

The Commission for Children and Young People and Child Guardian

promoting and protecting the rights, interests and wellbeing of all Queenslanders under 18

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Advice to: Standing Committee on Education and Training
Topic: Inquiry into combining school and work: supporting successful youth transitions
Date due: 12 February 2009

Thank you for inviting comment from the Queensland Commission for Children and Young People and Child Guardian (the Commission) in relation to the Inquiry into combining school and work: supporting successful youth transitions (the Inquiry).

The Commission is an independent, statutory authority empowered under the *Commission for Children and Young People and Child Guardian Act 2000* (the Act) to promote and protect the rights, interests and wellbeing of children and young people in Queensland, particularly those most vulnerable. The Commission recognises the need to assist young people to successfully combine school and work and strongly supports the Inquiry into combining school and work.

Summary of Commission's recommendations:

The Commission provides the following general feedback in relation to the Inquiry:

- Engage students in consultation and decision making processes and represent the views of students about how best to combine school and work.

The Commission provides the following feedback in relation to the terms of reference regarding support that may be required to assist young people combining work and study to stay engaged in their learning, especially where work and study intersects with income support:

- Develop adequate protections to support young people in the workplace.
- Develop simple, clear messages informed by research to educate young people, parents/guardians and employers about the rights of young workers.
- Recognise the risks and develop strategies to support the needs of young people combining school and full-time work.
- Identify the risks and develop more targeted strategies to support the needs of young people in the 5 to 14 years age group who are working.

Engage students in consultation and decision making processes and represent the views of students about how best to combine school and work.

Approaches which assist students to positively combine school and work and encourage continued participation in learning will have greater effect if they are informed by the students themselves. The Commission strongly encourages the participation of young people in identifying issues and making decisions about how best to combine their school and work.

The participation of young people in consultation and decision making processes is reflected in the Commission's mandate to engage with children and young people in decision making. Additionally, the United Nations *Convention on the Rights of the Child* (the Convention) emphasises that children have the right to participate in decision making which affects their lives.¹

Understanding the experiences of young people will assist with developing strategies which best meet their needs. Through their experiences young people themselves should be equipped to provide innovative, practical and thoughtful strategies that support them to successfully combine

¹ UNICEF. *Factsheet: The summary of the rights under the Convention on the Rights of the Child*. Accessed 2 February 2009. http://www.unicef.org/crc/index_30228.html

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school and work. This engagement should occur in a meaningful way where the views of young people are listened to, seriously considered and appropriately acted upon.

The Commission provides the following feedback in relation to item 3 of the terms of reference:

Support that may be required to assist young people combining work and study to stay engaged in their learning, especially where work and study intersects with income support:

Develop adequate protections to support young people in the workplace.

The Commission recognises the value of part-time employment during a young person's school life. Combining school and work should have positive effects for the students and enhance their overall wellbeing, personal development and participation in learning. Adequate protections for young people in the workplace can assist students to enjoy the independence they gain from part-time work as well as assisting them to get on with the job of learning.

In 2005, the Commission released the *Queensland Review of Child Labour: Summary of Findings* in response to community feedback and changes in the youth labour market (the Commission's Review) (Attachment 1). The Commission's Review identified a number of significant key issues young people face in balancing education and employment, and informed the development of legislative safeguards in Queensland including the *Child Employment Act 2006*, the *Child Employment Regulation 2006*, the *Code of Conduct for the Employment of Children in the Entertainment Industry* as well as the *Children and Young Workers Code of Practice* under the *Workplace Health and Safety Act 1995*. This raft of legislation enhances protections for young people in the workplace, such as establishing a minimum working age and restricting the working hours for school-aged or young children and the types of work they can undertake.

In Australia, child employment laws vary between jurisdictions creating differences in the level of protection afforded to working children.² Clear, robust and simple legislative protections should exist nationally to support all young workers. A national approach to workplace protections for young people would be particularly effective for young workers employed by national employers. These employers would be guided by a consistent approach which sets out clear protections for all Australian young workers.

Young people are particularly vulnerable in the workplace given their inexperience, lack of knowledge and, for some students, lack of external supports and self-confidence. Young people are particularly susceptible to exploitative conditions such as working in environments which threaten their health and safety and being required to work long hours.³ Problems in the workplace can contribute to challenges students face with their personal, economic and social circumstances. These issues can create barriers to learning for some students.⁴

For some young people, engaging in employment while at school is a strategic decision to improve their future employment options by providing them with a record of workforce performance.⁵ With adequate protections in place, young people can experience the positive outcomes of working. One of the positive impacts is that students combining part-time work and

² McDonald, P. and Dear, K. (2005). *Who is upholding the rights of young workers?* Youth Studies Australia, v.24, n.3.

³ *Ibid*

⁴ Connor, J. (June 2006). *What's Mainstream? Conventional and unconventional learning in Logan*. Accessed 9 February 2009. <http://www.dsf.org.au/papers/183.htm>

⁵ Vickers, M., Lamb, S. and Hinkley, J. (February 2003). *Student Workers in High School and Beyond: the effects of part-time employment on participation in education, training and work*. Longitudinal Surveys of Australian Youth, n.30. Melbourne: Australian Council for Educational Research.

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school have an increased chance of being in full-time work upon school completion.⁶ The Commission's Review also identified benefits for students who work including gaining work experience, promoting personal development and learning about financial management.

Develop simple, clear messages informed by research to educate young people, parents/guardians and employers about the rights of young workers.

Raising awareness of employment legislation and the employment rights of young workers can improve the power imbalance which currently exists in workplaces due to the vulnerabilities of young workers. It is important that the rights of young people in the workplace are protected but it is just as important that employers, parents/guardians and young people in particular are aware of these rights.

Simple, clear messages based on research need to be developed to inform employers, parents/guardians and young people about the rights of young workers and the importance of balancing work and study. This will help build support for young workers. Young people will not only have knowledge of their workplace rights but also a base of parents/guardians and employers who know the standards and conditions young people should expect in the workplace. Education about the employment rights for young people will also build awareness of the challenges faced by young people combining school and work. This will assist by contributing to a collaborative approach which supports students to successfully combine school and work.

The Commission considers that support for young people in the workplace is particularly vital during the current economic climate. This climate is placing pressure on young people to be as attractive to employers as possible in order to compete in a decreasing labour market. In the short-term, this may lead to an increase in the hiring of young people who are required to work longer hours as a way of reducing wage costs. This may increase the vulnerabilities of young workers who may endure exploitative practices rather than risk losing their jobs.

The Commonwealth Government's Education Revolution recognises the importance of the need for employability skills, high level skills and flexibility to maintain long-term competitiveness in the global market.⁷ A good balance of school and work can equip students with the desirable skills needed to be competitive in the tightening labour market.

Work impacting negatively on a young person's education as well as difficulties for young people asserting their rights in the workplace were identified in the Commission's Review. Knowing the standards and conditions they should expect in the workplace and how they can seek redress in cases of mistreatment will improve the position of young people in the workplace and enable them to be empowered.

A young worker's vulnerability is increased when they have a lack of knowledge of their employment rights. This can encourage abuse of young people in the workplace.⁸ The Commission's Review identified that young people in the workplace were less empowered and had less knowledge of their rights. Of the employed students who were surveyed for the Commission's Review, 53.6% indicated that they lacked knowledge of their employment rights. While some students receive adequate support, others have more limited support.⁹ In particular,

⁶ *Ibid*

⁷ Commonwealth of Australia. (2008). *Quality Education: The Case for an Education Revolution in our schools*. Accessed 12 February 2009.
<http://www.deewr.gov.au/Schooling/QualityEducation/Pages/QualityEducation-ThecaseforanEducationRevolutioninourSchools.aspx>

⁸ McDonald, P., Backstrom, S. and Allegretto, A. (2007). *Underpaid and exploited: Pay-related employment concerns experienced by young workers*. Youth Studies Australia, v.26, n.3.

⁹ Smith, E. (2003). *The first job: Experiences of young Australians starting full-time work*. Youth Studies Australia, v.22, n.1.

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those most vulnerable are most likely to have limited access to support. Education about the employment rights of young workers provides support for all young people in the workplace.

Recognise the risks and develop strategies to support the needs of young people combining school and full-time work.

Research suggests that long working hours for students increases the likelihood of school non-completion.¹⁰ The Commission recommends recognising the risks and developing strategies to support the needs of young people combining school and full-time work as this group are at greater risk of failing to complete school. Students working full-time are especially vulnerable as they may be more likely to be working for income to support themselves, live independently and have limited access to supports.

The introduction to the terms of reference has an emphasis on students meeting the demands of study and part-time or casual employment. This implies that those students who are combining school with full-time work may be excluded from the Inquiry. Feedback to the Commission's Review indicated the negative impacts on students working long hours including difficulties with concentration, fatigue, inadequate exam preparation and incomplete homework. Young people who do not complete year 12 or equivalent are also more likely to experience challenges with transitioning from school and be at greater risk of unemployment.¹¹

Identify the risks and develop more targeted strategies to support the needs of young people in the 5 to 14 years age group who are working.

The Commission is supportive of the focus of the Inquiry about combining school and work for students in the later years of schooling who are approaching transitioning to post-school options. The Commission recognises however that young people in the 5 to 14 years age group are also in the workforce and require specific attention to address the risks. Therefore the Commission recommends identifying the risks and developing strategies to support the needs of these young people. In Queensland, 6.7% of 5 to 14 year olds worked in the last 12 months, as reported in June 2006 by the Australian Bureau of Statistics survey on child employment.¹² Nationally, of young people aged 10 to 14, approximately 11% worked 10 or more hours during school terms.

Research suggests there are benefits upon school completion for students who undertake reasonable working hours in year nine.¹³ The likelihood of negative impacts is increased for those students working long hours. This research acknowledged that the effects could not have been identified if the study had focused on those students working in grades 11 or 12. This was because many non-completers left school by year 11 and some financially disadvantaged year 11 students were no longer working because they received the Youth Allowance.

Young workers are already disadvantaged in the workplace due to their limited experience, knowledge and developmental capabilities. It is important that working young people in the 5 to 14 years age group have adequate supports in place for their protection, participation in learning and overall wellbeing.

¹⁰ Vickers, M., Lamb, S. and Hinkley, J. (February 2003). *Student Workers in High School and Beyond: the effects of part-time employment on participation in education, training and work*. Longitudinal Surveys of Australian Youth, n.30. Melbourne: Australian Council for Educational Research.

¹¹ Lamb, S. Mason, K. (2008). *How Young People are Faring 2008*. Melbourne: Foundation for Young Australians.

¹² Cited in The Commission for Children and Young People and Child Guardian. (2008). *Snapshot 2008: Children and Young People in Queensland*. Brisbane: Author.

¹³ Vickers, M., Lamb, S. and Hinkley, J. (February 2003). *Student Workers in High School and Beyond: the effects of part-time employment on participation in education, training and work*. Longitudinal Surveys of Australian Youth, n.30. Melbourne: Australian Council for Educational Research.