

Hon Jennifer Rankine MP  
Minister for Education and Child Development

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Level 9

31 Flinders Street

Adelaide SA 5000

Dear Minister,

Following my recent letter to you, the Planning Committee for Non-Government Schools met on 2 September and considered your letter of 8 August in which you sought advice in regard to the Premier's intention to abolish every government board and committee unless it can be demonstrated that it has an essential purpose that cannot be met through other means. At the same meeting the Planning Committee also considered the three options, other than retaining the Planning Committee, that I outlined in my letter to you, namely;

- A purely administrative function undertaken without a Planning Committee by the Office of Non-government Schools and Services,
- Rely on school registration as the sole criterion for eligibility for funding without a Planning Committee, and
- The Schools Registration and Standards Board subsuming the functions of the Planning Committee.

The Members of the Planning Committee are strongly of the view that the present Planning Committee arrangement provides a unique informative, collaborative and consensual forum for the three educational sectors to consider new schools, as defined by the Planning Policy, and the likely consequences on existing schools and for future school planning. The Members have a shared view that the existing arrangements help in providing a comprehensive and integrated State-wide education environment for children while facilitating the objective of providing parents with a choice of school sector. It also provides a quality assurance function which ensures that schools which are likely to be unviable do not go ahead.

In reviewing the options which I outlined in my letter to you, the Members of the Planning Committee are of the view that neither the purely administrative option nor the option of sole reliance on schools registration would necessarily give these outcomes. There is concern that administrative action alone could result in a perception of bias towards one or another sector and result in active representation directly to the Minister and/or Premier.

The reliance on school registration as a sole means solely for determining eligibility for school funding would render redundant much of the existing Planning Policy Non-Government Schools, particularly those provisions relating to planning considerations and possible impacts on existing schools. The loss of the relevant planning considerations may create local government and local community issues and adverse educational impacts on to existing schools and their students. The aggrieved parties subsequently may make representations directly to the Minister and enlist the aid of the media in pursuing their aim. These situations do not presently occur under the existing arrangements.

The Members of the Planning Committee also have reservations about the option of the Registration Board subsuming the role of the Committee.

It is the view of the Planning Committee, that the Registration Board has a primary focus on education, and among other things to ensure schools have appropriate curricula, create good educational environments and are managed in the best interest of the students. The Registration Board could possibly expand its field of responsibility to administer the Planning Policy but may well distract from its primary education focus. It is also uncertain whether the additional responsibilities arising from the Planning Policy could simply be absorbed by the Registration Board or whether some facilitating legislative measures may be required. The Members of the Planning Committee are not able to advise the Minister on what changes may be required.

The Planning Committee for Non-Government is a very low cost means of managing the Government's Non-Government Schools Planning Policy. The Committee only meets monthly if there is business at hand and most meetings are concluded within the hour. Some Members meet with and provide guidance and advice to proponents of new schools, particularly those not familiar with the processes and the obligations which need to be met. This function is highly valued by the proponents. Most of these meetings are out of session and hence not remunerated and can be regarded as a community service.

The Committee generally has a philosophy of facilitating new applications rather than focussing solely on compliance obligations contained within the Planning Policy. The present absence of controversy relating to new school applications is a measure of meeting applicants' and the various education sectors' expectations and should be considered as a primary reason for not changing current arrangements.

In conclusion, the Members of the Non-Government Schools Planning Committee consider that the current committee arrangement is providing the government with a cheap and effective means of administering the government's Non-Government Schools Policy, and can see no reason why the present arrangements should not be continued.

On behalf of the Committee I trust that this information is useful in your discussions with the Premier.

Yours sincerely

A handwritten signature in black ink, appearing to read "Dean Lambert". The signature is fluid and cursive, with the first name "Dean" written in a larger, more prominent script than the last name "Lambert".

Dean Lambert

Chair

Non-Government Schools Planning Committee.

9/9/14

## **PLANNING COMMITTEE FOR NON-GOVERNMENT SCHOOLS**

### **Introduction**

The Premier has announced that every government board and committee will be abolished “unless it can be demonstrated it has an essential purpose that can be met through other means.” The Planning Committee for Non-Government Schools, reporting to the Minister for Education and Child Development is one such committee.

The Premier has indicated that Ministers will be responsible for recommending which boards and committees should be exempt from being abolished and that a range of factors will inform decision making, such as:

- “efficiency: is it considered more cost effective to undertake functions in another way, or
- Independence: do the functions require a level of separation from government to ensure objectivity.”

This paper will address these and other factors as a submission to the Minister for Education and Child Development.

### **Background**

The Planning Committee for Non-Government Schools (the Planning Committee) operates within the context of the Government’s Non-Government Schools Planning Policy (2007). (Note: a proposed up-date of this Policy is currently being considered by the Minister).

The Planning Policy embodies the Government’s aspiration of providing choice and diversity in the provision of education for the State’s children and supports the right of parents to exercise a choice of school for their children, both between government and non-government schools and between schools within each (non-government) sector.

The Planning Committee is an advisory committee to the Minister, established under the provisions of Section 10(1) of the Education Act (1972), to undertake duties that relate to the planning for education provision in this State.

The Planning Committee consists of an independent Chairperson and not less than seven members, all appointed by the Minister, including one member each nominated by the three education sectors operating within the State. The members are not required to have any particular qualification or background or experience, although traditionally members have some education or schools/urban planning background.

## **The Roles of the Planning Committee**

The Planning Policy has both administrative and evaluative elements and these are carried out in conjunction with officers from the Office of Non-Government Schools and Services (ONGSS).

### Administrative Elements

These are summarised as follows:

- Establish a timetable of activities for applicants to follow when seeking government funds for a particular calendar year including:
  - Notification of an intention to seek funds
  - Consultation with existing schools likely to be affected by a new proposal
  - Submission of an application
- Ensure that applicants have provided the information and data required in the Planning Policy which adequately defines the school's location and the number and likely source of students to satisfy the proposal and any likely consequences for existing schools. The types of data and information required include;
  - Whether the school has Registration
  - Tenure of the school site
  - Local government approvals
  - An enrolment plan for the first five years of operation
  - Whether minimum enrolments will be achieved
  - The extent of consultation with existing schools, and
  - Addresses of proposed students.

### Evaluative Elements

The Planning Committee has two primary evaluative roles.

The first is to ensure that all the relevant data required within the provisions of the Planning Policy has been collected and collated and that the quality of that data is sufficient to form a conclusion about the likely eligibility of that school proposal for government funding.

The second role is to actually evaluate the proposal for eligibility, with reference to the criteria in the Planning Policy and then frame and forward a recommendation for the Minister's consideration.

### Consultation and Interpretation

Many recent proponents of new schools have little or no experience with lodging applications for funds. Several are representatives of communities where English is the second language, and/or not familiar with government processes. The officers of the ONGSS play an important role in assisting these proponents to interpret the requirements of the Planning Policy. Frequently, this process is supported by the Chairperson or the Chairperson and some members of the Planning Committee meeting with these community representatives, especially when a proposal may be a special case which cannot precisely meet all the requirements of the Planning Policy. In some instances meeting with the representatives of the Planning Committee enables the community representatives to better understand why certain information is required; in other instances the representatives of the Planning Committee subsequently better understand the special circumstances relating to a particular proposal, and consequently are able to reach agreement with the community representatives on what may be acceptable modifications to requirements. Thus when a recommendation goes forward for the Minister's consideration, the Minister can have confidence that the proposal is the "best fit" in regard to the provisions of the Planning Policy and that the representatives of the three education sectors, as Members of the Planning Committee are generally supportive of the recommendation.

New proponents to education provision frequently are unaware that there a timetable of activities has been established for the processing of applications for the next calendar year. The Planning Committee, where time permits, now shows more flexibility in accepting "late" applications or information associated with an application in line with trying to be more responsive to applicants.

The Planning Committee also takes on an "honest broker" role between applicants and existing schools who may be concerned that a new proposal may have an adverse educational impact on the existing schools and their students. While such situations are rare, in one instance in the last 18 months a proponent subsequently withdrew its proposal because of wider community concerns.

### **Trends and Implications**

The demand for new schools reflects changes in urban growth, community composition and changes in the way that education is being provided.

The trend towards urban consolidation and slower growth rates has resulted in a lesser demand for new schools on the urban fringe. However, there is demand for new schools in established suburbs. The influx of migrants from Middle-Eastern and African countries has resulted in some of those communities seeking to establish schools which are able to reflect their cultural background but because of the cultural aspect of these schools the impact on existing schools is marginal without significant educational impact on either student numbers or curricula.

There is also some interest amongst parents with special needs children to establish schools which meet that specific special need. Both this group and those seeking to emphasise cultural values often have very little experience in establishing and operating schools. Although the number of these type of new school proposals is not great, the time assisting them in preparing proposals and meeting the requirements of the Planning Policy is proportionately higher than dealing with proposals from the established education sectors.

There is also a new trend within the non-government education sectors which fall within the ambit of the Planning Policy and these are proposals to establish middle schools from within the existing framework of established primary and secondary schools. Technically, within the provisions of the Planning Policy these are new schools and require an application if seeking government funds (as they inevitably do). However, there is very little impact on other existing schools outside of the particular community of interest associated with the primary and secondary schools being reconfigured. Currently, the move to middle schools is at a very early stage and because of this and the fact that the move is amongst experienced school systems, the time demands upon the Planning Committee and the ONGSS support staff is minimal.

### **Efficiency and Cost**

Members of the Planning Committee are paid on a session basis and at a minimal hourly rate. The Planning Committee is scheduled to meet on a monthly basis, but in the last 12 months or so meetings are held only if there is sufficient business to be conducted. Changes in the conduct of the meetings and the way in which information is provided by ONGSS has reduced the duration of the meetings which now rarely extend beyond one hour. These changes have resulted in cost savings.

In passing, it should be noted that when the Chairperson or Members meet with applicants in "out of session meetings" to explain processes or interpretation of the application requirements no additional remuneration is sought or paid. Consequently, a considerable amount of the Members' activity is in a voluntary capacity and could be regarded as "community service".

### **Alternative Arrangements.**

There are number of alternate arrangements for funding new or expanding schools if the Planning Committee is abolished; each has implications for the Government, the Minister, the school sectors and the applicants. The alternatives are listed below followed by a brief outline of implications.

- Process applications purely as an administrative function of ONGSS within the Department for Education and Child Development

- Application for Government funds for new or expanded schools be solely linked to whether registration is achieved through the Schools Registration and Standards Board, or
- The functions of the Planning Committee be subsumed into expanded functions of the Schools Registration and Standards Board.

### Administrative Function

Currently ONGSS carry out the administrative functions established in the Planning Policy with the Planning Committee endorsing some actions, adjudicating on some matters (relating to adverse educational impact) and making the substantive recommendations for funding to the Minister. These processes could be done administratively, referencing the Planning Policy, with an appropriate senior officer making recommendations to the Minister.

#### *Comment*

*The Planning Committee Members bring a diverse set of interests and experiences which take into account sectoral considerations and information which can be reflected in a flexible and discretionary interpretation of the Planning Policy in recommendations to the Minister.*

*A purely administrative processing of applications may result in the non-government education sectors being concerned about lack of flexibility when considering proposals, and concern from the non-government sectors that their particular interests have not been given an opportunity to be taken into consideration. The result may be more direct representations to the Minister by both applicants and the non-government sectors.*

### **School Registration as the Sole Criterion**

This is largely a minimum interventionist model.

There is some overlap in the nature of information required from applicants by the School Registration and Standards Board and the Planning Committee. It may be argued that as long as a school achieves registration with the Schools Registration and Standards Board then other administrative and educational issues, such as land tenure, local government approval and minimum enrolment numbers should be the responsibility of the proponent. In this model, competition between schools for students in a catchment area would be subject to market forces.

#### *Comment*

*This model assumes that applicants are well informed and aware of all the requirements (statutory and otherwise) that need to be observed in establishing a school. Local government may be concerned that the State Government is seen to be endorsing a school proposal in a location irrespective of local planning considerations. All three school sectors*



*may be concerned that without consultation with existing schools there may be adverse educational impacts on both students and curricula notwithstanding the fact that all three sectors are represented on the Registration Board. Again, this model could lead to increased representation to the Minister by schools and school sectors affected by a particular proposal and possibly adverse media attention.*

*Currently, the Planning Policy requires that schools establish with a minimum number of students and submit a five year enrolment plan. This requirement informs existing schools of the likely number of enrolments, and is also used to determine the Government funds needed to support the new school. Enrolment information may not be available using the registration only mode with wider budgetary implications.*

### **Expanded Registration Board Function**

This option assumes that the current scope of functions carried out by the Schools Registration and Standards Board will be retained after the Premier's review. As previously noted there is some overlap in information required by the Registration Board and the Planning Committee. The three education sectors are also represented on the Registration Board although there is no commonality of representation between the Board and the Planning Committee. The Board's role could be expanded to include administering the Planning Policy although this may require legislative change.

#### *Comment*

*By combining the functions of the Planning Committee and the Schools Registration Board there is an opportunity to consider the eligibility for registration and the eligibility for State funding at the same time. This would appear to have benefits for applicants having to only submit to one process although an applicant may be required to have its proposal in more detail than is currently required for registration. There may be a need, for some applicants to have a two-staged proposal dealing separately with registration and funding. There may also be some administrative savings in only having one assessing body.*