

COMMONWEALTH GOVERNMENT COVID-19 RESPONSE INQUIRY

DATE 15 December 2023

1. ABOUT ISA

Independent Schools Australia (ISA) is the national peak body representing the Independent school sector. It includes the eight state and territory Associations of Independent Schools (AISs). Through these Associations, ISA represents 1,209 schools and over 668,600 students, accounting for approximately 17 per cent of Australian school enrolments.

2. KEY POLICY CONCERNS FOR SCHOOLS

SCHOOL CLOSURES AND MOVE TO ONLINE LEARNING

Non-government schools exist in a complex regulatory environment. They are registered as schools by state and territory education authorities and must abide by all relevant state and territory legislation as well as national legislation. Non-government schools also must meet all the requirements of the Australian Education Act 2013 to meet ongoing conditions for funding.

Unclear requirements and at times contradictory requirements between the Australian Government and state and territory governments, were highly problematic for Independent schools.

For example, by the time of the National Cabinet meeting in March 2020, several states had announced their intention to close schools. However, after the National Cabinet meeting, the Prime Minister stated that schools would stay open.

In late April 2020, the Australian Government Minister for Education imposed a funding condition on non-government schools under the Australian Education Act 2013 which required schools to provide a physical learning environment from the commencement of Term 2, 2020. This reinforced the Australian Government's position that non-government schools had to remain open.

FUNDING ASSISTANCE FOR SCHOOLS

In April 2020 the Australian Government announced that some school funding could be brought forward to assist schools. However, to access the early payment, schools had to give an undertaking that they would be open in Term 2 and that they had a plan to have at least 50 per cent of students return to face-to-face teaching by 1 June 2020.

This was extremely problematic for many Independent schools in states and territories where the health advice from state authorities was for students to continue to engage in online learning and there were no plans yet for the re-opening of schools. As a result of the condition, many schools did not apply for the early payment even though they may have benefitted, because they were fearful of contravening the health advice of their state or territory health department.

In May 2020, it was announced that \$10 million of Special Circumstances funding was being made available to non-government schools through the School Hygiene Assistance Fund for the 2019-20 financial year. However, the funding was contingent on schools planning to have 50 per cent of their students back in the classroom by 1 June 2020. Schools that had not responded to the offer of the early release of the July payment and had not indicated that they would be open in Term 2 were told that they could be found in

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breach of Section 78 of the Australian Education Act 2013, which could result in schools having any further payments delayed until compliance was confirmed. It also meant that they would not be considered for assistance under the School Hygiene Assistance Fund.

The Independent school sector also educates and cares for over 25,000 children aged from 3 months to five years of age and employs over 8,000 early childhood educators. It became clear early in the pandemic response that Early Childhood Education providers were struggling as parents kept their children home. In April 2020 it was announced that non-government schools would have their payments automatically increased. The further decision by the Australian Government to expand the Exceptional Circumstance Supplementary Payment to support early childhood education and care services that were not eligible for the JobKeeper Payment meant that services were able to receive additional funding. This additional funding enabled many Early Childhood Education providers in the Independent sector to stay open during the pandemic.

JOBKEEPER

As a result of school closures and the associated economic impacts of the COVID-19 pandemic, many Independent schools had large increases in the fee remission requested by struggling families. The provision of JobKeeper allowed a level of financial certainty for many schools through the pandemic that enabled many Independent schools to 'weather the storm' that was COVID-19.

JobKeeper also came with an amount of confusion for schools as policy and eligibility requirements were developed at a rapid pace. The sector is aware however that a normal process of stakeholder consultation was not possible given the required speed of implementation.

REPORTING AND ACCOUNTABILITY

There was some accommodation of reporting and accountability for non-government schools from the Australian Government that eased the burden of schools in managing lockdowns, remote learning and other issues during the pandemic.

These changes included the waiving of the requirement for A-E reporting by schools and changes to the Non-Government School Census which enabled schools to maintain their enrolment count during lockdowns.

BOARDING SCHOOLS

Boarding schools had a particularly challenging time during COVID-19 managing lockdowns, health mandates, border closures and quarantine requirements. Because of the number of interstate boarding students in boarding schools, even schools not in lockdown were often managing students who lived in a different state or territory with border closures and/or strict quarantine arrangements in place.

This meant that often students and families had to choose between being in school or being at home leading to isolation from either their family or from their peers for some students. This significantly impacted many regional and rural families. Despite the effort of the Australian Government, including the then Minister for Regional Education, Senator McKenzie, to get an agreement on the ability of boarding students to move across borders to attend school, this remained an ongoing issue throughout the pandemic.

ABORIGINAL AND TORRES STRAIT ISLANDER BOARDING STUDENTS

During the pandemic, there was significant concern about the ongoing viability of several Independent boarding schools that solely serve the needs of Aboriginal and Torres Strait Islander students from remote communities. In some states and territories, boarding schools were closed on health grounds due to transmission concerns and at the same time, Aboriginal and Torres Strait Islander students from remote communities returned home before communities were closed to protect vulnerable populations.

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The Department of Social Services quickly made positive changes to ABSTUDY payments to support Indigenous students and boarding schools during the pandemic. Under the temporary arrangements, boarding students who qualified for ABSTUDY or Assistance for Isolated Children (AIC) boarding payments at the start of the pandemic continued to qualify for payments. This enabled many Aboriginal and Torres Strait Islander boarding schools to stay open.

After the pandemic, funding has been provided through the National Indigenous Australian Agency (NIAA) to assist boarding providers in supporting students to reconnect to school following the impacts of COVID-19 and to enable boarding providers to better address the education, health and wellbeing needs of Aboriginal and Torres Strait Islander boarding students and keep them engaged in school.

INTERNATIONAL EDUCATION

The decision to close Australia's borders by the Australian Government caused significant disruption to international student enrolments and caused significant distress to students under 18 years who were in Australia unaccompanied and were unable to return to their home country for an extended period, as well as international students who were in their home country and were unable to return to Australia to continue their learning.

While there was significant work undertaken to support the international education sector by the Department of Education, the Department of Home Affairs, Austrade and other bodies, there was no financial assistance for international education providers in any sector except the English language sector. While eventually there was a process for exemptions to the Australian Government's travel ban for Years 11 and 12 students from China, it was complex and impractical and dependent on the agreement of states and territories. The failure of the Australian Government to implement any meaningful measures to assist the welfare of overseas students was also a source of significant concern to the international education sector and damaging to Australia's international reputation.

STUDENT WELL-BEING AND SCHOOL REFUSAL/DISENGAGEMENT

Student wellbeing was a key concern for schools during the pandemic and it continues to impact students now. Ongoing trends of school refusal suggest a link between the number and duration of COVID-related lockdowns in the state or territory and an increase in school refusal.

Despite multiple requests from the non-government sector for support for student wellbeing during the pandemic, however, none was forthcoming. More recently, the current Australian Government announced a Student Wellbeing Boost to assist schools but there is still no clarity about the allocation of this funding to individual schools and whether it will have any positive impact.

3. CONCLUSION

It is widely acknowledged that many of the Australian Government's COVID-19 pandemic responses were, by necessity, undertaken in haste and without any of the usual processes that would normally accompany the development of national measures of such scale. However, the different approaches to schooling between the Australian Government and State and Territory governments caused significant confusion among representative bodies, school boards, principals, teachers, parents and students. It seems clear that the Australian Government was heavily invested in schools remaining open however, constitutionally school education and health are the responsibility of State and Territory governments.

Better integration of decision-making between States and Territory governments and the Australian Government about schooling but also across a range of other areas, including border control, would have significantly reduced the confusion experienced by not only Independent schools but also the students who attend them and the families of those students.