference to the Mparntwe Declaration that is endorsed by the Education Council.

Consistency with policy objectives of authorising law

The Amendment Regulation is consistent with the objectives of the EANSS Act.

Inconsistency with policy objectives of other legislation

The Amendment Regulation is not inconsistent with the policy objectives of other legislation.

Benefits and costs of implementation

The Amendment Regulation upholds standards and maintain public confidence in Queensland's non-State schools.

There will be no implementation costs associated with this Amendment Regulation.

Consistency with fundamental legislative principles

The Amendment Regulation is consistent with fundamental legislative principles.

Consultation

The NSSAB was consulted and provided support for the Amendment Regulation.

The Queensland Productivity Commission has not been consulted in relation to the requirements under the Queensland Government Guide to Better Regulation (the guidelines) because it has been assessed by the Department of Education as excluded from the Regulatory Impact Assessment system under:

- category (g) because the Amendment Regulation is of machinery nature where no substantive policy change has been made and it facilitates routine tasks of government.