

AMSANT Submission on the Discussion paper on Legislative Reform: Independent Schools in the Northern Territory

15 October 2021

Thank you for the opportunity to comment on the discussion paper regarding legislative reform relating to non-government schools in the Northern Territory (NT). AMSANT's submission will focus primarily on section A, and questions 1-5.

AMSANT, as the peak body for Aboriginal community controlled organisations, is aware of the views of communities through our members. To this, we believe that we have valuable insights into the delivery of education services in the NT.

AMSANT takes the opportunity to draw your attention to the policy environment of Indigenous affairs in the NT, and the obligations upon all NTG agencies to enter into genuine partnership with Indigenous communities as part of the Closing the Gap Agreement. Education is a key area in that Agreement, and includes the establishment during the next year of an Indigenous Education Peak Body in the NT, which is a priority of the first NT Implementation Plan.

APO NT, in its recent submission to the Department of Education regarding the NT Education Engagement Strategy prioritised:

- bilingual education,
- stronger community leadership/governance in schools,
- Aboriginal teacher training,
- school-work pathways,
- employment of Aboriginal people in multiple roles across the school, as well as stronger cultural induction for non-Aboriginal staff and
- culturally- appropriate curriculum and pedagogy.

This is the foundation from which APO NT continues to advocate for schooling and education models that are responsive to community need and students' aspirations; and continue a legacy of learning that is embedded in language, Kinship and cultural Law. This does not mean learning which ignores the modern Western world, but rather asserts the importance of evidence-based educational principles including: children learn best when they build on what they already know; early years learning is maximised when it takes place in a child's first language; and engaging a community in school governance must of necessity respect locally-relevant cultural norms. AMSANT emphasises that these are inherent strengths of Indigenous-led and managed independent schools in the NT.

1. *Should all non-government schools be required through the Act to adhere to the Child Safe Standards? Should this be applicable to all schools, government and non-government?*

Yes, but the Principles, given they are more recent and inclusive of the standards, should be legislated requirements for all schools.

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2. *Should the Act provide standards for suspension, exclusion and expulsion for non-government schools?*
 3. *Should there be a legislative requirement for non-government schools to notify the registrar/department of a student suspension, exclusion or expulsion?*

Provisions for suspension, exclusion or expulsion should be uniform across all NT schools, whether government and independent.

There is a procedural (and perhaps legislative) need to require all schools to pursue alternative, mediation and/or reparative mechanisms in the case of most disengaged students (in this regard we refer you to the provisions in place in the Australian Capital Territory as a guide).

AMSANT supports these standards being included in the legislation but only with the above two provisos, and in accordance with the 2020 Inquiry into Suspension, Exclusion and Expulsion Processes in South Australian Government Schools¹.

4. *Should information sharing provisions be strengthened within the Act to allow the department to better respond to vulnerable students? What should be in and out scope for information sharing?*

AMSANT believes there should be strict parameters around the governance and custodianship on data pertaining to a child, with a strong rationale for accessing data, together with monitoring and evaluation to ensure that the data is being used in a way that is encouraging or maintaining education engagement. There also need to be strict privacy and confidentiality protocols in place to ensure the appropriate use and security of data. This may be a good opportunity for a new Aboriginal peak education body to have oversight over any legislative and policy changes with respect to information sharing.

5. *Should the Act be amended to include an additional provision for non-government schools to encourage school attendance?*

APO NT is aware from our contact with a number of Aboriginal-led independent schools that they are already achieving high engagement with their students and families, with very good attendances and educational outcomes, because they are in constant, active negotiation with the students, their families, and community leaders. APO NT wishes to emphasise that the results achieved by independent schools reflect the situation of the communities where they are located. Accordingly, where such schools are situated in homeland communities (for example, Maparu School and Nawardekken Academy), the schools reflect the achievement-focused motivation of homelands residents. Rather than contrasting independent schools with government schools, the more relevant contrast is between homeland or outstation communities and the larger centralised towns - schools merely reflect these different situations.

A number of Aboriginal-led independent schools are already achieving high engagement with their students and families because they are in constant, active negotiation with the students and families, and pride themselves on building capacity and capability among students by respecting context, building identity, and enacting self-determination.

¹ <https://www.education.sa.gov.au/sites/default/files/report-of-an-independent-inquiry-into-suspensions-exclusions-and-expulsions-in-south-australian-government-schools.pdf>

APO NT will continue to advocate for maintaining autonomy and independence for those independent schools who are performing well with attendance and engagement, and argue that these checks and balances are best located in DoE policy, rather than in legislation. APO NT would be hesitant to support inclusion of attendance provisions within the Act without similar provisions set for government schools. Moreover, APO NT would caution against legislating blanket provisions on attendance targets, given that punitive measures against students and families are not supported at all by the evidence.

We welcome the opportunity to discuss this submission further.