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YACVic and VicSRC response to the Education and Training Reform Amendment
(School Attendance) Bill

The Youth Affairs Council of Victoria (YACVic) and the Victorian Student Representative Council welcome the opportunity to submit a response to the *Education and Training Reform Amendment (School Attendance) Bill* and the accompanying Regulations and Guidelines. YACVic is the peak body and leading policy advocate on young people's issues in Victoria. The Victorian Student Representative Council (VicSRC) is a democratic network of SRCs working to represent the views of secondary students in Victoria.ⁱ

All children and young people have the right to an education and YACVic and the VicSRC recognises the responsibility of parents to ensure children and young people attend school. However, YACVic and the VicSRC advises that the introduction of a penalty infringement process as a measure to enforce compulsory school attendance is unlikely to improve educational access and is likely to further disenfranchise parents who already sit on the outer margins of school communities.

The parents that this draft bill seeks to punish - those who do not support the child or young person in their care to attend school without reasonable grounds – are typically already experiencing high levels of dysfunction and disadvantage in a range of ways, often including economic disadvantage. Evidence tells us that children and young people's school engagement and attendance will be improved through a combination of measures to ensure timely access to support for children, young people and their families and measures to strengthen the capacity of schools to support vulnerable young people's engagement and provide inclusive learning environments. In contrast, financially penalising already vulnerable parents through the issuing of infringement notices is likely to aggravate pressures on parents and

exacerbate their feelings of disconnection and marginalisation from the education system.

Last year, YACVic published a research report *Two way street: Young people informing improvements to schools and youth services*. The report examines the experiences of young people who have disengaged from education. It was informed by a synthesis relevant research that engaged young people; in-depth qualitative interviews with 78 young Victorians who had experienced significant barriers to educational engagement; an online survey of 228 young people to further explore identified themes. For the young people who took part in the research 'leaving school was not a 'lifestyle choice', but rather a response to profound and complex challenges they face in their lives.'ⁱⁱ

The young people engaged in the development of the report typically experienced poor school attendance before disengaging from school. The report identifies approaches that can be taken in school and youth service settings to prevent disengagement and enable better involvement of all young people in learning and other pathways. The findings of the report illustrate that punitive approaches inhibit students sense of connection to schoolⁱⁱⁱ, and point to three key directions for the DEECD and schools to take in developing strategies to improve school attendance. These are:

1. Creating inclusive learning environments
2. Ensuring timely access to appropriate support
3. The development of respectful, supportive relationships between young people and professionals

YACVic and the VicSRC would like to draw the attention of the School Education Group within DEECD to the recommendations made within the report in relation to these three key directions.

Guidelines accompanying the Bill describe limited discretionary powers for the school attendance officer (Regional DEECD Directors) in deciding whether to issue an infringement notice to a parent. These discretionary powers allow the officer to consider particular circumstances (such as the parent having a mental or intellectual disability, serious drug addiction or experiencing homelessness) that may have impacted the parent's ability to support their child's attendance at school when deciding whether an infringement notice is appropriate. What is not clear in the guidelines is how the officer is likely to access this relevant information beyond a parent bringing that information to the attention of the officer.

YACVic and the VicSRC warns against a presumption that parents will themselves necessarily be in a position to advocate effectively on these matters to ensure the school attendance officer understands their personal circumstances closely enough to make a reasonable assessment. The level of information required to make that assessment is usually only gathered through a relationship of trust developed with a

professional support worker. Many parents will need support to respond to a school enrolment notice within the appropriate timeframe and with all relevant information for consideration by the school attendance officer.

The Guidelines also state that referral to a Child FIRST or Child Protection may be appropriate on the grounds of information contained in a parent's response to a school enrolment notice or in a situation where no response is made by a parent. It is important that vulnerable families and children or young people are linked in with appropriate supports as early as possible. In order to ensure that families receive support to respond appropriately to the school engagement officer and to support them with any existing factors that are barriers to school engagement, YACVic and the VicSRC recommend that parents receive information on support services they can contact in the first correspondence they receive from the school attendance officer – the school attendance notice itself, rather than after they have failed to provide information describing a reasonable excuse for their child's absences from school.

YACVic and the VicSRC recommend that new processes for issuing infringement notices to parents not be introduced through this Bill. However, if the Bill is retained in its current form, YACVic and the VicSRC recommend that the following measures be incorporated:

- It is critically important that monitoring processes ensure that the issuing of infringement notices is not taking place in ways that disproportionately affect particular cohorts of parents and thereby systematically entrench disadvantage. Information collected by the DEECD about the use of school attendance notices and school enrolment notices for the purposes of monitoring and evaluating the effectiveness of the enforcement system^{iv} must be analysed with a view to identifying trends within the population of parents issued notices so as to reveal any over-representation of cohorts within the data (for example ethnic, cultural, socio-economic status, geographic). This analysis should be made available to the Children and Young Peoples Commissioner to consider and make public should that be deemed appropriate. Should the data reveal such trends in the issuing of infringement notices, the Department must proactively seek to improve outcomes for these cohorts through early intervention and secondary level supports available to children, young people and families and supports to school communities.
- That parents receive information of family support services they can contact for assistance in the earliest correspondence received from the school attendance officer (the school enrolment notice). This may enable parents to seek support to respond to the notice with adequate levels of information for the discretionary consideration of the officer and may link families into supports they may need to improve children's school attendance earlier.
- That DEECD implement recommendations of the YACVic report *Two way street: Young people informing improvements to schools and youth services*,

to strengthen the capacity of school and youth service settings to prevent disengagement and enable better involvement of all young people in learning and other pathways.

Should you wish to discuss in more detail any of the information contained in this response, please contact Jen Rose, Manager Policy and Projects on 9267 3722 or jrose@yacvic.org.au

Yours Sincerely



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Kate Walsh,
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ⁱ Further information about the VicSRC can be found at www.vicsrc.org.au

ⁱⁱ YACVic, 2012. *Two way street: Young people informing improvements to schools and youth services*. Available from www.yacvic.org.au

ⁱⁱⁱ YACVic, 2012. *op.cit.* p.3.

^{iv} DEECD Compulsory participation in education for school-age children: guide for members of the public and school attendance officers. p.3.