

Review of the National School Reform Agreement — Interim Report Indigenous Education Consultative Meeting (IECM) Submission

Executive Summary

On 25 October 2022, Productivity Commission representatives, including Commissioners Natalie Siegel-Brown, Malcolm Robert and Romlie Mokak, met with Indigenous Education Consultative Meeting (IECM) members to discuss the Interim Report of the Review of the National School Reform Agreement (NSRA). This supplementary submission reflects that discussion and builds on IECM members' submission to the initial consultation period¹. It is submitted to the Productivity Commission's NSRA Review on behalf of all IECM members.

Our initial submission (52) described what IECM is, and the experience that Indigenous Education Consultative Bodies (IECBs) contribute. That submission also outlined our challenge to all Australian governments to work in partnership with IECBs and Aboriginal and Torres Strait Islander communities to improve Aboriginal and Torres Strait Islander education outcomes. It highlighted the need for approaches that respect, value and include Aboriginal and Torres Strait Islander cultures, languages, and histories. It reaffirmed the contemporary applicability of the 1989 AEP² as a foundational policy and expressed our frustration at the lack of transparency and accountability.

As school funding has increased, and targeted Indigenous education programs have ceased and been folded into recurrent funding, we've lost visibility of the trail between what that funding is intended to support and how it is actually used. Indigenous education funding used to glow in the dark. At a time when the highest levels of support are supposedly available, our children are still being let down by the system. It is time to make that funding shine again to truly support equity and excellence in Aboriginal and Torres Strait Islander education.

This supplementary submission focuses on:

- Transparency and accountability
- The need for stronger partnership
- Additional context about our work to establish the National Aboriginal and Torres Strait Islander Education Council (NATSIEC)
- Our support for an Implementation Plan approach
- The importance of research and reporting
- The growing need to support teachers, principals, and support staff
- The responsibility of education systems

Response to the Interim Report

We thank the Productivity Commission for shining a light on Aboriginal and Torres Strait Islander education and note the broader focus on priority equity cohorts included in the Interim Report. Ironically, while there have been notional strategic commitments to priority equity cohorts, for too long, the system has viewed these student cohorts through a deficit lens that has resulted in disadvantaging those students it views as "disadvantaged". We look forward to systemic reform through the next National School Reform Agreement, which acknowledges the historical and socio-educational disadvantage many of these students experience but stops viewing them as inherently

¹ https://www.pc.gov.au/data/assets/pdf_file/0006/344544/sub052-school-agreement.pdf

² <https://www.education.gov.au/indigenous-education/resources/national-aboriginal-and-torres-strait-islander-education-policy-1989>

disadvantaged. This must embed high-expectations approaches to supporting priority equity cohorts through inclusive education that puts their needs at the centre, instead of an add-on.

The Alice Springs (Mparntwe) Education Declaration states³:

Our vision is for a world class education system that encourages and supports every student to be the very best they can be, no matter where they live or what kind of learning challenges they may face.

It is time to bring to life the strategic commitments to equity cohorts and make this vision a reality.

Improved transparency and accountability is long overdue

We welcome the focus on improving transparency and accountability and agree that greater implementation flexibility should be balanced by enhanced accountability and transparency. The Interim Report identifies shortcomings in the disconnect between the public performance reporting requirements of the NSRA and the community confidence it is intended to instil. We have little confidence that the needs-based funding intended to support Aboriginal and Torres Strait Islander students is being used appropriately to support those most in need — this must include all elements of the Schooling Resource Standard (SRS): the base funding, the Aboriginal and Torres Strait Islander student loading and other student loadings as appropriate.

We note the inequity in transparency and accountability requirements between sectors. Aboriginal community-controlled organisations often receive high burdens of reporting associated with any grant funding, yet governments and education authorities delivering our education systems seem to escape this.

The National Agreement on Closing the Gap (the CTG Agreement) challenges governments to transform the way they work with Aboriginal and Torres Strait Islander communities through enacting the Priority Reforms. Priority Reform (PR) 4 speaks to the importance of access to data in enabling self-determination. By improving public reporting on schools funding and outcomes, this will enable greater agency and accountability from community, leading to better outcomes overall. This is not about making schools' and teachers' lives harder with additional administrative requirements. It is about enabling a shared understanding of the inputs, opportunities and needs.

This is a collective responsibility on education systems and schools, because without information we are destined to repeat the circumstances that have let our children down. A shared understanding supports us working together to achieve our shared aspirations, as highlighted through Education Ministers' vision from the Mparntwe Declaration above.

Partnership must underpin the reform approach

Improved access to data and information is one element in supporting transparency and accountability, and partnership is another fundamental element. PR 1 of the CTG Agreement commits all parties to supporting formal partnerships and shared decision-making. Recent government interest in co-design can miss the intent of this — true partnership (and co-design) includes sharing of power and decision-making.

³ <https://www.education.gov.au/alice-springs-mparntwe-education-declaration> p. 3

The current NSRA's commitment to consultation through clause 64(d) falls well short of PR1.

NSRA Clause 64(d) requires that: [in this context, States and Territories will:] engage with Aboriginal and Torres Strait Islander communities regarding the implementation of national and state-specific reform initiatives, as appropriate.

This statement is ambiguous and allows governments and state and territory departments of education to define what or who, within their jurisdiction, is representative of 'Aboriginal and Torres Strait Islander communities'. IECBs have consistently raised concerns about this, particularly for those jurisdictions where an IECB no longer exists. In those jurisdictions, the withdrawal of support for IECBs has left a void in community-controlled education representation. While this has been attempted to be met in some cases, the approach can raise different complexities. For example, where a Minister or department appoints an advisory body, it is not always clear how that body connects with Aboriginal and Torres Strait Islander communities in that jurisdiction and is often unable to be truly representative. A lack of clear independence can also introduce potential conflicts, including where appointees are also employees of the department of education.

Setting aside the body or mechanism to support this engagement, in our experience, there appears to have been significant variation in jurisdictions' implementation of clause 64(d)'s engagement requirement. Importantly, a lack of reporting on this inhibits deeper reflection and the opportunity to collectively chart a pathway of improvement.

Building on PR1, PR2 focuses on building the Aboriginal and Torres Strait Islander community-controlled sector. A representative approach to engaging with Aboriginal and Torres Strait Islander communities would see governments supporting a strong and sustainable community-controlled sector, providing a vehicle for effective engagement.

We invite governments to realise the intent of the CTG Agreement within education by strengthening commitments and practical action to work in partnership through the next NSRA.

[NATSIEC provides a national Indigenous consultative body on education](#)

The Interim Report invites responses on a range of important information requests, including:

3.5) 2. What are the merits of establishing a national Indigenous consultative body on education? How might such a body be structured? If pursued, would this best occur through a successor national school reform agreement or some other avenue?

We have been working to establish a National Aboriginal and Torres Strait Islander Education Council (NATSIEC). NATSIEC will provide an independent, community-controlled, national Indigenous education peak body. Its scope covers lifelong learning, from early childhood, through schooling, skills, and higher education.

NATSIEC will work to improve the delivery of education to Aboriginal and Torres Strait Islander people. In doing so, NATSIEC will support participation of the Aboriginal and Torres Strait Islander Community and individuals in decision making at all levels of education and training.

NATSIEC will work collaboratively with other peak organisations, including SNAICC – National Voice for Our Children, community-controlled organisations, Independent Schools Australia, and the National Catholic Education Commission. NATSIEC will continue to strengthen networks and relationships with other organisations such as the National Aboriginal and Torres Strait Islander Higher Education Consortium (NATSIEHC), with NATSIEHC being the forum for Aboriginal and Torres

Strait Islander people working in higher education and NATSIEC representing community-controlled organisations in all aspects of education.

NATSIEC will also engage with government agencies to support the National Aboriginal and Torres Strait Islander Education Strategy⁴, sharing in the vision of:

All Aboriginal and Torres Strait Islander children and young people achieve their full learning potential, are empowered to shape their own futures, and are supported to embrace their culture and identity as Australia's First Nations peoples.

NATSIEC will include IECBs, with South Australian Aboriginal Education and Training Consultative Council (SAAETCC), NSW Aboriginal Education Consultative Group (NSW AECG) and the Victorian Aboriginal Education Association Incorporated (VAEAI) the founding members. NATSIEC will also include interim and associate membership from community representatives from jurisdictions where an IECB does not currently exist.

NATSIEC Establishment Working Group members⁵, alongside IECM members, welcome commitments from jurisdictions that are reviewing their Aboriginal and Torres Strait Islander education engagement arrangements. For example, the Northern Territory Government has committed to work in partnership with Aboriginal Peak Organisations NT (APONT) to establish an NT Aboriginal education peak body. Similarly, the Queensland government has committed to a pathway to re-establish an IECB, transitioning from just having the Ministerial advisory council arrangement that has been in place. Further, in Western Australia, community members from the education and training sectors are working to establish a new WA Aboriginal Education and Training Consultative Council and the ACT is also working to establish a consultative body.

The success of NATSIEC will rely on the contributions of strong state-based IECBs.

We call on all state and territory governments to fund the re-establishment of IECBs, and commit to long term funding and partnership arrangements. This will support a strong and sustainable community-controlled education sector that can work in partnership through the next NSRA to realise our shared aspirations in Aboriginal and Torres Strait Islander education.

Similarly, the NATSIEC Establishment Working Group acknowledges the Commonwealth Government's commitment to provide seed funding to support the formal standing up of NATSIEC and contribute to its first 12 months of operation. NATSIEC looks forward to strengthening this partnership and, similar to above calls for state-based support for IECBs, call on the Commonwealth Government to provide long term sustainable financial support beyond this valuable seed funding.

Together, such support will re-awaken a strong IECB network contributing to a national peak body, in NATSIEC. This will address a longstanding gap in education representation and provide an Aboriginal and Torres Strait Islander education member of the Coalition of Aboriginal and Torres Strait Islander Peak Organisations (Coalition of Peaks).

In the context of the NSRA, as flagged in preceding sections on accountability and partnership, we implore that the next NSRA include stronger requirements to work with NATSIEC and IECBs.

⁴ <https://www.education.gov.au/indigenous-education/national-aboriginal-and-torres-strait-islander-education-strategy>

⁵ Comprising SAAETCC, NSW AECG and VAEAI, who are also members of IECM.

An Implementation Plan approach would help address the variability in bilaterals and connect with whole of government commitments

The Interim Report's information request 2.2 invites views on Implementation Plans to complement NSRA reform priorities and bilateral agreements. We support such an approach.

Since the establishment of the NSRA, all Australian governments, alongside the Coalition of Peaks and the Australian Local Government Association, have entered into the National Agreement on Closing the Gap. In addition to the stronger commitments to transform the way governments work with Aboriginal and Torres Strait Islander communities — through the Priority Reforms — this includes an expanded suite of socio-economic targets, better representing Aboriginal and Torres Strait Islander aspirations. While the NSRA includes references to Closing the Gap, there is an opportunity to strengthen the connection between these two whole-of-government commitments.

The NSRA's bilaterals include significant variability in the way equity cohorts are reflected and prioritised. The actions also lean more to the earlier years of the NSRA, and the bilateral agreement approach inhibits flexibility to reflect emerging actions and refresh actions over the life of the NSRA.

An Implementation Plan approach enables greater connection between Closing the Gap and education reform commitments. Rather than articulating a library of existing efforts, if done well, an Implementation Plan will provide an avenue for sustained action against agreed priorities with appropriate refreshes over the 5-year NSRA term. This balance is important. It enables the longer-term reform directions to be set, with the Implementation Plan giving effect to this. It also presents an important element in improving transparency, accountability, and partnership.

An action focussed, forward-leaning, Implementation Plan provides an avenue for meaningful engagement with Indigenous education partners. It also articulates the measurable actions to improve outcomes and helps build community confidence in what is being done to support students' futures. Importantly, it connects with the need for formative approaches that are flexible and responsive to local and jurisdictional contexts.

Research and reporting are key enabling factors

Our earlier submission highlighted the role of formative data to enable early and ongoing analysis of progress. We are pleased to see this has informed the Interim Report's suggestions on enhanced transparency. Building on comments on reporting, and responding to information requests such as 2.1 to realise the potential of evidence-based research, we seek to highlight that research and data collection in education:

- has often been driven by government priorities and does not always adequately reflect community aspirations. The need for partnership in designing and implementing actions extends to the way in which research is approached to inform those actions.
- tends to highlight the challenges and disparity in education outcomes. While this is useful context, it can be equally useful to privilege success stories and translate what is working into transferable action for other schools and teachers to draw upon.
- would benefit from regular reporting on priority cohorts to support focussed action. This could move beyond standard outcomes measurements to also track long-held Indigenous education objectives like delivery of cultural engagement programs; implementation of Aboriginal and Torres Strait Islander language education programs; employment of Aboriginal and Torres Strait Islander teachers/support staff.

Teachers must be supported

The Interim Report notes that responses to date have failed to deliver a systematic approach to predicting and identifying workforce needs. We concur with this.

More is needed to embed supports to grow the Aboriginal and Torres Strait Islander teacher workforce. This includes improving cultural safety in schools and education systems, elevating the status of the profession, making it an attractive career pathway, and providing targeted supports to improve Initial Teacher Education completion rates, and teacher retention rates. We highlighted our disappointment at the ceasing of the More Aboriginal and Torres Strait Islander Teachers Initiative (MATSI) and welcome a sustained focus within future systemic responses.

Further, we note that many Aboriginal and Torres Strait Islander staff in schools also work in roles such as Aboriginal Education Officers, Indigenous Liaison Officers, and Indigenous Assistant Teachers (and related titles). We acknowledge the incredible contribution these staff make in supporting all students' learning, but particularly Aboriginal and Torres Strait Islander students. We note with concern the tendency to place a large cultural load on these staff e.g. they are turned to for expertise in relation to curriculum planning and delivery relating to Aboriginal and Torres Strait Islander histories and cultures, and for support in recognising days of significance (such as NAIDOC and Reconciliation weeks). While it is absolutely important to value Aboriginal and Torres Strait Islander employees' lived experience and community connections, schools and teachers must take ownership of their roles and ensure they are not unfairly shifting the responsibility to these positions that have less formal authority. It is also important to ensure that these staff receive appropriate training to support their ongoing development.

We also acknowledge the vital role all teachers have in supporting Australian students' futures. The systemic approaches to workforce planning are important to supporting teachers to do their jobs effectively. It is also important that Initial Teacher Education (ITE), and ongoing teacher professional development opportunities, embed cultural capability as a priority. This will assist teachers to enact culturally responsive learning approaches and ensure that all students can learn about Aboriginal and Torres Strait Islander histories and cultures. Too often, ITE courses include a small component within student diversity that is left too late in the course. This learning should be embedded throughout so teachers are equipped to support students from a range of backgrounds. Without this, how will they be able to tailor responses to students that they can't relate to?

The system must take responsibility

Finally, the onus must be placed on governments and education systems, and through them, schools, to provide an equitable and appropriate education that enables all students to engage, thrive and succeed in education. Too often the blame appears to be placed on those students and families who most need support. The complex challenges and socio-cultural disadvantage they face that inhibit their educational engagement do not mean they are a failure.

Our kids aren't failing. The system is failing them and our communities.

Endorsement

This submission reflects our views and lived experience as Aboriginal and Torres Strait Islander people with an extensive and valued background and history in Aboriginal and Torres Strait Islander education throughout Australia. We look forward to the release of the Final Report and government's responses in progressing the next NSRA.

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