

Submission in response to the *Consultation Paper on the Review to Inform a Better and Fairer Education System*

Prepared by Emeritus Professors Jane Kenway and Fazal Rizvi, Melbourne Graduate School of Education and Barbara Preston, Educational Consultant.

July 29th 2023

We are pleased to submit the following remarks in response to the *Consultation Paper on the Review of a Better and Fairer Educational System*. This submission draws from the broad ideas each of us has been exploring over thirty or more years, based on various research projects. Our collective response does not answer each of the questions posed in the Consultation Paper, but addresses, in particular, issues of improving educational outcomes, planning in relation to our current and future teachers, and imperatives of funding transparency and accountability. We hope these comments are helpful to the panel and we would be happy to expand on any the observations we have made in this submission.

We are concerned about the terms of reference provided by the Education Council of the Council of Australian Government (COAG). In one sense they are overly prescriptive, and thus could seriously constrain the panel and result in its review being minimalist in scope and substance. On the other hand, the terms of reference are too narrow. We believe that excluding a discussion of the Schools Resourcing Standard (SRS) is highly problematic. We feel that reducing the discussion of funding to matters of transparency and accountability does not allow a proper analysis of many issues associated with the school funding architecture and its consequent flow on implications for achievement and equity. This architecture has a negative impact on government schools generally and particularly on the many government schools that cater for students from lower socio-economic (SES) backgrounds. Neither equity nor achievement are best served by this architecture. A critical examination of the vexed relationships between the government and nongovernment sectors, and federal and state governments will not be provided. We see this as a lost opportunity, and one that is critical currently.

The *Consultation Paper* has not allayed these concerns. Indeed, its apparent do-more-but-without-more-money approach may have heightened them.

The *Consultation Paper* (pg. 4) foregrounded, out of context, a quote from the Gonski report which appears to endorse the view that ‘It’s not the money that matters but what you do with it’. Patently, as the Gonski report made clear, both matter — particularly to those schools that predominantly educate children from equity groups.

The technician language of targets and measures dominates the *Consultation Paper*. This means that the panel’s likely eventual recommendations will be educationally insubstantial. Its recommendations might therefore lead only to bureaucratic modifications in school education systems and schools rather than to the ‘reform’ and ‘transformation’ that the *Consultation Paper* also gestures towards.

Further the *Consultation Paper* constantly uses the term ‘evidence based’. This lacks clarity and, if its list of references is anything to go by, is restricted. Here the evidence base (reference list) is confined largely to research conducted by those outside of universities, such as the Australian Educational Research Organisation. A highly pertinent and rich evidence base is peer reviewed educational research undertaken by university-based researchers. Over many years such research has been conducted about, for example, the common and ‘different approaches required for different at-risk cohorts.’ To marginalise such research is wasteful and unwise.

In what follows we respond to some of the matters raised in the *Consultation Paper*. We also explain why some of the changes likely to flow from the *Consultation Paper* will be insufficient.

2.1 Chapter 2. Improving student outcomes – including for students most at risk of falling behind

Australia has a segregated education systems that concentrates disadvantage and advantage. It also has an increasingly sectarian system that divides children along religious, ethnic and socio-economic lines. This has many deleterious effects not just on the schooling of disadvantaged children but on the wider society. ‘Improving student outcomes’ should have a social dividend as well as an individual and equity cohort dividend. Social cohesion depends on social mixing, and where better to learn to mix than at school? Further, comprehensive schools can also have an achievement dividend. Poland’s dramatic rise in school results has been attributed to its introduction of comprehensive schools.

Question 1. What are the most important student outcomes for Australian school students that should be measured in the next NSRA? Should these

go beyond academic performance (for example, attendance and engagement)?

Targeting and measurement-based approaches to school education have been around for some time. They tend to reduce teaching and learning to technical exercises and are alienating for many teachers and students — especially ‘students at risk of falling behind’ and their teachers. It is possible that the imposition, on schools by systems, of this target and measure mindset has actually contributed to the less-than-desirable outcomes of Australia’s schools. It has undoubtedly contributed to many students’ and teachers’ dissatisfaction with their experiences of learning and teaching.

The panel should consider how measurement exercises can be reduced not expanded. Only the core matters to be measured should be identified. Further, not all outcomes can be measured. To try to measure them diminishes them. The panel should thus identify the outcomes that are important but that should not, or cannot, be measured.

Question 2. What are the evidence-based practices that teachers, schools, systems and sectors can put in place to improve student outcomes, particularly for those most at risk of falling behind? Are different approaches required for different at-risk cohorts?

Unless and until current funding arrangements are addressed government schools will continue to bear the brunt of equity problems. The underfunding of government schools, leads to under achievement. Indigenous and country students, students with disabilities and from low-income families under-achieve because they are under-supported. They are under supported because they are under-funded. Schools that serve these populations have less money to spend on the bare necessities. Additional resources are necessary to allow them to meet their complex needs in the best ways possible. Distinct and distinctive interventions are required. Ken Boston, a member of the Gonski Committee and former Director-General of the NSW Education Department, argued: “They need smaller class sizes, specialist personnel to deliver the appropriate tiered interventions, speech therapists, counsellors, school/family liaison officers including interpreters, and a range of other support. And that support requires money. You can’t deliver education as a genuine public good without strategically differentiated public funding directed at areas of need.” [\(2017\)](#)

As this indicates, those ‘most at risk of falling behind’ do not just require more ‘evidence-based practices’. They, and the schools they largely attend, also require significant additional financial and other professional support. Teachers need to be specifically and properly prepared at university to teach

such students in such schools. Further, the staff at these schools need additional time, professional development and other support. Not the delivery of curriculum packages. The panel should identify ways to attract the best teachers to such hard-to-staff schools. These might include financial and career incentives and the provision of superior professional and welfare support services.

Over the longer term, governments should work towards substantially reducing the concentrated segregation of schooling on socio-economic and other student characteristics. This requires funding and other support for disadvantaged schools so that families in a position to do so have no incentive to choose alternative schools. The schools that 'compete' should have conditions such as not excluding students who are disruptive or difficult to teach except where reciprocal arrangements have been made. They should also accept their share of enrolment fluctuations in the locality.

Question 3. How can all students at risk of falling behind be identified early on to enable swift learning interventions?

It is already possible to identify these students 'early-on' based on much research about at-risk categories of students. The panel should not reinvent the wheel. More importantly the development and application of 'swift learning interventions' should be properly funded. They should also be richly evaluated not just 'measured'. That said such groups and individuals and their schools must not be stigmatised by such approaches. Further ways must be developed to discourage strong teachers from exiting such schools in favour of those that are easier-to-teach in.

Question 4. Should the next NSRA add additional priority equity cohorts? For example, should it add children and young people living in out-of-home care and students who speak English as an additional language or dialect? What are the risks and benefits of identifying additional cohorts?

No more equity cohorts should be added. To keep developing more and more equity cohort categories runs the risk of ending up with an 'individual differences' approach to equity or one in which the educational system is portrayed as an assortment of miscellaneous equity cohorts. Surface equity manifestations tend to then become the focus rather than deeper problems and underlying causes in education systems and beyond. Also, when an education system is seen as an elaborate mosaic of equity cohorts there is a worrying tendency, to weight them equally. The panel should pay most attention to students who experience 'compounded disadvantages' and to how these are best understood and addressed.

But equity issues are also relational. They are also about compounded advantages and about the ways that educational disadvantage and advantage are related. For example, when federal and state money is siphoned off to support wealthy private schools this provides students at these schools with additional advantage while also depriving those at disadvantaged public schools of additional support.

The panel must be very wary of focussing only on the micro issues associated with specific equity cohorts. It must attend to how inequality is built into the system's architecture and its associated funding regimes. For example, wealthy private schools can decide which equity cohorts they will accept, such as certain disability cohorts. And they have the best resources to develop claims for equity money. In contrast, staff at poorer government schools cannot choose the equity groups they find most palatable. And, because they are time poor, they find it hard to develop convincing claims for equity funding

There are also broader curriculum issues here that an equity cohort approach does not even touch on.

2.2. Chapter 4. Our current and future teachers

The consultation paper asks several questions of considerable importance relating to the recruitment, retention, and the professional development of teachers for a better and fairer educational system in Australia. These questions have acquired greater significance in recent years, as the experiences of Covid have led many teachers to rethink their personal and professional priorities. The growing number of teachers who have left the profession remains unknown, while there is evidence to indicate a declining number of students interested in joining the teaching profession. The factors that might attract more students include better and more competitive pay for teachers, measures to enhance their professional status, and initiatives that celebrate teacher achievements, acknowledge their commitment and hard work, and recognize the multiple challenges they face.

To retain teachers, it is important to realize that the motivations that leads them to become teachers invariably involve working with students, inspiring them and supporting their learning. Yet their professional autonomy is often undermined by the increasing administrative burden on them, because of the bureaucratisation of school culture, with excessive demands of assessment and accountability. Many teachers maintain that they are inclined to leave the profession because they feel unsupported and their efforts

under-valued. Many of these facts have long been known but little has been done over the past few decades to remedy the conditions under which teachers work, especially in schools in disadvantaged areas. They need more practical support.

The recent federal budget provides additional funding to the 'Teacher Workforce Action Plan', originally \$9.3 million, additionally \$328 million. National and state governments have developed this plan to 'attract, train and retain people in the teaching profession'. The 'Teacher Workload Reduction Fund' (\$25 million over 4 years from 2022–23) recognises the need to better support teachers and to reduce their bureaucratic workloads. It also injects '\$10 million over two years from 2022–23 for a national communications campaign to raise the status of the teaching profession'. It remains to be seen however if this level of investment is sufficient, how the money is spent and what additional administrative and cultural measures are necessary.

It needs to be recognized that in hard-to-staff schools, greater level of personal and professional support is not an option but a necessity. Beyond the additional support needed, it may also be necessary to develop an enhanced incentive structure for teachers in schools that cater for a larger than normal number of indigenous students, students for whom English is their second language, students from low socio-economic backgrounds, and students with various forms of disability. Additional efforts should also be made to attract a diverse group of people into the teaching profession to ensure the teaching profession looks like the broader community. Further efforts should also be made to attract people from other professions to consider teaching as a career.

To create a fairer system of schools, close attention needs to be paid to the competitive advantage that private schools have in the teaching labour market. This notably applies to attracting recent graduates, teachers with specialisations, and to all teachers in times of overall teacher shortage. As early as 2000, Gregor Ramsey in his review of teacher education concluded, from the evidence presented to him, that the private sector did not meet its share of inducting new teachers into the teaching workforce but took advantage of its competitive advantage in the teaching labour market. He maintained that the supply of teachers in government schools is affected by the high level of transfer of teachers from government to non-government schools, especially after they have successfully completed their early years. 'The nongovernment school system can recruit teachers after they have had a few years of experience in the government system or can take their pick of the very best young graduates' (Ramsey 2000, p,

90). In other words, they have the ability to selectively recruit when and who they wished rather than recruiting their share of expensive and unproven recent graduates.

The practices which allow only a one-way flow of teachers between systems should be critically examined. The government school system bears the major costs of new teacher induction and is responsible for delivering the bulk of on-the-job learning, mentoring and professional support that new teachers require during their early years. This inequity needs to be acknowledged and funded accordingly for it is the public sector that undertakes a very disproportionate share of supporting early career teachers, carrying the obvious costs of reduced teaching loads and time of supervisors and mentors and the costs of professional development for beginning teachers. Something clearly needs to be done to ensure that many of those early career teachers who have been successful in achieving proficiency are not recruited into the private sector by targeted attractive salaries and conditions.

2.3 Chapter 6: Funding transparency and accountability

The panel should certainly address the transparency and accountability issues it identified in the *Consultancy Paper*. But its notions of transparency and accountability are largely vertical. The panel should identify the necessary horizontal accountabilities and consider how they might be included in the remit of the National School Resourcing Board. A rethought Board, along the lines of the 'new, cross-sectoral School Planning Authorities in each jurisdiction' (Gonski, 2011, p. xvii) for example would consider *together* recurrent and capital funding for both government and nongovernment schools. It would ensure that *relationships between* the sectors are in plain sight in reporting systems and discussed in plain language. Currently school sector silos constrain cross sector (or horizontal) accountability.

Horizontal accountability would examine the impact on the overall schooling sector of the unfettered growth of nongovernment schools which, as a whole, are getting bigger, more middle class and more segregated from wider Australia. It would explore what to do about the vicious funding circle involved. The more resources the nongovernment sector gets, the more it grows. The more it grows, the greater its market dominance and share of allocated resources. Along with this is a sense of entitlement to automatic funding. In turn, this has led to the private school sector opening new schools and upgrading and expanding existing ones at will. The panel might consider how to cap their growth as an act of accountability.

Question 35. Are there other objectives for funding accountability and transparency we have missed?

Overall, transparency is a big issue for the public. The sheer complexity and obscure nature of funding structures render the financial situation of schools and sectors opaque. The related accounting formulas and rules gives them an aura of objectivity and fairness which can be somewhat misleading. And there is so much policy clutter online that navigating where to go, and what to look for, is very difficult for the untrained eye. The MySchool Website is already cluttered and even though it says it provides financial details for each school this is hard to access. If transparency is to be achieved the system needs to be more streamlined and the language simplified. The panel might consider recommending the development of a single issue, highly accessible portal to provide the public with up to date and clear information and explanations and justifications in plain language.

There is no accountability or transparency regarding non-government schools' charitable status and the money foregone by three levels of government because of it. Commonwealth, state/territory and local governments confer significant tax breaks on these schools/charities, which explicitly relieve them from taxes otherwise payable. These breaks are not factored into funding considerations. As income forgone by governments, they tend to escape scrutiny. Tax not due is rarely reported or calculated. Governments provide no official estimates. The panel should recommend that the income forgone is calculated and reported in other funding reports. Further, charities must be not-for-profit, have a charitable purpose and provide 'public benefit'. Because education per se is seen to be of 'public benefit' the schools are not expected to provide any additional benefits. The panel should recommendation that public benefit is defined more specifically by the Charities and Not-for-Profits Commission and that these schools should then be required to publicly document, to governments and on their websites, what broader public benefits they provide.

The latest Commonwealth budget expressed concern about 'overpayments and improving funding integrity in non-government schools.' It said it intends to enhance regulation and compliance to 'prevent, detect and respond to non-compliance and fraud in the non-government school sector'. This should also be on the accountability and transparency agenda. One issue here is the ways that certain schools use clever accounting methods to shift money between budget lines— recurrent and capital expenses are blurred as are public and private monies. For example, some wealthy private schools draw on their recurrent funding excesses to fund their infrastructure excesses. This cannot be justified in educational terms and is more about

market signalling than student learning. The Approved System Authorities that deal with the funding for Catholic and Independent systems need much closer scrutiny of, for example, their definitions of 'need' and their distribution of funds within their system. They have too much leeway. Forensic accounting practices should be deployed to expose how public money is shifted around. Schools and systems that game the system should be held accountable.

Question 37. What other funding accountability and transparency information regarding schools (both your school and the education system more generally) would be useful?

Who and what should be held accountable for the fact that nongovernment schools have been consistently over-funded and that government schools have been consistently underfunded? Information should be provided that compares all the public funding that each school sector gets. A re-thought National School Resourcing Board should hold sectors and the Commonwealth and state/territory governments to account for both under and over funding. Currently the wealthier federal government provides 80 per cent funding to nongovernment schools and 20 per cent of funding to government schools. The poorer states and territories do the reverse. It is a serious transparency and accountability issue that the Commonwealth government currently meets its funding obligations and provides lavish top ups to nongovernment schools but that, in contrast, the states and territories have not met their funding obligations to government schools and indeed contrive to minimise their payments.

Because the Catholic and Independent school Approved Authorities are funded separately their 'subsidiarity' is only ever internal to the authority that funds them. They thus have no *public* obligations that match the *public* funding they receive. In other words, they are not accountable to sectors, schools or students beyond themselves — or even to the public. This means they are not obliged to consider the impact of their growth on the government school sector or on the neediest government schools and students (or other non-government schools).

The panel must clarify the problems of their 'subsidiarity' and identify how they can become accountable to those beyond themselves. This might, for example, involve them providing detailed statements about the impact of their proposed new school developments on existing and planned government schools. Alternatively, the panel could propose that government authorities themselves develop such schools' impact statements and deny

funding to Catholic and Independent schools when their growth negatively effects government schools.

Question 38. What are the priority gaps in the current funding transparency and accountability arrangements from your perspective?

The panel should propose additional ways that nongovernment schools are accountable. Currently, despite the copious amounts of public money they receive little is required of them apart from financial reports and compliance with certain broad education policies. The panel should recommend that nongovernment schools' receipt of public money be conditional upon them democratising their fee structures, entry policies and governance practices. It should also recommend that public funding is conditional on such schools complying with all legislation associated with antidiscrimination.

Reference

Ramsey, G. (2000). *Quality matters: Revitalising teaching: Critical times, critical choices. Report of the review of teacher education*, New South Wales. Sydney: NSW Department of Education and Training. Retrieved from: <https://webarchive.nla.gov.au/awa/20011128193735/http://www.det.nsw.edu.au/teachrev/reports/>