

**2022**

**THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA**

**HOUSE OF REPRESENTATIVES**

**Australian Education Amendment (Education Reform) Bill 2022**

**EXPLANATORY MEMORANDUM**

**and**

**STATEMENT OF COMPATIBILITY WITH HUMAN RIGHTS**

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Trask

## **Australian Education Amendment (Education Reform) Act 2022**

### **OUTLINE**

This bill will deliver a number of substantive reforms to the Australian education system. Government schools will be federally funded to 100 percent of the School Resource Standard (SRS) amount that they are entitled to under the law. The Commonwealth share of SRS funding will be legally mandated at 100 percent. Non-government schools will be stripped of all federal funding and will cease to be recognised as schools for the purposes of the Australian Education Act. States and Territories may continue to provide their own funding arrangements to non-government schools if they so choose. SRS funding amounts, which governments have failed to raise by regulation as per the Act since 2017, will be permanently increased to \$1500 for primary students per year and \$2000 for secondary students per year. This will result in an overall 25 to 30 percent increase in SRS funding. Future SRS funding amounts will also be indexed. The base assistance amount of capital funding given to capital grant authorities, which has been left to stagnate since 2017 and not raised by regulation as per the Act, will be permanently increased to \$300,000,000. This amount will now be properly indexed and will rise each subsequent year. Participating States and Territories will be required by law on condition of the financial assistance provided to them by the Commonwealth to abolish wage freezes or caps for employees at participating schools as well as ensure employees receive a rate of pay at least 125 percent of that stipulated by their respective Fair Work Award. Discretionary funding from the Commonwealth may be used to help States and Territories pay for this wage rise.

### **FINANCIAL IMPACT**

This Act will result in approximately \$35.3 billion in additional Commonwealth spending. This number may increase depending on the growth in public schooling resulting from the reforms instituted by the bill and subsequent yearly indexation for inflation.

## **STATEMENT OF COMPATIBILITY WITH HUMAN RIGHTS**

**Prepared in accordance with Part 3 of the Human Rights (Parliamentary Scrutiny) Act 2011**

### **Australian Education Amendment (Education Reform) Act 2022**

**This bill is compatible with the human rights and freedoms recognised or declared in the international instruments listed in section 3 of the Human Rights (Parliamentary Scrutiny) Act 2011.**

#### **HUMAN RIGHTS IMPLICATIONS**

This Bill engaged with the freedoms and rights enshrined in the Convention on the Rights of the Child done at New York on 20 November 1989, notably Articles 28 and 29, which enshrine the rights of all children to receive free and accessible education.

#### **Conclusion**

This bill is compatible with human rights and enhances the human rights of Australians by ensuring all children in this country have access to free quality public education.

**Trask MP**