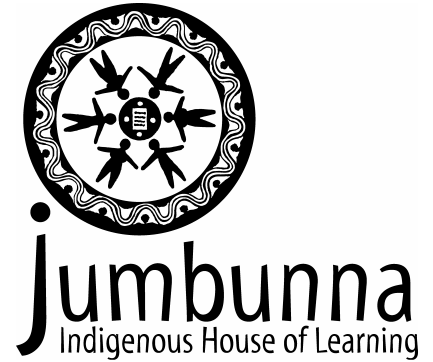




UNIVERSITY OF
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31 October 2008

Committee Secretary
Community Affairs Committee
Department of the Senate
PO Box 6100
Parliament House
Canberra ACT 2600

community.affairs.sen@aph.gov.au

To whom it may concern,

We appreciate the opportunity to contribute to the Senate Community Affairs Committee on the *Social Security and Veterans' Entitlements Legislation Amendment (Schooling Requirements) 2008 Bill*.

Please find attached our submission.

If you have any further questions, please do not hesitate to contact us.

Yours sincerely,

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Research Unit, Jumbunna Indigenous House of Learning

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Senior Researcher

BACKGROUND

1. The *Social Security and Veterans' Entitlements Legislation Amendment (Schooling Requirements) 2008 Bill* amends existing legislation to enable the Commonwealth Government to make the welfare payments of certain recipients conditional on school enrolment and attendance.
2. The Bill gives effect to a trial announced by Minister for Families, Housing, Community Affairs and Indigenous Affairs, Jenny Macklin, in June 2008 for parents in six communities in the Northern Territory (Hermannsburg, Katherine, the Katherine town camps, Wallace Rockhole, Wadeye and the Tiwi Islands) and two metropolitan sites, to begin in 2009.¹
3. The Bill provides for the suspension or cancellation of income support payments where parents do not comply with a notice in relation to their child's school enrolment or attendance. Under the scheme, parents who fail to enrol their children or take reasonable measures to get their children to school may have their income support payments suspended for up to 13 weeks. If the parent's payment is suspended but the parent complies within 13 weeks, their payment will be restored and backpaid. If the parent fails to satisfactorily comply, their payment can be cancelled.
4. In her Second Reading Speech on the Bill, Deputy Prime Minister Julia Gillard stated that the measure is necessary to improve school attendance, and that the Government will work with families to offer assistance to help them overcome any barriers that may be impacting on their ability to satisfy the requirements of the school. She stressed that withholding a parent's income support would be applied as a last resort and only in the most extreme cases of non-compliance.
5. In her Second Reading Speech on the Bill, Senator Jan McLucas described the aim of the Bill as 'to engender behavioural change in those parents who are reluctant to encourage their children to participate in school; by making the receipt of income support payments conditional on parents taking reasonable action to ensure their children are enrolled in school and attending regularly.'

¹ Jenny Macklin, 'NT trials to boost school attendance', Joint Media Release with Marion Scrymgour, Northern Territory Deputy Chief Minister and Minister for Indigenous Policy, 20 June 2008, http://www.jennymacklin.fahcsia.gov.au/internet/jennymacklin.nsf/content/boost_school_attendance_20june08.htm

One of the metropolitan sites has since been announced to be Cannington in Western Australia.

6. The Government has indicated that the trials will be evaluated, and if considered successful, will be rolled out nationally.
7. While the Bill does not specifically target Indigenous people, the majority of families that will be affected by the proposed trials are Indigenous.

EVIDENCE BASE

8. Despite their trial status, Minister Macklin has been quoted as stating that: 'Encouraging income support recipients to send their children to school through the new measures will go some way to help turn around poor school enrolment and attendance.'²
9. This comment by Minister Macklin, and the provisions to suspend or cancel welfare payments on the basis of lack of school attendance contained in the Bill, do not appear to support an evidence-informed approach to policy in this area.
10. This submission will now set out relevant research in this area for the Committee's consideration.

Making welfare payments to school attendance

11. The notion of making parents' welfare payments conditional on their children's school attendance is new to Australian social policy. However, there is some international evidence that is useful to refer to in terms of the likely success of such an approach.
12. State governments in the United States introduced programs linking families' welfare payments to their children's satisfactory school attendance in the 1980s. There were significant welfare changes undertaken by the Clinton Administration in 1996 that aimed to move people from welfare to work, with a particular focus on parents with dependent children. States were given the power to introduce Individual Responsibility Agreements whereby welfare recipients must fulfil certain obligations to receive payments, such as their children regularly attending school.³ By 1999, 40 states had exercised the

² Stephanie Peatling, 'Truants' parents to lose welfare', Sydney Morning Herald, 21 June 2008, <http://www.smh.com.au/news/national/truants-parents-to-lose-welfare/2008/06/20/1213770924117.html>

³ Jodie Levin-Epstein, 'The IRA: Individual Responsibility Agreements and TANF Family Life

discretion open to them under the Federal Personal Responsibility and Work Opportunity Reconciliation Act 1996 to require school attendance as a condition of welfare cash assistance.⁴

13. Despite the apparent popularity of this measure, there is a dearth of careful evaluation of the assumptions and effects of such a policy approach. In 2005 Campbell and Wright published the first significant study of evaluations conducted of seven programs in the 1980s and 1990s that linked families' welfare payments to their children's satisfactory school attendance.⁵ Their study found that of the three programs that instituted sanctions without simultaneously expanding case management services, none was found to improve attendance or other intended outcomes.⁶ The study found that the four programs that combined sanctions with case management, supportive services and positive financial incentives (such as bonuses for good attendance or graduation) reported limited but positive results.⁷ Evaluations showed that it was the case management, not the sanction, that was the most critical variable.⁸ However, even in these cases, the reported gains were usually observed in the percentage of program participants enrolled in school rather than in improved rates of attendance, graduation or long-term economic well-being.⁹
14. Overall, the study found that the evidence suggests that programs linking welfare payments to school attendance are based on assumptions of questionable validity, including the fact that they implicitly define the problem as one of parental or student negligence.¹⁰ Evaluations surveyed found that such programs spend disproportionate resources monitoring attendance rather than confronting the underlying problems associated with poverty.¹¹ A common feature of successful programs to improve school attendance and achievement was that of a creative collaboration, which intentionally builds bridges between public agencies and the community, often by engaging parents or community-based organisations.¹² The benefits of meaningfully involving parents are

Obligations, Centre for Law and Social Policy, August 1998.

⁴ David Campbell and Joan Wright, 'Rethinking Welfare School-Attendance Policies, *Social Service Review*, March 2005, Volume 79, No. 1, p. 2.

⁵ David Campbell and Joan Wright, 'Rethinking Welfare School-Attendance Policies, *Social Service Review*, March 2005, Volume 79, No. 1, p. 2.

⁶ *Ibid*, p. 4.

⁷ *Ibid*.

⁸ *Ibid*, p. 5.

⁹ *Ibid*, p. 4.

¹⁰ *Ibid*, p. 20.

¹¹ *Ibid*, p. 21.

¹² *Ibid*, p. 2.

cited in the experience of many successful school-community partnerships.¹³

Australia

15. In Australia, the only independent evaluation that is publicly available of a scheme linking welfare payments to school attendance in Indigenous communities in Australia is that of a voluntary trial in Halls Creek in 2006.¹⁴
16. The Halls Creek *Engaging Families* trial, operating from February to July 2006, aimed to increase participation in job-oriented activities among parents with children at Halls Creek school; and to encourage those parents to try to make their children attend school regularly, without the threat of sanction. The evaluation of this trial, conducted for the Department of Employment and Workplace Relations, found that the school attendance of the children did not improve over the course of the trial. Three contributing factors were noted:
 - *Lack of parental insistence that children get to school in the morning.* All parents that the evaluation team spoke to said they wanted their children to go to school, however many of them felt quite powerless and helpless in enforcing this, particularly those with children over 12 years.
 - *Teacher quality.* According to the Halls Creek principal, differences within the school between class attendance rates were at least partly due to variations in teacher quality. One teacher showed a 20% greater attendance rate than some of the other teachers
 - *Bullying and teasing.*¹⁵
17. The evaluators noted that it 'became apparent that the parents of Indigenous children are not the only 'lever' or 'method of engagement' that can be used to get the children to attend school. The evidence

¹³ Lousie Adler and Sid Gardner (eds), *The Politics of Linking Schools and Social Services*, Falmer Press, Washington DC, 1994; Richard J Murnane and Frank Levy, *Teaching the New Basic Skills: Principles for Educating Children to Thrive in a Changing Economy*, Free Press, New York, 1996; Gene I Maeroff, *Altered Destinies: Making Life Better for Schoolchildren in Need*, St Martin's, New York, 1998, quoted in David Campbell and Joan Wright, 'Rethinking Welfare School-Attendance Policies', *Social Service Review*, March 2005, Volume 79, No. 1, p. 22.

¹⁴ Department of Employment and Workplace Relations, Halls Creek *Engaging Families* Trial, February–July 2006: Evaluation Report, September 2006, <http://mediacentre.dewr.gov.au/NR/rdonlyres/2B10D46E-592B-4531-B149-A5B91E69A13E/0/KA265HallsCreekEngagingFamiliesReport4October.pdf>

¹⁵ Department of Employment and Workplace Relations, Halls Creek *Engaging Families* Trial, February–July 2006: Evaluation Report, September 2006, <http://mediacentre.dewr.gov.au/NR/rdonlyres/2B10D46E-592B-4531-B149-A5B91E69A13E/0/KA265HallsCreekEngagingFamiliesReport4October.pdf>, p. 29.

pointed to the pivotal role that teachers and the school 'culture' itself plays in a community where children decide their own time use patterns from a very early age.¹⁶

18. The evaluation also found that poor or good attendance didn't necessarily run in families, and that in one family with five school age children, attendance levels ranged from 14 to 88%.¹⁷ The evaluation report noted that: 'Other programs at other schools have also had a significant impact. The key to improvement is to create an education environment in which students want to remain. In other words, the students need to be engaged. The main means for doing this is with high quality teachers and a strong leadership culture within the school.'¹⁸
19. The evaluation report also noted that the housing situation in Halls Creek is unlikely to provide an environment where families can be 'school ready'.¹⁹

Relevance of evaluations

20. The relevance of the studies mentioned above to measures outlined in this Bill is debatable. However, it is important to learn from existing evidence in reflecting on whether the aims of the Bill are matched by its measures, and are therefore likely to be successful.
21. The Bill characterises the problem of low school attendance as one of lack of parental responsibility or parental 'reluctance'. The evidence from the US and Australia set out above indicate that the causes of truancy are more complex than this, and are related to broader socio-economic issues such as poor health, housing and poverty.
22. It is encouraging that the Bill does provide for a case management approach. However, the inclusion of the capacity to cancel or suspend payments is of significant concern. It is a punitive, threatening and potentially damaging measure that could undermine positive steps to increase school attendance and parental responsibility. While it has been characterised as only to be used as a last resort, the emphasis placed on it in the Second Reading Speeches and associated media commentary by the Ministers responsible has given it great prominence.

¹⁶ Ibid, p. 3.

¹⁷ Ibid, p. 28.

¹⁸ Ibid, p. 12.

¹⁹ Ibid, p. 34.

School attendance

23. In our research in this area, we know of no evidence that supports the assumption that parental irresponsibility or reluctance is a major factor in poor school attendance.
24. The research shows that there is a range of reasons for low school attendance. Lack of parental engagement or support for education undoubtedly plays a significant role in truancy. However it is clearly not sufficient to focus primarily on attempting to force parents to modify their behaviour.
25. The Western Australian Aboriginal Child Health Survey noted that contemporary media portrayals of school attendance, and particularly absenteeism, present stereotypes largely based on blame – when children do not attend, and particularly when they are truant, the blame for this is directed at the parent, at children and at the school. Neither existing data nor the Survey's own research supported the view that school attendance is merely a matter of someone's responsibility.²⁰ Rather, they identified that low school attendance may represent a disengagement that arises from frustration and a lowering of self-esteem as a result of poor performance, or a lack of identification with educational values and expectations, or perhaps a failure of the school ethos to respect and validate cultural and self identity and to supply experiences that are relevant to life's circumstances.²¹
26. Like many areas of Indigenous policy, there is a lack of consistent methodology for data collection in relation to low school attendance.²² In linking the payments to welfare recipients to their children's school attendance, the Bill leaves significant room for discretion regarding how inadequate school attendance is measured, and how it will be monitored and reported.
27. The impact of a legacy of exclusion from services that other Australians take for granted cannot be underestimated in relation to socio-economic disadvantage. Existing evidence suggests that the reasons for poor school attendance by Aboriginal children include low socio-economic status, low parental achievement, domestic violence,

²⁰ SR Zubrick, SR Silburn, JA De Maio, C Shepherd, JA Griffin, RB Dalby, FG Mitrou, DM Lawrence, C Hayward, G Pearson, H Milroy, J Milroy, A Cox, *The Western Australian Aboriginal Child Health Survey: Improving the Educational Experiences of Aboriginal Children and Young People*, Curtin University of Technology and Telethon Institute for Child Health Research, 2006, p. 115.

²¹ *Ibid*, 116.

²² J Gray and Q Beresford, 'Aboriginal non-attendance at school: Revisiting the debate', *Australian Educational Researcher* 29, 2002, pp. 27-42.

child abuse and drug and alcohol abuse.²³ The Western Australian Aboriginal Child Health Survey found that factors associated with poor attendance at school included a lower level of education of carers, trouble getting enough sleep, emotional or behavioural issues, speaking Aboriginal English or an Aboriginal language at home, having a primary carer who had been arrested or charged with an offence, and having a parent separated from their natural family.²⁴

28. There is strong evidence that poor health has a powerful impact on whether or not Indigenous children attend school and on their ability to learn and participate in school activities.²⁵ The National Aboriginal Community Controlled Health Organisation's (NACCHO) Ear Trial and School Attendance Project found that during the trial period, children with chronic suppurative otitis media (CSOM) or 'runny ears' attended school only 69% of the days available compared with 88% of other children in the same schools.²⁶ A study in the Northern Territory showed that Indigenous children who had low attendance rates were more likely than those with high attendance rates to have ear disease and associated hearing loss.²⁷
29. The evidence also suggests that poor nutrition is another significant health issue affecting many Indigenous school students, and that children with poor diets are often lethargic or disruptive in the classroom and are more likely to be absent from school.²⁸

²³ See for example CJ Bourke, K Rigby, J Burden, *Better practice in school attendance: improving the school attendance of Indigenous students*, Commonwealth Department of Education, Training and Youth Affairs, 2000; RG Schwab, *Why only one in three? The complex reasons for low Indigenous school retention*, Centre for Aboriginal Economic Policy Research Monograph No.16/1999; House of Representatives Standing Committee on Employment, Education and Training, *Truancy and Exclusion from school*, Commonwealth Government, 1996.

²⁴ SR Zubrick, SR Silburn, JA De Maio, C Shepherd, JA Griffin, RB Dalby, FG Mitrou, DM Lawrence, C Hayward, G Pearson, H Milroy, J Milroy, A Cox, *The Western Australian Aboriginal Child Health Survey: Improving the Educational Experiences of Aboriginal Children and Young People*, Curtin University of Technology and Telethon Institute for Child Health Research, 2006.

²⁵ MCEETYA (Ministerial Council on Education, Employment, Training and Youth Affairs) Taskforce on Indigenous Education 2001, *Discussion Paper: Solid Foundations: Health and Education Partnership for Indigenous Children aged 0 to 8 Years*, MCEETYA, Carlton.

²⁶ NACCHO 2003, *NACCHO Ear Trial and School Attendance Project*, NACCHO, Canberra.

²⁷ Collins, B 1999, *Learning Lessons: An Independent Review of Indigenous Education in the Northern Territory*, Northern Territory Department of Education, Darwin.

²⁸ Senate Employment, Workplace Relations, Small Business and Education Committee (SEWRSBEC) 2000, *Katu Kalpa — Report on the Inquiry into the effectiveness of education and training programs for Indigenous Australians*, the

30. One significant legacy of institutional racism for Indigenous people is that of intergenerational poverty, which is known to affect participation in and successful experience of education.²⁹
31. There is evidence regarding effective strategies in increasing school attendance for Indigenous students. The general principles that underpin the most successful strategies include home visits and community liaison, emphasis on personal contact with consistent follow up where absence occurred, personal planning and goal-setting.³⁰ There are significant existing resources on case studies of what has been shown to work in improving attendance and outcomes for Indigenous students.³¹
32. The Federal Government's own commissioned evaluation report on the Halls Creek trial noted that programs at other schools have had a significant positive impact on attendance, with the key to improvement being to create an education environment that students want to be part of. The main means for doing this was stated to be with high quality teachers and a strong leadership culture within the school.
33. These findings support the work of Chris Sarra in Queensland, whose research and experience highlights the crucial role of teachers and the school culture in assisting Indigenous children to reach their educational potential.³² As school principal, Sarra worked closely with the community to build a strong relationship and a shared set of community values and expectations for children attending the school. In a recent speech to the National Press Club, Sarra set out five

Parliament of the Commonwealth of Australia, viewed 17 February 2005, http://www.aph.gov.au/Senate/committee/eet_ctte/completed_inquiries/1999-02/indiged/report/contents.htm

²⁹ For example, see Boyd Hunter, 'Three nations, not one: indigenous and other Australian poverty', CAEPR Working Paper No. 1/1999,

<http://www.anu.edu.au/caepr/Publications/WP/CAEPRWP01.pdf>

³⁰ Strategic Results Project National Coordination and Evaluation Team, *What has worked (and will again)*, Australian Curriculum Studies Association and National Curriculum Services, 2000; D McRae, G Ainsworth, J Cumming, P Hughes, T Mackay, K Price, M Rowland, J Warhurst, D Woods, V Zbar, *What works? Explorations in improving outcomes for Indigenous Students*, Australian Curriculum Studies Association and National Curriculum Services, 2000, quoted in SR Zubrick, SR Silburn, JA De Maio, C Shepherd, JA Griffin, RB Dalby, FG Mitrou, DM Lawrence, C Hayward, G Pearson, H Milroy, J Milroy, A Cox, *The Western Australian Aboriginal Child Health Survey: Improving the Educational Experiences of Aboriginal Children and Young People*, Curtin University of Technology and Telethon Institute for Child Health Research, 2006, p. 142.

³¹ See <http://www.whatworks.edu.au/>

³² Chris Sarra, *Young, Black and Deadly: Strategies for improving outcomes for Indigenous students*, Australian College of Educators Quality Teaching Series, Paper No. 5, 2003,

fundamental strategies that should underpin attempts to improve the educational outcomes of Indigenous students: acknowledging, embracing and developing a positive sense of Aboriginal identity in schools; acknowledging and embracing Aboriginal leadership in schools and school communities; 'high expectations' leadership to ensure 'high expectations' classrooms, with 'high expectations' teacher/student relationships; innovative and dynamic school models in complex social and cultural contexts; and innovative and dynamic school staffing models, especially for community schools.³³

34. It is not just attendance that should be the primary focus of government policy, but also the quality and content of the education. The Western Australian Aboriginal Child Health Survey showed that while there is a clear relationship between attendance at school and academic performance, the disparity in attendance rates between Aboriginal and non-Aboriginal children accounts for only a proportion of the gap in levels of academic performance.³⁴ Improving the attendance rates should of course be a priority, but it is only part of the story.
35. In fact, research indicates that students are more likely to attend school when they perceive school as a positive, caring place where they and their parents feel valued and welcome; they have a positive and supportive relationship with their teachers; they find schooling interesting and relevant – such as the curriculum being contextually and culturally relevant and aligned with Indigenous learning styles; they see the connection between school and post-school education and employment opportunities that align with their individual aspirations; teachers have experience teaching in a cross-cultural and bilingual situation; teachers place reasonable demands on students and do not cap student potential or motivation by setting a low performance expectation; and Indigenous parents and communities are involved with the school and the teaching process.³⁵

³³ Chris Sarra, 'The Way Forward: Indigenous children of the education revolution', Address to the National Press Club, 26 May 2008, http://www.abc.net.au/news/opinion/speeches/files/20080526_SARRA.pdf

³⁴ SR Zubrick, SR Silburn, JA De Maio, C Shepherd, JA Griffin, RB Dalby, FG Mitrou, DM Lawrence, C Hayward, G Pearson, H Milroy, J Milroy, A Cox, *The Western Australian Aboriginal Child Health Survey: Improving the Educational Experiences of Aboriginal Children and Young People*, Curtin University of Technology and Telethon Institute for Child Health Research, 2006, p. 164.

³⁵ SR Zubrick, SR Silburn, JA De Maio, C Shepherd, JA Griffin, RB Dalby, FG Mitrou, DM Lawrence, C Hayward, G Pearson, H Milroy, J Milroy, A Cox, *The Western Australian Aboriginal Child Health Survey: Improving the Educational Experiences of Aboriginal Children and Young People*, Curtin University of Technology and Telethon Institute for Child Health Research, 2006, p. 124 and CJ Bourke, K Rigby, J Burden, *Better practice in school attendance: improving the school attendance of Indigenous students*, Commonwealth Department of Education, Training and Youth Affairs, 2000, pp. 16-17, summarised in *Our Children, Our Future: Achieving Improved*

36. Rather than taking a punitive approach, evidence suggests that it is better to encourage and involve parents – many of whom may not have had a positive experience with school themselves.
37. It is also important to note that the figures suggest that there are potentially 7000 Aboriginal children in the Northern Territory who are missing out on schooling at least in part because of a lack of basic infrastructure.³⁶ The Combined Aboriginal Organisations of the NT report that 94% of Indigenous communities in NT have no preschool; 56% have no secondary school; and 27% have a local primary school that is more than 50kms away.³⁷ Lack of adequate resources remains a critical factor.³⁸

Under-resourcing

38. Beyond the debate regarding the merits of schemes linking welfare payments to school attendance as a means to make parents more responsible and improve opportunities for children, lies the ongoing issue of under-resourcing by governments in addressing Indigenous disadvantage. The simplistic, short-term and resource-intensive approach of making welfare payments conditional draws attention and funding away from longer term strategies that seek to address endemic problems such as poor health, housing and education that contribute to Indigenous disadvantage.
39. Professor Jon Altman has estimated that more than \$4 billion over five years would be needed to address Indigenous disadvantage in the Northern Territory alone.³⁹ In relation to education, he notes that if an extra 2000 students currently not enrolled in schools in the Northern Territory did start attending, an extra recurrent allocation of \$79 million per annum would be needed as well as a one-off allocation of \$295

Primary and Secondary Education Outcomes for Indigenous Students, A report published in collaboration by the AMP Foundation, Effective Philanthropy and Social Ventures Australia, May 2008,

http://www.socialventures.com.au/files/pdf/Our%20Children,%20Our%20Future_final%20report.pdf

³⁶ Australian Education Union, *Education is the key: An education future for Indigenous communities in the Northern Territory*, 2007, p. 4.

³⁷ *Response and Development Plan to protect Aboriginal children in the Northern Territory: A preliminary response to the Australian Government's proposals*, 10 July 2007,

<http://www.snaicc.asn.au/news/documents/CAOreport8july.pdf>

³⁸ Australian Education Union, *Education is the key: An education future for Indigenous communities in the Northern Territory*, 2007, p. 6.

³⁹ Jon Altman, 'Stabilise, normalise and exit = \$4 billion', Centre for Aboriginal Economic Policy Research, Topical Issue No. 8/2007, p. 2

http://www.anu.edu.au/caepr/Publications/topical/Altman_Costing.pdf

million for extra school infrastructure and teacher housing - coming to an extra \$690 million over five years for remote communities only.⁴⁰ Evidence suggests that ongoing, long-term funding for Indigenous programs is an important means of addressing entrenched disadvantage. The 2008-2009 Budget contained a number of one-off grants, for example, \$400 000 for early childhood programs.

CONCLUSION

40. There is no precedent in Australia or internationally that supports making welfare payments conditional on school attendance as an effective measure to make parents more responsible, or to improve children's lives in the long term. The threat of suspending or cancelling parents' welfare payments is a punitive, simplistic approach that may have unintended consequences. It could undermine the relationship between schools and parents and the broader community which is known to be so crucial to increasing school attendance. It may leave families without adequate income for several weeks, with negative consequences for children in families already under financial and other pressures. It will spend much needed resources on monitoring enrolment and attendance rather than dealing with the underlying causes of truancy. Most importantly, it diverts attention from better resourcing schools and from what is known about what does work in getting children to want to stay at school and giving them opportunities in life that their parents didn't have.

⁴⁰ *ibid.*