



Submission to Exposure Draft – Education Legislation Amendment Bill 2023

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The NT Council of Social Service (NTCOSS) is the peak body for the Northern Territory (NT) Community and Social Services Sector and is a voice for people affected by social and economic disadvantage and inequality. NTCOSS membership is made up of community managed, non-government, not for profit organisations, which work in social and community service delivery, sector development and advocacy.

NTCOSS recognises the specific expertise of members and external stakeholders that have a high level of contact with children, young people and their families in the NT, including Aboriginal Peaks Organisations NT and the Office of the Children's Commissioner.

NTCOSS's Youth Voice NT is a youth advocacy project that elevates the voices of young people and the youth sector in the NT. The project helps young people and the youth sector to have a say about things that impact everyone in the community, and focuses on building the capacity of young people and the youth sector in the NT.

Every young person has a right to an education. As aptly articulated in the NT Education Engagement Strategy 2023-2031, 'it is important that children and students are supported to manage their wellbeing through a collaborative and trauma-informed approach with parents, families, community organisations, services and agencies.'ⁱ

NTCOSS appreciates the opportunity to provide feedback on the Exposure Draft of the Education Legislation Amendment Bill 2023.

NTCOSS supports proposed changes to section 4 of the Education Act 2015, to include the National Principles of Child Safety.

NTCOSS supports the inclusion of Division 7A Suspension, Exclusion and Expulsion. However, the proposed new section 145C, Suspension by Principal, does not explicitly set out a requirement for alternative education options to be made available for those who are suspended. It is recommended that section 145C be amended to explicitly 'recognise that all students' right to education continues during an exclusionary period', and to 'require schools to provide an educational program for the duration of the exclusionary period to support students' learning and behavioural goals during a disciplinary absence'.ⁱⁱ Leaving this to the discretion of each principal has the potential to jeopardise the ongoing education of students in suspension.

As per NTCOSS' submission to the Department of Education's Review of Part 7 of the *Education Act 2015*, it is strongly recommended that the permissible periods of suspensions be aligned with other Australian states (e.g., WA, NSW, Tasmania), 'iiiassault requiring medical attention, deliberate physical assault of a teacher, sexual harassment and sexual assault'.^{iv}

It is recommended that additions to section 145C be made to include 'written approval from education directors to allow more than two suspensions or more than 10 school days suspension in a school year'³. If more than 20 days were exceeded this would alert the Department of Education to require a review of the impacted students' educational programs and highlight potential shortcomings, and work with schools and families to find adequate solutions.

It is recommended that section 7A include a legislative requirement for non-government schools to notify the Department of a student suspension, exclusion, or expulsion in writing, as per the ACT *Education Act 2004*.^v As above, more than two suspensions or more than 10 days suspension in a school year should require written approval from the Department.

The NT Education Engagement Strategy 2023-2031 identifies its goals to ‘include strengthening partnerships with families and communities; ensuring educators are well equipped to support the needs of young people; providing opportunities for meaningful learning; and attending to the emotional, social, psychological and physical needs of the learner.’³ Communication between educational institutions, government departments, non-government organisations and other stakeholders is imperative to provide all students with the best chance at continuing their learning journeys.

ⁱ Northern Territory Education Department 2023, Northern Territory Education Engagement Strategy 2023-2031, retrieved from https://education.nt.gov.au/__data/assets/pdf_file/0003/1058421/northern-territory-education-engagement-strategy-2022-2031.pdf

ⁱⁱ Article 28, United Nations General Assembly 1989, Convention on Rights of the Child, retrieved from <https://www.ohchr.org/EN/professionalinterest/pages/crc.aspx>

^{iv} pp 23-24 Graham et al. 2020, Inquiry into Suspension, Exclusion and Expulsion Processes in South Australian government schools: Final Report, the Centre for Inclusive Education, QUT: Brisbane, Qld, retrieved from https://www.education.sa.gov.au/documents_sorting/docs/support-and-inclusion/engagement-and-wellbeing/student-absences/report-of-an-independent-inquiry-into-suspensions-exclusions-and-expulsions-in-south-australian-government-schools.pdf

^v *Education Act 2004* (ACT), s105(4.3)