

## WHY IS SCHOOL EDUCATION ACCREDITATION A MONOPOLY?

The school education accreditation authorities (NESA in NSW) control curriculum (for all schools), mandatory hours, teacher accreditation and school registration for non-government schools. However, while trying to understand why school education is not working as well as hoped, we tend to look everywhere and at everyone except the people who control the system, the school education accreditation authorities. To improve outcomes for students, we believe that the way in which these accreditation authorities work needs to be critically reviewed and included in the National Schools Reform Agenda.

NESA is in charge of curriculum for government and non-government schools in NSW. Any changes to the curriculum a school wishes to implement must go through NESA. For example, if a school wishes create a modified program for less-academic students or school refusers, like “ideas to start a small business”, it would not be allowed unless NESA approved all of the elements of the program. This is a really lengthy, bureaucratic process with a time-lag of up to twelve months which often results in a negative response from NESA.

It would appear to make no sense to have a national schools reform agenda without including a focus on the school accreditation authorities that control most of the system.

Our own recommendation is that the school accreditation authorities such as NESA should be exposed to competition for accreditation services in regard to:

- Curriculum
- Teacher standards
- Registration of non-government schools

We believe that exposing the accreditation service providers to competition would create an environment which would:

- Improve the opportunities to compare the outcomes of different systems
- Create choice for students, parents, teachers and communities
- Improve the quality of services provided by the accreditation authorities
- Improve the accountability of the accreditation service providers to the students, teachers, principals, communities and the government
- Improve the academic and welfare outcomes for students

Using our direct experience, this submission addresses these Productivity Commission concerns:

- “... all jurisdictions need to find effective ways to assist the 5 to 9 per cent of students struggling to meet minimum standards
- tailored strategies for students from each priority equity cohort. ... New approaches, developed and implemented in consultation with students, parents and communities, are needed
- Many children and young people suffer from poor wellbeing because of experiences in and outside their schools. Schools and teachers need more

support to help students overcome these circumstances and achieve their potential.”

“Addressing these challenges will require a mix of co-ordinated national effort and flexible state-based programs tailored to individual and local needs.”

(Productivity Commission, National Schools Reform Agenda Inquiry, Interim Report Key Points, 2022. [Interim Report - National School Reform Agreement - Productivity Commission](#) )

## **Our Experience**

Eagle Arts and Vocational College had three campuses in regional NSW that catered to the needs of “the 5 to 9 per cent of students struggling to meet minimum standards”. Eagle Arts and Vocational College focussed on student wellbeing. Eagle Arts and Vocational College worked hard to service Indigenous students and communities in regional areas. Eagle Arts and Vocational College worked hard to meet the needs of young people who experience psycho-social difficulties. Eagle Arts and Vocational College tried to negotiate with NESA to build a flexible program to allow it to meet the needs of these students, their parents and their communities.

Eagle Arts and Vocational College was determined to create an environment in which teachers, and teacher’s aides, felt valued, had discretion and were able to be professional and responsible for the welfare and outcomes of their students. Eagle Arts were also interested in the welfare of our teachers and were able to design our program to enable teachers to work at a sustainable level, recognising the potential for burnout and disappointment when working with high-needs students.

Eagle Arts and Vocational College were closed by NESA. Despite extensive support from students, parents and community representatives and evidence from psychologists indicating the effectiveness of the program for the students, Eagle Arts were crushed by NESA in an expensive, technical, legal process at NCAT. NESA refused to attend the Anti-Discrimination Board hearings which recommended mediation.

## **The System Has Gone Backwards Since Being Reviewed**

In 2015 the NSW Board of Studies had the role of accrediting non-government schools. A review was held and the Board was reincorporated as NESA, an Authority, rather than a Board accountable to the Minister. The review recommended that NESA focus more on ‘outcomes’ rather than ‘inputs’ and ‘processes’ but, our experience tells us, that this has not happened. Student outcomes have been falling compared to other similar countries and NESA is obsessed with inputs and processes. “Compliance” is a big part of NESA rhetoric and logic.

The NSW Board of Studies had a 'community liaison' section which was tasked with assisting schools, in our case a small school with limited resources, understand what is required to meet the standards of the Board to be registered. NESA abolished this section and uses a system of 'compliance', threats and punishment, to control schools wanting to be accredited.

Schools will tell you about the intimidation they experience. We have directly witnessed a phone call to a principal in a regional, non-government school, focussed on Aboriginal education, in which NESA threatened to remove their Year 12 accreditation because some of their documentation was late.

In our experience Indigenous people and people who experience psycho-social difficulties are very negatively effected by the lack of choice with regard to their school curriculum and service models. Communities are disempowered from how curriculum and service models are developed and accredited.

This is an experience we have had. In a meeting to evaluate an application to register a small, regional, non-government school put together by a team of local Aboriginal women, school teachers and education consultants (which cost a lot of money) a leader of the Victorian Registration Qualifications Authority (VRQA) spoke in such a disrespectful manner, and with all the contempt enabled by being a monopoly and unchallengeable authority, that everyone was devastated and unable to proceed with developing the application. The Deputy Premier and the new CEO of VRQA have since apologised.

To challenge a decision of NESA requires a school to undertake an arduous and expensive court-like procedure through the NCAT (NSW Civil and Administrative Tribunal). In our experience, NESA fielded a team of highly-qualified barristers who are able to easily defeat schools and ordinary lawyers. Why isn't there an appeals process that is more accessible and low-cost for schools to use, in a body tasked with understanding education? This lack of ability to challenge NESA decisions reinforces their authoritarian attitude. We know of schools who have simply closed rather than challenge NESA.

In our experience, NESA refused to consider the satisfaction measures and testimonials of the parents and students when we tried to show the effectiveness of our school program.

Why aren't current teachers, principals, parents and students involved with developing accreditation processes? Why does NESA have so much power and such little accountability to the service users and the service funders (including governments).

### **Teacher and Principal Discretion.**

Teachers feel as though they have lost some of their power in the classroom because so many decisions in regard to learning have been taken out of their hands. Instead, trivial tasks absorb their valuable time. A lot of these problems come from NESA because they are so prescriptive about what needs to be taught in the curriculum and insist on lots of

documentation to do with lesson plans and procedural matters such as risk assessments on various tasks. This devalues both the student's and the teacher's time.

Teachers are now required to have higher qualifications than ever before. They are now required to also maintain a program of professional development and accreditation. So why have they been given less discretion? What is the point of making teachers more qualified and professional if they don't have the discretion to use their knowledge and professional skills? We believe that this is contributing to why teachers are leaving the industry and feeling despondant about their work. They are required to do too much administration, curriculum box ticking and not enough teaching and relationship building with students.

We believe that the authoritarian attitude of NESA puts pressure on, and limits, the ways in which schools can relate to their students. Principals will tell you that trying to run a school now is "like trying to run a school in a straight jacket" (n.b. this is a quote from a school principal).

We also believe that the excessive testing regime is contributing to the lack of discretion for teachers to meet the needs and interests of their students and communities. The testing regime undermines the confidence of teachers to be creative in their classrooms for fear this will be seen as not good enough preparation for these external tests. The anxiety this can generate for teachers and students is well documented (see Gabbie Stroud's book "Teacher").

We believe teachers are well placed to be involved in an accreditation system, helping to develop curriculum and service models, and should be encouraged to do so, rather than punished. We believe that the curriculum provided to teachers should be less prescriptive and allow for much more teacher discretion.

This top-down, authoritarian curriculum and accreditation system is strangling schools and blocking opportunities for creative approaches to education. It is a block on the ability of students, parents, teachers, principals and schools to develop new educational methods which can be shared and lead to improved outcomes and productivity for everyone.

## **Accreditation Should Be A Market**

We think a potential solution for some of these issues is to change the way curriculum, school registration and teacher accreditation are done. We believe that the school accreditation authorities should be more responsive to students, parents, teachers, principals and communities. We believe that exposing the school accreditation authorities to competition may help achieve this goal.

NESA is an authoritarian bureaucracy, no longer accountable to the Education Minister, and not responsive to the interests and needs of students, parents, teachers, school principals and communities.

We believe that this monopoly of accreditation services is having a very negative effect on school education in NSW, especially when combined with the 'Authority' status of NESA.

We believe that giving NESA a monopoly for accreditation contributes to their authoritarian attitude and lack of accountability, even to the Government. There is no competition for accreditation services and so, no alternative for schools to use for curriculum and accreditation.

It is therefore also very difficult to measure the results of NESA. There is no 'market' from which to choose and nothing to compare. There is no 'choice' with regard to accreditation for schools, parents, students and communities. There is no variety of curriculum and accreditation which could allow for things like regional differences, Indigenous interests and specialist interests of students, parents and communities like STEM, agriculture, sport or arts.

If there were two or more accreditation bodies, people could compare the results of the schools using the different accreditation bodies and choose which type of school accreditation and curriculum they want. Schools (using the different accreditations and curriculum) could be compared on a range of measures such as academic results, student wellbeing, student and parent satisfaction, teacher satisfaction and value for money.

The accreditation systems could be measured against things like efficiency, effectiveness and value for money. Schools could choose an accreditation body which meets the needs and interests of their students, parents, teachers and communities. Accreditation bodies could be compared by the government on value for money and by schools on quality of service.

## **Recommendations**

1. Allow for the creation of multiple school education accreditation bodies and give schools the power to choose which accreditation body they want to work with.
2. Create a system which can compare the results of the different accreditation systems (on a variety of measures, not just academic measures) and make those results available to students, parents, teachers, schools, communities and governments.
3. Remove the 'authority' status of NESA, and other accreditation bodies, and build a system whereby the accreditation bodies are accountable to service users and the government (i.e. the funders of the system).

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**\*Gabrielle McIntosh** was the creator of Blacktown Youth College, a registered alternative school in Mt Druitt NSW and the creator of Eagle Arts and Vocational College which had the unfortunate experience of having three campuses closed by NESA despite having good results for their target group of 'school refusers' and positive testimonials from students, parents and local communities. Not even a recommendation from the Anti-Discrimination Board for mediation was considered by NESA who preferred to use their economic and legal power to crush Eagle Arts and put all their students out of school.

**Hugh Worrall** is a career community worker, mental health worker, policy officer and advocate and sees, through his work, the effects on mental health of the lack of suitable education options for young people.