

**ACTS AMENDMENT (HIGHER SCHOOL LEAVING AGE AND RELATED PROVISIONS) BILL
2005**

Second Reading

Resumed from 8 November.

Question put and passed.

Bill read a second time.

Committee

The Deputy Chairman of Committees (Hon Graham Giffard) in the chair; Hon Ljiljanna Ravlich (Minister for Education and Training) in charge of the bill.

Clause 1: Short title -

Hon MURRAY CRIDDLE: I have had a look through the bill and want some reassurance about the duty of care for students who go outside the school precinct to receive further tuition or to pursue opportunities in the work force. Where is the relevant information about workers' compensation - if that is applicable - or the occupational health and safety provisions that may need to apply to students when they are in the workplace? If detailed guidelines have been worked through, I would like a copy of them; otherwise, I would like an understanding of exactly what the situation will be when students go into workplaces.

Hon LJILJANNA RAVLICH: The honourable member would be aware that the Department of Education and Training has a comprehensive duty of care policy that outlines the responsibilities of schools for the welfare of students. The policy also covers excursions, and recently it was reviewed to include student attendance at TAFEWA colleges as a part of the school-based activities. The Catholic Education Office of Western Australia and independent schools have similar arrangements. As the bill introduces a range of options other than full-time schooling, responsibility for the duty of care will vary according to the provider. If the student were undertaking a combination of options, the duty of care would rest with the provider for the period of time that the child was undertaking an activity with that provider. A school program, such as structured workplace learning, would be covered by a comprehensive -

Hon Murray Criddle: What does "structured workplace learning" mean?

Hon LJILJANNA RAVLICH: That is when a student would perhaps do a combination of a day at school and a couple of days at TAFE, under the auspices of a school program. It could involve a range of different programs, but basically it is a combination of programs. For example, students might do one-day work placement once a week, but it would sit under a school program, so the students would be fundamentally enrolled in a school and then do a combination of things. Under those arrangements the school would have a duty of care obligation to the student. If, for example, a student was part-time at TAFE and some time at school, while he was at school he would be covered through the existing duty of care policies within the Department of Education and Training. The same would apply if he were at TAFE, because it is part of the same organisation.

Hon MURRAY CRIDDLE: I know I might sound as though I am being a little difficult to get on with, but this is a very serious issue as far as I am concerned. The suggestion in the example I raised earlier was that the student may well go to a farming property. We know the issues involved with occupational safety and health in a shearing shed or when a machine is being used. I want the minister to understand the situation I am explaining, because students will go onto properties and I do not want the farmer or the person to whose property they go to be responsible if something goes wrong and they are not covered. It is a very serious issue in a workplace. I am part owner of a farm, in conjunction with my wife. We are continually told that we must have guards on grinding wheels and wool-baling machines. All these matters are part of the learning curve that students go through as they develop into useful people in the work force. All those issues need to be covered. I am sure that the minister can understand that. I want students to be covered for all those issues from the minute they leave the school, when they travel to the workplace and when they get into the work force. If the minister can clearly outline that they will be covered, I will sit down and not say anything else.

Hon LJILJANNA RAVLICH: I can give the honourable member that assurance. For example, if the minister provided an exemption to a student for employment, so that the student was not technically part of the education system, as it were, and he went to work on the member's farm, the member would be covered by the normal provisions, such as occupational health and safety, common law, workers' compensation and so on. However, if a student was actually enrolled in the school and, as part of his school program, he took part in structured workplace learning, and part of that structured workplace learning was farm work, training, animal husbandry or whatever, he would be covered by the general policy of the Department of Education and Training.

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Hon MURRAY CRIDDLE: The point I want to make is whether that particular student is covered for the whole time. From what the minister is saying, that is the situation.

Hon Ljiljana Ravlich: Yes.

Hon BARRY HOUSE: Coverage and duty of care may not be the same thing. I am reassured by the minister's statement that there is coverage for workers' compensation, insurance and all the other aspects, but does the duty of care rest with the principal of the school at all times or is the duty of care shared between the principal and the TAFE college, or the principal and the place of employment, the owner of the property and so on? To complete that picture, could the minister indicate how the duty of care responsibilities are allocated when the student is moving between different aspects of education, whether that be the school, TAFE college, farm or employment?

Hon LJILJANNA RAVLICH: The member is quite right. When an activity is undertaken as part of structured workplace learning, there is joint responsibility. The school primarily has the duty of care, but obviously there is also a duty at common law. If a student is working in a workshop, for example, and there is a clear case of negligence by the operator, obviously some legal implications will result from the activities of that person. The school cannot delegate its duty of care, so ultimately the school will have the duty of care because the student is enrolled at the school.

Hon MURRAY CRIDDLE: The minister said that the principal cannot delegate the duty of care. Does that mean that the person on the property picks up the duty of care or does the duty of care remain with the principal?

Hon LJILJANNA RAVLICH: As I understand it, the school has a responsibility to check that the environment that the student will be working in is a safe environment. If the student was going to the member's property, for example, the school would have a responsibility. If the student was going to somebody's workshop as part of a mechanics course, or whatever, as part of his structured learning, the school would be responsible for making sure that the workplace was deemed to be a safe working environment.

Hon MURRAY CRIDDLE: I know I am being difficult, but the minister has said that the school will be responsible. Nowadays there are occupational safety and health inspectors. For example, in Geraldton just the other day 11 inspectors inspected the fishing industry facilities. When the minister says that the school will be responsible, what role will occupational safety and health play with those inspectors? I know that this is a difficult area, but it is the area that we face in our businesses every day. We will have to address it here and now, so that everybody will know what is going on and so that some sort of instruction can go to those people who are taking that responsibility.

Hon LJILJANNA RAVLICH: Just for clarification, if the student is covered by the school program, the Department of Education and Training has a responsibility for the duty of care, and that can be delegated to the school, which then also has the responsibility. If the student is doing a work program for which he has been given an exemption by the minister, he is obviously covered by occupational safety and health and a range of other legal provisions that are in place to protect workers.

Hon BARRY HOUSE: It is vitally important that this is fully understood. The future of a lot of structured workplace learning could well be jeopardised if employers have a doubt about it and will not take on students. Is a clear program or a clear policy within the Department of Education and Training provided to people in a workplace to indicate where the lines are drawn?

Hon LJILJANNA RAVLICH: I assure the house that there is an existing policy. It is part of a regulatory framework. Nothing in the bill affects the policy that currently exists. There have not been any issues about this matter, even though there have been programs such as the ones I identified in my second reading response, and also the School Apprenticeship Link program under which 400 students are participating in a combination of school, employment and training. This has not been an issue because there is a clearly defined policy, and I do not see any problems in providing that policy to the member at the earliest opportunity.

Hon MURRAY CRIDDLE: The minister said that those guidelines would be available. Can we have a copy of those guidelines so that we clearly understand them? I am sure that some people who will be in this education field, whether it be at school or in the workplace, will want to know exactly where they stand.

Hon LJILJANNA RAVLICH: I will pick up on a very important point that has been made. At the end of the day, many of the changes that are proposed under this legislation will also rely on the goodwill of industry, whether it be the farming sector, the automotive industry or the building and construction industry etc. Ultimately, it will be industry, by and large, that will offer placements and opportunities for young people to acquire the practical skills. As I outlined earlier, this is really about a different way of doing things. We will not be making sure that every school has a hospitality, mechanics or building and construction sector, because it would be impossible. Obviously, it is in the department's interest to make sure that things do not go wrong, and that the checks and balances and the safeguards are in place. The worst thing that could happen, for example,

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would be for something to go wrong, for that to become an issue and, as a result, for the opportunities to not be provided for students. I can reassure the chamber that we take this issue very seriously. It is absolutely fundamental in offering students opportunities. I should also say that although we have the expanded program, the simple fact is that for the past 20 years students have been involved in a range of work experiences, which in some ways may not be different from what is proposed. Students might have done some work in the hospitality sector or undertaken work experience in a range of areas. This is not even a policy that needed to be put together for this purpose. It is a longstanding policy. It may well have been tweaked for this purpose; I am not sure. However, this is a longstanding policy, and I can assure members that the education system would be all the poorer if the opportunities were not provided for the students. Therefore, it is in our interests to make sure that this is right and does not become an issue.

Hon MURRAY CRIDDLE: I am not asking the minister to be defensive on this issue. Changes are taking place in the occupational safety and health area. It happened just recently with the machinery dealers. One need only go down the road to the first machinery dealer's place to find that there is a difficulty. I am just saying that these issues exist. If they are addressed, I will be happy; if they are not addressed, the government should make sure they are.

Hon BARRY HOUSE: I want to raise another issue, and I raise it under clause 1 because it is not formally mentioned anywhere in the bill. I am referring to mentors. Mentors were mentioned in the second reading debate yesterday. Yesterday in the minister's summing-up, she mentioned that she had a mentor's job description. Will the minister tell us what that entails? That may clarify some of the parts that will come later.

Hon LJILJANNA RAVLICH: I thank the member for that question. First of all, whether they are called mentors or participation coordinators, the simple fact is that they will have a very -

Hon Barry House: They are one and same thing, are they?

Hon LJILJANNA RAVLICH: Yes. They will have a very important role. They will provide individualised case management and support services, including case brokerage. By "case brokerage" I mean referral services for 15 to 17-year-old students who are at risk of disengaging prematurely from school. We need to recognise that the \$24.6 million that has been allocated for 100 training mentors will be for those students who are at risk of disengaging prematurely from school. That is the first thing. Basically, I make the point to Hon Murray Criddle that there is no doubt that a section of the students returning to school - Hon Barry House would be aware of this - will probably have had difficulty in school. They may be the hard-core group of kids when it comes to trying to engage them. We recognise that. For example, some students do not engage easily. That is perhaps because they do not have parents who assist them in the engagement process. Perhaps they do not have a mum who wakes them up and says, "Breakfast time! Here are your clothes." The simple fact is that not everybody comes from the same environment, and not everybody has the same home opportunities. In the provision of the mentors, we have recognised that there will be a group of students who are at high risk of disengaging. The mentors will work with them to provide individualised intensive support and case coordination. The way it will work is that each of the 100 mentors might be responsible for 20 students. The mentors will work very closely with the students to make sure that they attend school, are on time, find an appropriate placement and have somebody to guide them.

I will tell members about something that is very interesting. When I went to see the School Link Apprenticeship program in action in the Pilbara, in Newman and Port Hedland, it was quite amazing. A lot of the disengaged students had actually disengaged because of the lack of relevance of the education to them. When I saw the School Apprenticeship Link program in action, I saw disengaged kids who were at school for a couple of days a week, at TAFE for one day, and maybe with BHP for two days a week. Those students were in school; they dressed in their overalls, with their BHP badges; they went into the workplace. Apart from anything else, it is a grown-up environment and they meet older men, and those older men take them under their wing and provide them with support and guidance. The result and the difference in those kids are absolutely phenomenal. The kids who were not engaged can see that if they do the right thing, they will have a brighter future. In some cases, with Aboriginal kids, they might be the first in their family to get a job if they do the right thing with BHP. The principals have told me that they cannot believe the change in the confidence and the maturity of the students involved. Obviously, that will not be the outcome for every student. However, if that is the outcome for half the students who have a history of disengagement, as education minister, I will be very pleased.

Yesterday I went through the role of the mentors quite extensively. It will be about a level 4 position. In terms of the selection criteria, the mentors will need to have an understanding of the factors affecting non-participation; in other words, they will need an understanding of why kids are alienated and do not want to participate. They will need to have knowledge of youth training services and what is available to support youth. They will need to be problem solvers and be able to develop strategies. At the end of the day, these people will need to be

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confident. They will need to be able to say that Tommy Smith has some real problems and they will need to find an employer in an area of interest to Tommy Smith who might give the kid a go and provide trade opportunities or whatever it might be. These mentors will need to be able to knock on a door and ask for that sort of assistance and opportunity for Tommy Smith. That is the sort of person I am interested in. Obviously, the mentors will also need to be able to relate to young people. Those people are out there. They will need to have strong personal networks and negotiation skills. The point I made yesterday was that I would find it most unsuitable if we undertook a selection process in Perth for a training mentor in the Kimberley. That is not on. The simple fact is that these people will need to be local people, particularly in regional and rural areas. They will need to know the people who will be in a position to offer opportunities to young people. They will also need to have the skills that I have outlined.

Hon PETER COLLIER: I am very interested in the mentoring system that will be implemented. I would like some clarification on a couple of issues. I endorse the system; I think it is a worthwhile initiative. The students whom the minister is talking about essentially have very few personal coping strategies, and being institutionalised in any school environment compounds the problems. I agree with the minister that their problems may be social, peer or family related. These problems exist. Yesterday in my contribution to the second reading debate I referred to how to deal with these students. Several institutions in Western Australia deal specifically with these students. I appreciate that those schools, such as Corridors Secondary Vocational College and Port Community High School, which I have mentioned specifically, comprise a minority of students. However, having said that, it would be naive to presume that they are the only students who are disengaged from the education system. I am sure that the minister acknowledges that. Although I applaud the notion of the 100 mentors, what role does the minister see them playing in the vast number of secondary schools throughout the state, particularly with the advent of the proposals in this bill? We are talking about hundreds and hundreds of schools. Can the minister give me a little insight into the allocation of mentors to the schools? Will they be allocated to certain regions? The minister has said that each of these 100 mentors will have responsibility for potentially 20 or 30 students. I presume that that will be over a number of different schools. Of course, they will supplement the hard work that is already being done in a number of schools by counsellors and the like. The special responsibilities of school counsellors etc, which continue to expand at an alarming rate, will be compounded next year. I wonder about the worth of the mentors, if there are to be only 100 of them. I am not for a moment denigrating the initiative. Can the minister clarify the areas to which they will be allocated?

Hon LJILJANNA RAVLICH: I gave the ratio of 20 to one. It might be more; it might be less. Quite a lot of work has already been done in this area. I made the point yesterday that there will be an allocation of 280 additional staff, worth \$46.9 million, and the 100 mentors will be on top of that. Obviously, of those 280 extra staff, other people will provide additional services. An allocation has been earmarked to districts for the provisional rollout of training mentors. The provisional rollout figures for 2006 indicate that Albany will get two mentors; Bunbury, two; Canning, four; Esperance, two; Peel-Fremantle, four; goldfields, two; Kimberley, two; Midland, two; mid-west, two; Narrogin, two; Pilbara, two; Swan, four; Warren-Blackwood, two; and west coast, two. Thirty-six mentors will be rolled out by February next year. A few mentors may be added to that number; I do not know. None of this is cast in stone. There is a projected maximum total training mentor allocation for the following years. Next year the school leaving age will be increased only for those students in year 11. That is why the full contingent of the 100 training mentors will not be used. However, that is the proposal. Yesterday in my response to the second reading debate, I said that district plans have been put in place. As part of the district planning, a range of work for system readiness has been undertaken in the past year and a half. I am happy to share that information with the member.

Hon PETER COLLIER: I appreciate that information. Can the minister give me a breakdown of where the 280 additional staff who will be allocated next year will go? I presume that they will not be allocated to the pastoral care or the career guidance areas. The minister mentioned that two mentors will be allocated to Albany, four to Peel etc. That is fine. I presume that those mentors will be responsible for two or three dozen schools and that the schools will be responsible for identifying those students at risk or those students who need mentoring, and then they will feed into the pool for the regions. Can the minister clarify that? I support the notion, but I would like some more information on how the process will operate.

Hon LJILJANNA RAVLICH: The member is pretty right. The additional 280 staff will be allocated over four years, so it will not be 280 times four, which would be more than 1 000. They will be allocated through the district offices as additional teaching staff and/or TAFE lecturers and/or support staff. I am not in a position to be able to provide the member with the finer detail of that. I think I am doing fairly well, given where we are with this bill.

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Hon PETER COLLIER: I also wondered about the students who the minister has said are disengaged. I do not have a problem with the term. How will those students who are disengaged be identified within each school environment?

Hon LJILJANNA RAVLICH: I would think they would be pretty well known. I am a bit amazed. The member is asking how the disengaged kids who are coming back to school will -

Hon Peter Collier: No.

Hon LJILJANNA RAVLICH: My understanding of the question the member has asked me is: how will the disengaged kids who might need the assistance of the mentors be identified at a district level?

Hon Peter Collier: I am well aware of students who are disengaged. However, students do not necessarily have to be truant or have behavioural problems to be disengaged.

Hon LJILJANNA RAVLICH: Obviously, they will be the students whom the schools have identified as requiring special assistance; they are not necessarily only the troublesome kids. The individual pathway plans will assist the schools to identify some of the issues that students might have. The sort of information that will be collected for a pathway plan is pretty comprehensive.

Hon Peter Collier: Will this be years 8 through 12?

Hon LJILJANNA RAVLICH: Yes. The Curriculum Council will also provide additional information on participation.

Sitting suspended from 6.01 to 7.30 pm

Hon BARRY HOUSE: I will not labour the point, but I just want to round out a little bit about the mentors because, as I have said, the term is not specifically mentioned in the bill. During the second reading debate I mentioned that in a past life, now seemingly very distant, I was a youth education officer in a high school in Busselton for five years. We did some of this sort of stuff then as part of our general job description. We did a lot of other things as well. I spent quite a bit of time working with disaffected kids and students who were challenging, one of whom happened to be Troy Buswell. He was challenging, not in the sense that he was disaffected or disconnected; he was over-connected, if anything! I have since lamented the demise of youth education officers in high schools throughout the state, because their roles have been split into different areas. I sense that what we are talking about now is the return of one of the roles that were played in those times both in the school and in the community. My questions relate to that. How does the minister envisage the mentors will operate? Will they operate from a school base or from a district office base? How will they be resourced? They will need to be mobile. Will they be provided with cars or will they be provided with a travel allowance? I understand if the minister cannot answer the questions specifically, but I think generally it would be good to know now just how the government intends to make these people work.

Hon LJILJANNA RAVLICH: I am advised that they will operate from schools. They will be coordinated through district offices and they will be supplied with vehicles.

Hon PETER COLLIER: The minister does not need to respond to this, but I just wanted to clarify the point I was making prior to the dinner break. I am well aware of how those students who disengage can be identified. My point was that very frequently those students slip through the system. They do not have something on their forehead that reads "I am disengaged". I wonder if 100 mentors will be sufficient. That was my point. I assumed that the primary source of identification will come from the school itself and that the mentors will then pick up the pieces, as it were, in that they will take on board those students who are identified by the school as being disengaged. As I said, the minister does not need to respond, but I did want to clarify what I meant by that.

Hon BARRY HOUSE: Will the roles of the mentor be distinct from the roles currently performed in schools by counsellors, chaplains and other extra classroom staff members?

Hon Ljiljanna Ravlich: Yes.

Hon RAY HALLIGAN: Mentors can be wonderful people if we can find the right people to do the job that is required of them. I have had some involvement with mentors assisting unemployed people over many years. It is marvellous in theory but in practice unfortunately quite often it is completely different. I would like to know how the minister proposes to identify those who she or the department believes will be suitable, what form of training might be provided to them and whether any of that training will include some psychology. We are talking about children who have opted out of the system, which is not an easy group to deal with. I heard the minister mention that each of these mentors may - not necessarily will - be required to handle a considerable number of students. I suggest that to a great extent each and every one of those students will have his or her own

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individual needs, some of which may be generic. I am wondering how the minister's mentors will be able to identify those particular needs and how they will be able to develop a rapport with a diverse range of students and provide the outcomes that the minister is looking for.

Hon LJILJANNA RAVLICH: The honourable member may well have been out of the chamber on parliamentary business when I went through and provided some quite extensive detail relating to the identification of mentors and the sorts of qualities that we will be seeking in them. They will be drawn from youth workers and people with empathy with young people. I have given a more extensive overview of that. They will have a full induction. They will have ongoing professional development programs. Will they provide direct psychological services or will they be psychologists? No, they will not. However, the education system has psychological services that are offered to students. Obviously, they will be used to complement the work of mentors. There will be nothing to stop mentors advising the school that they think that somebody might need support services from a psychologist, and then they will dovetail together, as one would expect.

Hon Ray Halligan: Will all 100 mentors come on stream?

Hon LJILJANNA RAVLICH: No. We have gone through that. Some 36 will be brought on in February next year and the rest will be rolled out later.

Hon RAY HALLIGAN: I thought I heard the minister earlier make mention of the fact that she has been working on this for 18 months. What work has been done and what stage does the minister believe she has reached with the mentors? In other words, the minister has identified a profile of what she would dearly love those people to be able to provide and what shape they may take. Even with the minister's mentors, they will come from completely different backgrounds, have different sorts of empathy and, if the minister's experience is anything like mine, some of them will even try to direct some of the students, and the students may well rebel against that. If the minister has been working on this for 18 months, she might be able to tell us what other mentor systems she has looked at, what she has identified from those systems and relate to us anything new that the minister may be able to bring to the debate on what the government is proposing to create.

Hon LJILJANNA RAVLICH: There is a job description form for mentors. We are currently in the process of recruiting the mentors. Queensland and Victoria have had experience with the mentor system. We have based our model of mentors on research from the Dusseldorp Skills Forum.

Hon PETER COLLIER: I would like to move to another area - the pathways being offered to students. I will not necessarily refer to what will occur next year, but my question certainly relates to the medium term. I would like some clarification about what the education system will provide for students who would not normally undertake what is termed an "academic course". I very much appreciate and applaud that the courses of study are moving away from that direction. Offering a variety of 50 courses of study and different pathways for students is commendable. I am not convinced that the system is prepared for it at this stage, but that is another issue.

I would like some clarification on the students who take a vocational and educational focus. I mentioned this in the second reading debate. If a current student were to study English, work studies, structured workplace learning and two VET subjects in years 11 and 12, that student would graduate. As we move into the new system, if the same student studied English, career and enterprise in years 11 and 12, the endorsed unit of SWL, and two endorsed VET subjects, the student would not graduate. My concern is that the very students for which the system is trying to provide would necessarily be disadvantaged. I would like some clarification about that aspect. We are moving towards a broader curriculum to provide more opportunities for more students, which is good. I taught at the tertiary entrance examination level for more than 20 years and appreciate that in the past the education system has largely dealt with the minority of students who move on to university. If we are to provide a broader range of pathways for students, we must ensure that we do not provide a disincentive. I would like some clarification from the minister that the student who is currently undertaking a VET direction will not be disadvantaged and will graduate in the future.

Hon LJILJANNA RAVLICH: Students would be able to do a VET course as a Curriculum Council developed course. There are 17 courses available in this form, each of which would lead to graduation. Extensive research has been conducted into the programs. Very few of the courses would lead to a student not graduating.

Hon PETER COLLIER: Is SWL an endorsed unit?

Hon Ljiljanna Ravlich: Correct.

Hon PETER COLLIER: Therefore, is it correct that it will not contribute toward a level 4 standard?

Hon Ljiljanna Ravlich: That's correct.

Hon PETER COLLIER: Therefore, it will not contribute to whether a student will graduate.

Hon LJILJANNA RAVLICH: The student must attain up to eight council endorsed units to meet the graduation requirements. The student would structure the course through an individual plan. The individual plans would be very helpful in making sure that the students make the right selections to ensure graduation.

Hon Peter Collier: But do they need four courses of study for graduation?

Hon LJILJANNA RAVLICH: They will need four if they are doing eight council endorsed units.

Hon RAY HALLIGAN: I will hark back to the mentors. I was initially concerned about the type of person who would take on that role and how they would be found. I would now like to know how they will be kept in employment. Under what form of employment will they be engaged? Will they be engaged under an employment contract? Will the minister be in a position to be able to dismiss them should they no longer be able to provide what they are expected to provide? Will the district education office undertake the role of not only identifying where the mentor might work and with which students, but also the whole employment arrangement for the mentoring system? Who will be the employer? Under what form of contract will the mentor be employed? Who will be the mentor's supervisor and who is to be in a position to hire and fire the mentors?

Hon LJILJANNA RAVLICH: The Department of Education and Training will be the employer and the district office will be the supervisor. The mentors will be classified as public servants, level 4, and will be employed on fixed-term three-year contracts, after which the positions will be advertised and public service conditions will apply.

Hon RAY HALLIGAN: That is most interesting. They will become permanent public servants after three years.

Hon Ljiljanna Ravlich: On fixed-term contracts.

Hon RAY HALLIGAN: The minister said that they would be employed on a contract for three years.

Hon Ljiljanna Ravlich: That is right.

Hon RAY HALLIGAN: The minister can tell me; I am only asking the question. Will they become permanent public servants after the contract runs out? I need to tease this out. Will they initially be employed under a three-year contract and be paid at public service level 4?

Hon Ljiljanna Ravlich: Yes.

Hon RAY HALLIGAN: Is the minister in a position to dismiss the mentors within that three-year period or is it a fixed-term contract? If a mentor is not up to scratch during that period, must he be retained? What will happen at the end of the three-year contract? Will someone talk with the mentors and ask whether they wish to continue? Will they be put through a process of identifying whether they have reached the level that the Department of Education and Training expected of them? Will additional training be provided should they not have reached that level? These are very important questions. We are talking about enormous amounts of money. The government is proposing to increase the public service in an area in which I have had some experience with mentors. It is an area that is fraught with danger. The government is committing this state and the taxpayers to an enormous amount of money. I would like to know whether the minister has thought through these matters and has not committed the taxpayers to some unending amount of expense.

Hon LJILJANNA RAVLICH: They are public service contracts. Therefore, a rigorous performance management process applies to all public servants. When there is non-performance, the public servants will be managed. As part of that management, they might require additional training and professional development.

Hon BARRY HOUSE: I think I recall the minister mentioning that teaching qualifications were not necessarily a prerequisite for the employment of a mentor. Will there be any connection between the mentors and the WA College of Teaching in the area of registration, or moving towards permanency in the education system, like teachers?

Hon LJILJANNA RAVLICH: The working with children legislation will apply, so obviously they will need to be screened. They do not need to have educational qualifications. It is certainly not specified that they are required. Indeed, I do not think they are even specified as being desirable. The idea is not that we necessarily employ teachers. We are more interested in the mentors having a sense of connectedness with students and with the community, so as to be able to seek out special opportunities for student participation and options.

Hon RAY HALLIGAN: I thank the minister for that information. The mentors will be on contracts, and the minister mentioned a period of three years. I am not sure whether that now fits in view of the minister's last

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answer. They will be starting off at level 4. Will there be any salary increments? Will they be employed, even within this contract, under other public service terms and conditions?

Hon LJILJANNA RAVLICH: On three-year contracts they will start as level 4/1, then move to level 4/2 and level 4/3.

Hon Ray Halligan: What about other public service conditions, such as long service leave?

Hon LJILJANNA RAVLICH: Normal conditions will apply.

Hon Ray Halligan: Normal public service conditions?

Hon LJILJANNA RAVLICH: That is right.

Hon PETER COLLIER: I seek a point of clarification on the vocational education and training directions and pathways, and the assessment. I mentioned this yesterday, and I seek some clarification about what will occur with the registered training organisations. Currently, responsibility for the assessment rests with the RTO for some of the VET courses. At present they are usually stand-alone courses, although they will become endorsed units in the new post-compulsory levels. Because students must undertake more Curriculum Council-developed units in the new system, this VET may need to be done as part of a course of study, which means that much of the work may be assessed twice. I would like some clarification on that. Will the work need to be assessed twice? How will the system cover that?

Hon LJILJANNA RAVLICH: I am advised that the Curriculum Council and the lecturer will be in partnership in the delivery of the course. Information on the evidence of the progress of the student will be gathered only once, but two judgments will be made: one on the level and the other on the competencies.

Hon Peter Collier: Will the competencies be matched to the course of study?

Hon LJILJANNA RAVLICH: Yes. It will be done at the outset.

Hon HELEN MORTON: I want to ask some general questions about another aspect, which has to do with provisions for appeal, which I have not been able to find. There may be another way for appeals to be made that I am unaware of, or that I cannot see. I imagine that there would be a number of times throughout this process when there might be differences of opinion between the minister and the parent, the parent and the child, or the parent and the teacher. An example would be when the options are being considered, and the parent wants the child to move in a particular direction and a teacher wants the child to go in another direction. It may apply to the approvals required for employment, which the parents have to put in. There may be a difference of opinion between what the parents consider to be employment and what the minister may consider to be employment, or what constitutes participation. It is not covered under the area dealing with parents; that only covers the provisions for dealing with only one parent, not both parents. I see some problems there if one parent is not happy with what has been put in place by an estranged parent, if both parents have equal access to the children. In that situation, there does not seem to be any mechanism for one parent to appeal the other parent's decision. There will be problems with not having an appeal provision if the child is designated by the minister as an independent child, but the parents are very strongly not of the view that the child is independent. For example, a parent might not be happy with the mentor chosen for a child, for whatever reason, be it cultural considerations, the colour of his hair or anything else. However, there does not seem to be a mechanism by which a parent can say he or she is not happy and wants the situation reviewed. There is no structured process by which that can happen. The legislation is silent on all of these issues.

Hon LJILJANNA RAVLICH: I thank the member for the question. It is not a perfect world and there may be situations in which a child, for example, may not get on with the mentor for whatever reason. If that situation were to arise, the district office would be notified and some sort of alternative arrangement might be put in place. We think that a parent could be involved from fairly early in the process, because when the individual pathway plan is done for a student the parent would, together with the student, have some input into that plan. The parents would be involved in assisting their son or daughter to make choices in the best interests of the educational outcome. Training mentors will be able to work with parents. Should any of the situations the member outlined arise, the best sort of arrangement would be one in which the parties can come together and, hopefully, reach a position of consensus about what is in the best interests of the child. It is not a perfect world, and I cannot say that there will be absolutely no problems. I cannot say that every child who is allocated to a training mentor will have a perfect life, and that every parent will want to be involved, and will be involved to a level that is desirable. I cannot give that commitment, but I can give a commitment that we will aim to achieve consensus between the parties and that, where parents do have concerns, structures will be in place to allow them to express those concerns and for the proper remedial action to be taken.

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Hon HELEN MORTON: I fully concur with the hope that this will be a collaborative arrangement. I absolutely support that sort of approach. However, I also know that, as the minister said we are dealing with some people - young people as well as parents - who, even in the very best of worlds and with the very best intentions, probably will not be able to reach consensus on a number of matters. As it stands, the only way in which a parent could get a definitive outcome on some of these matters - that is, to have full control and to be in a situation in which that parent could make a decision that he or she believes would be in the best interests of his or her child who is aged 16 or so - would be to move interstate. Unless the minister can tell me what the structure is, and unless there is a mechanism by which, when consensus has not been able to be reached, a parent can undertake a parental role, the only option would be for a family to move interstate. I cannot see any other way of dealing with it. Once the parent has gone down the path of collaboration, put everything in place and tried to reach consensus, at the end of the day, if a parent feels strongly enough about it and is absolutely clear that he or she wants to have the responsibility for determining the outcome for his or her children, unless the minister can show me a structure, I can see no other option than for the parent to move interstate.

Hon LJILJANNA RAVLICH: Under section 223 of the School Education Act, if a parent continues to be aggrieved and is not satisfied, there is provision for the minister to conduct a review. A person who is aggrieved by a decision made by any person performing a function for the purposes of school education and concerning an individual student may, in addition to any other right under the act to have the decision reviewed, request the minister to review the procedure by which the decision was made. The procedure by which the decision was made will be assessed in terms of fairness, whether it was defective or whether it was adequate. If at the end of that process a parent is still aggrieved and thinks that he or she can get a better educational outcome by going to another state, it is the right of a parent to make that decision. Ultimately, the parents have rights. However, there is protection under the act. To all intents and purposes, we start with good intent; that is, to make sure that we provide the opportunities, provide the framework, provide the students with the options and work collaboratively. If in some ways that still does not meet the parents' expectations or the child's expectations, there is a clear review provision in section 223 of the School Education Act.

Hon PETER COLLIER: I have a question about the delivery of vocational education and training in schools. As I understand it, schools will be able to become fully registered training organisations through the Training Accreditation Council, and will not be limited to mainly certificate II or VET certificates approved by the Curriculum Council. That is my understanding, and I would like some clarification. I would like to know whether the Curriculum Council's school accreditation system will restrict this potential freeing up of VET in schools.

Hon LJILJANNA RAVLICH: In fact, I only recently endorsed the new policy for VET for school students in Western Australia, to take effect from 1 January 2006. This policy was to replace a previous joint ministerial policy statement on VET future directions. The new VET for school students policy is cross-sectorial, and it will enable a school to deliver VET programs either as an RTO or in partnership with another RTO. In other words, a school could, for example, subcontract to one of the TAFE colleges or, indeed, to a private training provider to a certificate level appropriate to the needs of both the students and the industry. We expect that schools will be able to participate only up to a level 2. However, having said that, if schools have adequate resources and expertise in selected subject areas, they will be able to apply for greater scope. In some areas - for example, in the information technology area - some of the schools can go up to a level 3. It would really depend upon how well the school is resourced with human expertise and available resources.

Hon Peter Collier: So it won't be restricted.

Hon LJILJANNA RAVLICH: No.

Clause put and passed.

Clause 2: Commencement -

Hon BARRY HOUSE: Because there will be a phased introduction of these changes, the gazettal will be phased in. Clause 4 refers to the transitional period. In view of the removal of the term "post-compulsory" from the act, will the minister step us through the commencement provisions, just for the record?

Hon LJILJANNA RAVLICH: First of all, year 12 will remain post-compulsory for the next two years. The term "post-compulsory" for years 11 and 12 will not disappear in its entirety until 1 January 2008. Quite clearly, clause 2(3) provides that part 2, division 4 and part 3 will come into operation on 1 January 2006. The eleventh year will become compulsory at that time. However, the term "post-compulsory" will not disappear entirely until 1 January 2008.

Clause put and passed.

Clauses 3 to 10 put and passed.

Clause 11: Section 97 amended -

Hon BARRY HOUSE: Clause 11 deals with section 97 amended, and section 97 is amended in the definition of “adult student”. The terminology used in this bill appears to change. In this clause the term “adult student” appears. Throughout the rest of the bill, the word “child” is used, seemingly to describe students at any level. The term “independent child” is also mentioned a little further on in the bill. I am intrigued about why there is different terminology and how the term “adult student” is applied. What is its definition?

Hon LJILJANNA RAVLICH: The definition of “adult student” is contained in section 97 of the School Education Act, which states -

“adult student” means a person who enrolls at a government school in a year and whose post-compulsory education period has ended before January in that year;

The definition will be amended to read -

“adult student” means a person who enrolls at a government school in a year and whose compulsory education period has ended before January in that year;

This change will become effective from 2008.

Hon BARRY HOUSE: Subclause (2) replaces the current definition of “extra cost optional component” with the following -

“extra cost optional component” means an optional component of a government school’s educational programme having a cost that is not incorporated into the determination of the school’s charges or contributions under section 99 . . .

Section 99 of the School Education Act deals with school fees. There was some discussion of this matter in the second reading debate. What is the minister’s attitude to the payment of fees by this group of students? We need to bear in mind that these changes will involve 2 200 students who, primarily, are already disengaged from the school system. I suspect that they will come from a section of the community from which it will be very difficult to gather fees. Many of them may come from low-income families or families that do not really embrace an educational culture. Therefore, I envisage some resistance to and difficulty in paying school fees. If that occurs, will schools be faced with a shortfall? If that is the case, how does the government intend to meet that shortfall so that schools can operate their courses?

Hon LJILJANNA RAVLICH: I thank the honourable member. The government recognises that additional costs will be involved in the provision of courses. As I outlined in my second reading speech, the government has introduced a number of initiatives to assist parents, such as the provision of financial support. Our government has done more to contain schooling costs for parents than has any other government. In our first term we capped the cost of lower secondary education at \$235 and introduced the 100 good reasons initiatives. The government recognised that costs may increase. Therefore, it introduced the payment of \$200 a child per annum to defray the costs of keeping students at school, and \$400 per annum for students who undertake the training option.

Clause put and passed.

Clause 12 put and passed.

Clause 13: Section 156 amended -

Hon BARRY HOUSE: I seek clarification of proposed new subsection (3), which states -

A school is to be registered as providing educational programmes of a general or any specified kind for one or both of the following -

I ask the minister to enlarge on the registration process. With whom are the schools registered? Is it the Curriculum Council? What is the process for registration?

Hon LJILJANNA RAVLICH: A registration framework is already in place for non-government schools. Non-government schools do not just pop up; they apply to the minister for registration.

Hon Barry House: Is that done through the Department of Education and Training?

Hon LJILJANNA RAVLICH: No, the Department of Education Services. When a school seeks registration, the Department of Education Services checks on a range of issues relating to projected student growth, the impact of the registration on surrounding schools and the proposed educational program to be offered by the school, which must comply with the curriculum framework. A panel is convened to consider and determine

those matters, and a recommendation is then made to the minister. Based on the recommendation, the minister approves or rejects the registration of a school. It is a quite stringent process. The process is not being put in place by this bill; it has been in place for a number of years. I think it was introduced by the previous government, when the Department of Education Services came into being. Any registration would go through the normal registration process.

Clause put and passed.

Clause 14: Long title amended -

Hon BARRY HOUSE: This clause deals with home education.

Hon Ljiljana Ravlich: No it doesn't. It makes an amendment to the long title of the School Education Act.

Hon BARRY HOUSE: Right. However, it adds a few words relating to home education.

Hon Ljiljana Ravlich: Yes.

Hon BARRY HOUSE: I ask the minister to outline how the home education of 16 and 17-year-olds will be supervised. The minister will probably say that appropriate provisions on home education are already contained in the act, but we are dealing with a different group of people - 16 and 17-year-olds - who present some slightly different challenges to home education. Who will determine whether those students are working at home or just staying at home? Parents may say that a child is helping mum; however, that would technically not be a sufficient answer. A judgment will have to be made. Who will make that judgment? Will the parents' word be taken?

Hon LJILJANNA RAVLICH: That is a fair question. At the end of the day, people choose to home-educate. I will be a bit disappointed if young people who are home-schooled do not take up some of the broader opportunities that will be available, such as vocational education and training options. If they do take up those options, they will not be able to do so at home. They might be home-schooled for part of the week. If they take up some of the VET options, we obviously would like them to participate in the broader sense. Having said that, district office moderators have the responsibility under the act for checking the program and progress of home-schooled children. Students, even home-schooled students, would usually do Curriculum Council subjects as private candidates.

Hon BARRY HOUSE: I will pose a hypothesis to the minister to illustrate the sorts of judgments that might have to be made. An employment alternative is an option. If the system is told by a parent that his or her 17-year-old child is a self-employed investor who works from home playing the stock market, how will a judgment be made about whether that 17-year-old is a genuine self-employed investor playing the stock market, or whether he or she is simply at home playing computer games?

Hon LJILJANNA RAVLICH: Under the provisions of the legislation, all employment options must be approved by the minister. The minister will exercise discretion on the area in which he or she will approve a child to be employed. For example, if an application were made for a child to enter the sex industry or to be a door-to-door salesman, that judgment would need to be made by the minister. The member has cited an interesting proposition. As the minister, I would have some serious reservations about a 17-year-old girl or boy and his or her parents applying for an exemption for that child to undertake full-time employment as a home-based stockbroker or share trader.

Clause put and passed.

Clauses 15 to 19 put and passed.

Clause 20: Part 2 Division 1 Subdivision 1A inserted -

Hon BARRY HOUSE: Clause 20 is the major clause in this bill. In a sense, it canvasses all the alternatives that will be available for children. I will not make a meal of it, but I want a bit of an in-depth indication from the minister about the courses that include a program or activity. She has mentioned that the courses must be approved courses. I am trying to work out how this will fit into the model. It seems that students who are aligned to a school will still have to fit into a general course of study; otherwise, if we go to the ultimate and design a program for each student, there will be lots of little unmanageable bits and pieces left over in a school. If a student spends two days at school, two days at a workplace and one day at TAFE, for example, surely there will need to be some coordination so that the two days that the student spends at school are coordinated. The school will have to gear up to provide the program on those days, to have the staffing requirements and also to have the numbers to make the course viable. I am sure that there will be a threshold beyond which a course will not be viable; for example, if only three students are doing the course. Can the minister give us an indication of how that will fit into the model?

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Hon LJILJANNA RAVLICH: What the member has said is correct; there will need to be better coordination. The member will be aware from his own experience that even now certain subjects sometimes cannot be offered because it is difficult to timetable them in the grid. As a result of that, virtually no school offers the full range of subjects. However, schools seem to have an ability to deal with these issues. The schools will address some of the issues with individual programs. The schools will be very individually focused to come up with a program. We need to recognise that there will be a range of options. For example, under one provision students can undertake a course of study at university. We do not expect many of them to do so. However, as I said to the member yesterday, one year 9 student - which will not affect this - and 130-odd year 11 students are sitting a tertiary entrance examination. Students will be able to undertake a course of study through registered training providers, and there will be employment options etc. Obviously there will need to be a better level of coordination. The schools will be geared up for that. The training mentors will broker the programs between the providers, subject to course availability. We expect that the schools will be very much individually focused and, when possible, design the best educational program to meet the individual needs of the students.

Hon PETER COLLIER: This brings to light the point about the options that will be offered to district high schools. I am conscious of the special needs of district high schools, and particularly those in remote areas. Yesterday during my contribution I took an interjection from the minister about students who leave school at year 10 and move to boarding school. I acknowledge that. However, many students who go to boarding school do so in year 8. I suggest that very few students would leave school at year 10 and go to boarding school. I am interested in the preparations for district high schools in particular. What consultation has the government had with district high schools? Is the minister aware at this stage - with just over a month left in 2005 - which district high schools will be affected? Will any district high schools require additional staffing? What extra funding will be required? I presume that a number of the students who will continue on to the current post-compulsory level - that is, to year 11 - next year will need more of a vocational education and training focus or a structured workplace learning focus. I wonder how the schools will cope with those courses of study, particularly when there might be only two or three students doing the courses. Will there be sufficient qualified teachers in those schools to cope with the demand? More importantly, how many schools will be affected? Does the minister know how many schools will be affected and the implications this will have?

Hon LJILJANNA RAVLICH: Yes, we do know. There has been extensive consultation with district high schools. As I mentioned in my response to the second reading debate yesterday, each district has completed a planning process, indicating the present and future education and training opportunities available within each school or group of schools. There have been discussions about the viability of the schooling options, and the possibilities for joint provision have been considered. Yes, additional staffing requirements for specific schools and additional funding requirements for the readiness of district high schools have been identified as part of that stocktake. The support will include increased staffing allowances and the provision of extra staff to schools because of geographical isolation. Funds will be directed to small schools from the government's budget allocation to support this legislation. They will also receive the services of training mentors, who will be allocated to schools.

In saying that I must stress, though, that members need to move away from the mindset that this will all be done within schools. The more important issue here is: does the community have a good economic base? Does it have automotive shops, hairdressing salons and restaurants in which students can be placed for part of their work experience? We cannot replicate real life and put it all into a school, because that will not work. I will give members a classic example. A few weeks ago I was at Challenger TAFE. Traditionally everything used to be done within the TAFE site. Do members know what Challenger TAFE does now to train its people? Challenger TAFE now has a restaurant. That restaurant is not within the Challenger TAFE site. It is on a main street in Perth. Challenger TAFE trains its students in a restaurant that is owned by that training facility but has a commercial orientation and is part of the real world. When I go there to have my nails done, they say they will take me to where they conduct their beauticians' course. What - no comment?

Hon Barry House: I am not going to interject on this bit!

Hon LJILJANNA RAVLICH: That means that I do not actually go to some small part of Challenger TAFE at which they are conducting that particular course but I go to a main street in Fremantle at which they have set up a proper business enterprise. The real challenge is not to bring everything into the school but rather to look at the options in the community so that the students can gain real life experiences and training that is commensurate with community expectations for their skills development.

Hon PETER COLLIER: I thank the minister for that. I very much appreciate the minister's response. I now understand where the minister is coming from.

Hon Ljiljana Ravlich: I thought it was rather powerful!

Hon PETER COLLIER: Yes. It was very theatrical and entertaining!

To get back to the point at hand, with regard to district high schools I am very conscious of the fact, as I have said previously, that we need to take a holistic approach whereby we engage students in the community so that they feel a degree of self-worth and will develop the resiliency skills that will enable them to cope with the challenges that face them when they are 16 and 17. I understand that. I acknowledge the fact that we need to engage the community to a larger degree. However, my concern is - I think the minister has now answered this - whether the district high schools are prepared. As I said yesterday, I have been led to believe that is not the case. However, if the minister says they are prepared, I will take her word for it.

Hon HELEN MORTON: The minister is talking to the converted when she talks about engaging with the community, because I do not think that the people who will be impacted upon the most by this legislation will be people who would automatically go to university or do a TAFE course, etc. We are really talking about people for whom that has not already been determined as a way of going ahead. The definition of "course" in proposed section 11A is "includes a programme or activity". I am interested in understanding whether an activity can include things that are not structured and not provided in any way, shape or form by a designated course or a registered training organisation. I recognise that under proposed section 11B(2) the minister may, by order published in the *Government Gazette*, prescribe a course or a class or description of courses. As a conscientious parent I may make the decision that my 16-year-old will be home-educated, and that that will involve a variety of activities that I believe will be in the best interests of my child. It may include some community work. It may include a variety of things. It may include attendance at some sort of physical education or sporting activity. I am not part of a registered training organisation and I do not fit into the category of provider. I am sure the minister will not publish in the *Government Gazette* the course or whatever that I am developing for my child. I am trying to understand whether this definition of "course", and therefore the meaning of "program" or "activity", is broad enough to encompass a course that my child and I might determine together to be in the best interests of his or her learning for the next couple of years, without it being a registered training organisation or a course that is gazetted.

Hon LJILJANNA RAVLICH: In principle, yes, but it is not intended to gazette every alternative program that a parent desires a child should undertake. For example, this provision will apply when a number of students have expressed an interest in being a jackaroo or a jillaroo, such as the case I cited yesterday, or participating in a pastoralist's course or something that is not otherwise available. There is a process whereby the minister would have the authority to register a course with the approval of the Curriculum Council.

Hon HELEN MORTON: I need a bit more clarification about that aspect. Is the minister saying that it could possibly be registered as a course?

Hon Ljiljana Ravlich: Yes.

Hon HELEN MORTON: Will the minister tell me then what would be entailed in registering a course like that? I am asking that because many of the people I am referring to are not used to developing registered courses. What I want to know is how informal or easy it would be for someone to participate like that on a one-on-one basis. The minister referred to the case of a jackaroo. I will refer to the example of some people I know who are living in the Mining and Pastoral Region whose parents have not had a formal education. The parents want to hand over their property to their sons or daughters through experiential learning and they regard that as an okay option for someone aged 16 years. They certainly will not enter into a registered structured course, or whatever. They just want the opportunity to make that happen. I want to know what would be involved in registering that sort of option.

Hon LJILJANNA RAVLICH: There is a rigorous process for registration. Obviously, the course would need to be quality endorsed and be able to contribute to the Certificate of Education.

Progress reported and leave granted to sit again.