

28 February 2010

IEAP Consultation
Ministerial Council for Education, Early Childhood Development
and Youth Affairs
PO Box 202
Carlton South VIC 3053

By email: enquiries@mceecdya.edu.au

Dear Sir or Madam,

Submission response to draft *Indigenous Education Action Plan 2010-2014 (the Plan)*

Thank you for the opportunity to comment on this draft Plan.

The Third World outcomes in Indigenous education are, in the words of the Prime Minister, our greatest social challenge. In the words of Greg Gailey, the former President of the Business Council of Australia, it is our greatest national shame.

The draft Plan contains some credible and tangible actions but it does not go far enough in the area of bold and innovative new policy reforms that will be required if there is to be any realistic chance of closing the yawning gap in Indigenous education.

The Plan has too much business as usual with too much reliance on implementation by existing industry players and the proliferation of the service industry that exists at the heart of Indigenous disadvantage and nowhere near enough innovation or entrepreneurial suggestions. What we need is bold new approaches, coupled with hard headed implementation, driven by business acumen. Serious people with serious capability. People and approaches like Joel Klein and his reforms, to challenge the status quo and oversee pragmatic common sense and evidence based reforms. Otherwise we will end up with business as usual.

If a serious dent is to be made in reaching the closing the gap targets we need new approaches founded on unambiguous evidence.

We have a number of suggested common sense reforms that should be considered:

1. **All Schools – “If Not Why Not”** - The Plan has far too much emphasis on the government school sector, reflecting the realities and inadequacies of the constitutional framework in Australia but also entrenched power blocs and an ideological approach that we must depart from for serious and bold reform. These approaches do nothing to improve the educational

outcomes of Indigenous children and to the contrary, they have failed for 40 years whilst the outcomes have progressively deteriorated.

There needs to be far greater onus placed on the non-government school sector if we are going to close the gap. If the Government can mandate flag poles and a national curriculum as conditions of funding, surely it would be easy to require all schools – government and non-government – to *either* have a minimum benchmark percentage of Indigenous students or to publish an “if not why not” disclosure statement for public scrutiny.

This disclosure statement regime recognises that some schools may have some legitimate reasons for not having any Indigenous students (e.g. no Indigenous applicants in the area) but at the same time it would force schools to explain this publicly. Instead, we have many instances in Australia where one non-government school has many Indigenous students and another just a few minutes away has none. There may be many good and valid reasons but they should be explained for public scrutiny.

We are not advocates for non-government schools over government schools and we have no interest whatsoever in the ideological public versus private school debate – it is a debate in which Indigenous children are the biggest losers. What we are interested in is world-class schools that have unambiguous evidence to demonstrate their success. This is virtually identical to the position advocated repeatedly and consistently by the Deputy Prime Minister The Hon Julia Gillard MP since the Rudd Government took office in 2007.

For example, as recently as last Thursday 25 February 2010, the Deputy Prime Minister commented in a radio interview that:

“my concern isn’t really whether a school is in the private sector or the Catholic sector or the public sector. My concern is for every school and every child. So regardless of what sector a school is in, I want it to be a high achieving, high expectations school”

Similarly, the Prime Minister The Hon Kevin Rudd MP has often spoken of the need to end ideologically based policy in education. Last Friday 26 February 2010 at the opening of the National Centre of Indigenous Excellence, the Prime Minister commented that:

“funding alone is not enough to make sure these gaps are closed - we need unprecedented cooperation from all sectors of the Australian community. With the focus often placed on remote Indigenous communities, we won’t close the gap if we don’t also focus on the 75 per cent of Australia’s Indigenous people who live in urban and regional areas. All governments, families and communities have a duty to make sure our kids get the education needed to lead full, productive and rewarding lives so that all Australian can enjoy the same choices.”

Our submission is that we need bold policy reforms that put these words into actions. This could be done by mandating that all schools have a minimum percentage of Indigenous students enrolled at their school or publish an “if not why not” disclosure statement.

In advocating this minimum benchmark Indigenous enrolments for *all schools* coupled with an “if not why not” disclosure regime, we also note that there is an abundance of high quality, high performing, high expectations non-government schools of excellence in the urban and regional areas where the 75% of Indigenous Australians live. However, the draft Plan focuses on optimistic policies in the government school sector that will take generations to produce results – if ever (given the structural problems in government schools – see submission 8) – and makes no mention or comment on the fact that we already have thousands of world-class non-government schools of excellence producing outstanding results in literacy, numeracy and year 12 attainment, in exactly the same places where 75% of the Indigenous population live, nor does it contain any discussion or debate on how to improve the access to these world class schools. This is a concerning omission and should be addressed immediately in the Plan.

This is not to suggest that any parent or family should be forced to a particular educational offering. Rather, it is to provide a range of access routes for families that want to make these choices themselves but are prevented from doing so under current policies. To pre-empt and answer the ideologues, this universal access proposal is about voluntary parental choice rather than telling parents where their children belong or preventing them from being able to make the choice as is the case now. In our estimates and experience there are thousands of Indigenous families (at least 5,000 to 10,000 Indigenous students) that want the ability to choose other educational offerings but are denied the choice.

The schooling facts and figures illustrate the imbalance between government and non-government schools with the government schools sector carrying a disproportionate load as shown below:

- there are just over 150,000 Indigenous students in Australia;
- these 150,000 Indigenous students represent 4% of the overall student population;
- there are around 9,562 schools in Australia;
- 71% of schools (6,833) are government schools;
- 28% of schools (2,729) are non-government schools;
- 86% of Indigenous students are at government schools compared to 65% of non-Indigenous students;
- 14% of Indigenous students are enrolled in non-government schools compared to 35% of non-Indigenous students;
- the majority of Indigenous students (some 86%) attend regional and urban schools where most of their peers are non-Indigenous while only 14% of Indigenous students attend schools in remote areas; and
- there are thousands of high quality high performing high expectations world-class schools of excellence with unambiguous proven results in the same urban and regional communities where 75% of Indigenous Australians live, and as Dr Ken Henry has pointed out, most of those urban and regional communities also have thriving labour markets.

To address this, we propose that schools be mandated to have a minimum percentage of Indigenous students enrolled at their school or publish an “if not why not” disclosure statement.

This proposed reform recognises what many common sense people see as obvious logic. If the Third World outcomes in Indigenous education are our greatest social challenge, surely it makes sense to have more Indigenous students in our best schools. However, the draft Plan does not even canvas this possibility and instead focuses on building more industry and bureaucracy around Indigenous education and disadvantage and not providing any way out of Third World schools for Indigenous children or their families.

This proposed reform dovetails with the suggested proposal to extend the information on My School (see submission in paragraph 2 below) to specifically include far greater levels of transparency and arm Indigenous parents with the objective and unambiguous information and evidence to inform their school choice.

2. **My School to focus on Indigenous students and outcomes** - There needs to be a much greater level of transparency and evidence base around Indigenous education outcomes. All primary and secondary schools in Australia should be compelled to disclose in My School on an aggregated and anonymous basis and using nationally consistent metrics, the total number and percentage of day and boarding Indigenous students in the school, the main communities where those students originate from, information on their NAPLAN results, attendance rates, retention rates, year 12 attainment rates, post-school destinations and the number of Indigenous staff (teaching and otherwise) at the schools. All this information is readily available without much extra work or funding, it just needs to be made public.

This greater level of transparency would assist the government in targeting public funding to where it is most needed, highlight things that are working with unambiguous and objective evidence so they can be replicated and scaled, take the Indigenous education debate away from ideology and instead focus on evidence of what works and most importantly, empower Indigenous families with objective information to inform their choice of school for their children and make their own decisions rather than others telling them where their children belong.

High-calibre school leaders in Indigenous education would not be daunted by the prospect of this level of transparency, and at the same time we would see which schools need more help.

We need more tools and policies that allow and empower Indigenous families to make their own choices and decisions and we need much less of other people telling them where their children belong or whether a school they choose for their children meets someone else’s cultural approval test.

This reform dovetails with the all schools access proposal outlined in submission 1 above – i.e. provide access routes for Indigenous children to enrol at all schools and provide families with the tools to make informed choices with objective and unambiguous information.

3. **My School search facility needs to be extended** – on 24 February 2010 the Deputy Prime Minister commented that My School allows anyone to see which schools with large Indigenous populations are outperforming national benchmarks and averages in literacy and numeracy. However, the existing search capabilities in My School do not easily facilitate obtaining this information and it can only be done by looking up individual school names and checking their results one by one. Changing the search capabilities of My School so that searches can be made by different fields (such as the percentage of Indigenous students and their NAPLAN scores) would be a very simple technical change and we advocate that My School should be revised to allow this multi-search field capability.
4. **Transparency of the service industry:** As well as having greater levels of transparency in school outcomes there needs to be a much greater level of transparency and accountability by those in the service industry that receives Government funding to improve Indigenous education outcomes. There are many programs and organisations that operate through or are auspiced by larger organisations such as universities, institutes or other associations and as such they do not have any obligation to file annual returns with ASIC or to publish their financial accounts and many (most) of them do not publish annual reports about their outcomes or achievements. This is not good governance and means they operate in a fog and it is impossible for anyone to objectively scrutinise the financial and operating results and outcomes that their publicly funded programmes purport to achieve. Without a transparent evidence base around “what works” it is impossible to produce evidence based policy or for the community to objectively assess what works. We suggest that all non-government organisations running programmes that receive public funding to support improved Indigenous education outcomes should be required to annually publish (a) financial statements dealing with each programme they run that receives public funding and (b) an annual report that contains tangible facts, figures and data about the operating results of each programme they run that receives public funding.
5. **Outcomes based payments** – in many areas of public policy there has been a shift towards outcomes-based payments rather than funding grants that are not linked to outcomes. This is good public policy. A simple example of this is how funding is structured in Indigenous employment programmes. Whilst education funding must of course continue to rely on grants, there could easily be some *additional* level of outcomes-based payments introduced to encourage and incentivise schools to deliver better Indigenous education outcomes. The outcomes payment incentives would be mandated for reinvestment in further Indigenous education initiatives within the school. One example of how this could work is described in a submission I prepared for the 2020 Summit in April 2008 and a copy is attached in the Appendix (see section at the end headed “Nature of Funding Incentives”).
6. **Do not force one-size-fits-all programmes on schools that are already producing results:** There are many schools that already produce numeracy and literacy results and year 12

attainment rates for Indigenous students that exceed the closing the gap targets. These schools have already demonstrated their capabilities and whilst they are continuing to produce those results they should be exempt from mandatory programmes such as forcing them to complete compulsory Personalised Learning Plans for every Indigenous student. Many schools may choose to do such things voluntarily but they should have the opportunity to opt-out if they are already achieving good results. Otherwise, this takes teachers away from classrooms and student interfaces and puts them behind desks wasting precious time filling out forms that they do not value. If a school is doing good work they ought to be able to continue doing it their own way rather than having one-size-fits-all paperwork forced upon them.

7. **Career Plans:** Where things like Personalised Learning Plans are introduced (optionally or compulsorily) they should be extended to include career pathway plans so that from early on in secondary schooling Indigenous students are starting to think about their skills and interests and these plans can evolve and mature over the course of the student's secondary schooling so that by year 12 there is already a reasonably well developed action plan for a post-school career.
8. **Principal autonomy and local governance:** Apart from the fragmented regulatory structure of state and territory education delivery because of the Constitutional framework in Australia, we believe that the lack of principal autonomy and the lack of local governance in the public education school system are the two greatest contributors to the Third World outcomes being delivered in Indigenous education in the government school sector. The bold reforms needed are (1) to incorporate local community representation into the governance of government schools to replace the one-size-fits-all absentee governance by distant bureaucrats; and (2) to provide the school principal with the ability to hire and fire, with discretionary authority over the use and allocation of financial and other resources in the school community.

As Joel Klein advocates, the further away you separate the local governance from the children the worse the outcomes. Local communities are better placed to know what works best in their local environment. Secondly, it is pointless to hold a school principal to be accountable for the results of the school if the school principal is unable to make decisions on the two biggest strategic drivers of results - staffing and use of funding.

9. **Charter schools / city academies:** There should be immediate focus on allowing non-government bodies to run public schools similar to charter schools in the United States and city academies in the United Kingdom, both of which have been successful despite initial reservations. These approaches deliver the concept of "independent state schools" where the schools are publicly funded and freely accessible to all students but are run by independent non-profit bodies / local community representatives with autonomy.
10. **Boarding schools:** There is great demand from Indigenous families and parents for much greater availability of boarding school enrolments for their children. The Plan does not even mention boarding schools which represents a major omission of the Plan. Thousands of

families want this option and the results at many boarding schools are unambiguous in far exceeding the national Indigenous rates of student attendance, literacy, numeracy and year 12 attainment. There needs to be less ideology in the Plan and far more focus on evidence, what works and what parents want for their children.

11. **School attendance rates:** There is a lot of discussion in the draft Plan about how to improve school attendance rates but the Plan does not acknowledge that there are problems with the current ways school attendance is measured. If there are flaws in the way school attendance is measured then any plans to improve attendance are starting out from a flawed starting position. There have been suggestions made that at some schools, particularly government schools in regional and remote communities, Indigenous students sign the attendance book in the morning then leave again for the day and return at 3pm to sign out. If school staff know this is happening but collude in providing false and misleading information about student attendance rates there is an even more serious problem. If this is happening we will have schools reporting attendance rates which are complete fabrication and do not reflect what is really happening. So if we are going to look at how to improve school attendance rates but we start from using pretend or fabricated attendance rates as the baseline, it is unlikely that any real progress can be achieved because the underlying assumptions in the Plan may be incorrect. For example, the draft Plan refers to attendance rates of 78-87% for Indigenous students in 2007 but the accuracy of these figures is questionable.
12. **Some specific comments on the draft Plan:** In addition to the above we make the following comments on specific sections of the draft Plan:
 - (a) There are several references to non-government schools having agreed to various action points but no clarification about which non-government schools are being referred to or which representative bodies and this should be clearly defined and explained in the Plan;
 - (b) There are many references to accountability and transparency and it should be defined to mean the information will be published and available for public scrutiny;
 - (c) The draft Plan mentions that national trajectories to achieve the closing the gap targets are under development and we believe the Plan should again be open for public comment when these projections are available;
 - (d) There are many references to the draft Plan having had significant input from some prominent Indigenous educators but it is not clear who those educators are and why they have not been named; and
 - (e) Page 6 says the format of the Plan has jurisdictional priorities summarising the priorities of major non-government provider representatives. However, the jurisdictional priorities section does not contain any material from any non-government provider representatives and this is something that should also be available for public comment.

Thank you for providing the opportunity to comment on the draft Plan and we would be happy to participate in any further discussion or clarification.

Yours sincerely,
Andrew Penfold
Chief Executive Officer
E andrew.penfold@aief.com.au
T (02) 8373 8088
M 0412 66 77 93

Appendix – Paper from 2020 Summit to illustrate example of outcomes based payments

UNIVERSAL ACCESS FOR INDIGENOUS CHILDREN TO ALL SCHOOLS

Big Ideas and Effective Implementation

2020 Summit April 2008

Andrew Penfold¹

This proposal outlines a policy framework that will see all schools – public and private – become more accessible to Indigenous children, by dismantling the financial and bureaucratic barriers to school entry, and by forging a new partnership between schools, communities, government, non-profits and businesses working together.

Education is the key – to productivity, to cultural understanding, to overcoming racism, to improvement in unemployment and health, to social and economic equality, and to closing the 17 year gap. In short, to quote Treasury Secretary Dr Ken Henry AC, “*education is the key to better life opportunities and choices*”.

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- ¹ See End Notes for Biography. This proposal has been informed by leading educators in schools and universities all around Australia resulting from my four years of consultation about what works, what doesn't - and why. It is also informed by my daily consultation with leaders from Corporate Australia over four years. However, it has been written in a very short timeframe for the purpose of debate at the 2020 Summit and doesn't assume to be complete or presume to have all the answers.

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We know that poor health, life expectancy and all the other indicators of profound disadvantage improve with better education and employment.

Education doesn't just benefit the Indigenous children themselves, it also promotes the broader Reconciliation agenda by having Indigenous children and non-Indigenous children growing up with one another and learning, playing sport, and socialising with one another during the most formative years of their lives when values and opinions are shaped.

Dr Jackie Huggins AM said this best herself:

“Education is the key to reconciliation. At its most obvious, education is the key to turning around the appalling gaps in literacy and numeracy standards between Indigenous students and the rest of the school population in Australia.

But education serves to promote reconciliation in a far broader sense. It provides the tools and self esteem to triumph over disadvantage in other areas of people's lives – in employment, for instance, and in health.

It is increasingly well recognised that different aspects of disadvantage are linked, that one problem predisposes us to the next and the next until it becomes virtually impossible to break through and take some control.

Education is the key to reconciliation because it's hard to achieve any measure of equity or self worth, any sense of belonging in the real economy, without education.

And then there's the aspect of education that promotes reconciliation among non-Indigenous Australians, the young and also the wider adult community, its decision makers and those who

might contribute to the process in their work, their relationships and their local communities."

Education is the entrée to productive employment - We will not achieve improved long-term productive employment outcomes unless we first achieve improved educational outcomes. One follows the other.

Education dismantles the limitations that presently restrict the opportunity for many Indigenous children to provide for their own future. It provides them with choice and the opportunity to realise their potential more effectively.

Children are our future – Approximately 50% (260,000) of Indigenous Australian are under the age of 20 and about 35% are under the age of 14. If we want to close the gap and are serious about making long-term and permanent change to address the profound disadvantage facing our Indigenous brothers and sisters we must focus on the children.

Education + Children = Schools

The schools and jobs are there we just need to dismantle the barriers to entry – Approximately 73% of Indigenous Australian live in major cities, inner regional and outer regional communities. That's 30% in major cities, 20% in inner regional and 23% in outer regional.

To quote Dr Ken Henry again:

*"It is worth observing that almost *three quarters* of Indigenous Australians live in cities and regional centres, *the vast bulk of which have thriving labour markets*".*

(my emphasis)

There are approximately 10,000 schools in Australia. Most of these are in the same “cities and regional centres” where those “thriving labour markets” are.

Around 3,000 of our schools in Australia are private schools, yet there are exclusionary barriers to entry (i.e. the cost) to those schools for Indigenous children, so their families have no real choice about educational options for the children.

As the numbers clearly show, we don't need *hundreds* of Indigenous children in these 3,000 private schools we need *thousands*.

Many of the private schools in Australia have the will and the capacity to enrol more Indigenous students but are constrained by a lack of funding or are unwilling to take teachers out of the classrooms and put them behind desks to fill out endless, pointless, debilitating and mind-numbing paperwork that may or may not result in them receiving some paltry funding for Indigenous students at their school. They need their teachers with the children not stuck in offices.

Likewise, there is no real choice for most Indigenous families to access different public schools other than the one on their doorstep. If that school doesn't suit their child for any reason, there is often no other choice. Many Indigenous families would opt for public or private schools in other locations, but the cost of fees, travel or accommodation etc becomes the barrier to entry.

These barriers prevent the majority of Indigenous children from overcoming the debilitating circumstances they inherit at birth.

We need to get away from ideological debates about public v private schools as those tired old arguments do nothing to improve the outcomes for Indigenous children. This policy proposal isn't about public v private schools, it's about offering Indigenous families a real choice.

Many Indigenous Australians desperately want that choice for their children.

Indigenous education is not the sole responsibility of the public sector. In the same way that Indigenous *employment* incentives ought to apply across *both* government departments *and* private businesses, such incentives should also apply to *both* public and private schools.

Indigenous families ought to have the right to choose where their children go to school. This policy doesn't steer them to one choice over the other. All it does is dismantle the financial and bureaucratic barriers to having that choice.

Dismantling The Barriers: Financial Incentives for all Schools

In the education revolution, we need a bold new policy framework that reflects the seriousness and urgency of the educational disenfranchisement confronting Indigenous children.

This policy proposal calls for schools to receive annual incentive payments that would be used to pay for scholarships, Indigenous staff and other costs associated with Indigenous education within their school.

These incentives would be results based and reward hard work, innovation and success.

The amount of the incentive payment the school receives would be determined by the achievements of each school in their Indigenous education initiative.

Each school's achievements must be measurable, objective and transparent.

Incentive payments should be available to all schools – public and private - that achieve at or above predetermined benchmark scores based on the following *five measurable and objective indicators*:

- the percentage of Indigenous students enrolled (see *Critical Mass* below);
- the retention and successful completion by those Indigenous students (see *Successful Outcomes* below);
- employment of Indigenous staff in either teaching or pastoral care / family liaison / support roles (see *Indigenous Staff* below);
- the formation of a partnership between each school and one or more Indigenous communities or organisations that provide an ongoing supply of students to them (see *Partnerships with Indigenous Communities* below); and
- the formation of a partnership with one or more businesses that manifests in (a) co-funding from the businesses toward Indigenous education; (b) employment related programmes such as work experience, cadetships, traineeships, jobs etc; (c) Indigenous student mentoring by employees of the business or (d) introducing fresh and innovative strategic thinking into the school from employees joining school committees etc (see *Connecting Education and Employment* below).

Each of these points is discussed below. Of course there will be a great level of analysis and consultation needed to finalise all the specific timelines, targets, criteria and assessment metrics. That is beyond a high level discussion at the 2020 Summit.

But as high-level policy settings, enrolment and completion measurements, Indigenous staffing, partnerships with Indigenous

communities or organisations and with businesses should be the benchmarks that result in funding incentives.

Critical Mass: If all schools are incentivised to enrol Indigenous students in a number that is proportionately appropriate to their overall student population (e.g. 5% of school population), this will create a meaningful critical mass of Indigenous students within each school.

All the available evidence indicates that this 'critical mass' in itself is an important success factor. Critical mass contributes strongly to the creation of a welcoming environment for Indigenous students and a sense of cultural inclusivity, both of which are fundamental drivers of improved educational outcomes.

By incentivising all schools to enrol more Indigenous students, this policy will ensure that Indigenous students have access to all types of educational opportunities in all types of schools and that the schools have the incentives and resources to make sure they succeed.

Successful Outcomes: This policy requires and rewards success. Incentive payments can't be driven simply by the number of students enrolled, but must be determined by measurable and objective results.

The measures of success would need to be customised for schools in vastly different environments. Success at a school like St Joseph's College Hunters Hill means Year 12 completion. At a different school in a vastly different environment like Djarragun College in Cairns the measurement of success may be quite different.

Whatever measurement metric is used, it must be simple, objective and easy to measure. As soon as we start talking about more intangible or nebulous concepts of success, we get bogged down with forms, bureaucracy, committees, and the potential for subjective, biased and nationally inconsistent outcomes which are open to rorting.

It is also important that the broader Australian community has buy-in for this policy, and to get that we need very simple and objective measurement metrics that are easily understood and transparent.

Indigenous Staff: The employment of Indigenous staff will help to provide a welcoming environment for Indigenous students, provide positive Indigenous role models for Indigenous children and cultural integrity in the educational setting, all of which will result in better prospects for successful retention and completion outcomes.

This also has the effect of creating more career opportunities for Indigenous students that seek employment in the education sector, and there are few sectors where well educated Indigenous staff are more urgently required than in the teaching profession.

There would also need to be consideration given to include costs associated with non-Indigenous staff employed specifically to support Indigenous students. Some schools will want the flexibility to employ the best staff for the job of supporting Indigenous children, regardless of whether the staff member is Indigenous or not, and those schools should not be penalised for doing that.

As discussed below, for these programmes to work schools must be able to do things their own way.

This policy does seek to mandate that schools must employ Indigenous staff but it provides funding for their costs if they do.

Partnerships with Indigenous Communities: By forming partnerships with Indigenous communities and organisations, apart from providing an ongoing supply of Indigenous students, the welcome sign goes up at schools; Indigenous communities and organisations become stakeholders in the schools and have the ability to directly engage in the education process for their children in a culturally appropriate way; and

relationships between education providers and Indigenous communities become entrenched and embedded over time – all of which leverage the probability of successful educational outcomes.

This model will also incentivise schools to form their own partnerships and implement their own educational responses that are tailored to their individual circumstances - so that how they achieve their outcomes isn't prescribed, but the incentives are built around their achievement of specific, clearly defined, measurable and objective outcomes.

Connecting Education and Employment: Importantly, this model also draws a direct nexus between the critical yin/yang of education and employment, by incentivising schools to have meaningful engagement with business through external non-government co-funding, employment pathways, mentoring or engaging fresh and innovative perspectives by having business employees join committees etc.

This meaningful engagement will make the likelihood of a seamless school-to-work transition much greater.

And it will also provide an opportunity for schools to engage business thinking into their strategies bringing new 'private sector' perspectives to schools - where it is wanted. (See below on *Private-Private Partnerships*).

Public Accountability

Schools must be accountable for public and private funding they receive.

With clear, tangible measurements, comes public accountability.

Not just accountability to the public purse but also to the community – by a requirement to annually publish their scores on the *five measurable and objective indicators* in a clear, concise and nationally consistent format.

As anyone in the private sector knows too well, public accountability for your actions and positive competitive tension is a powerful driver of results.

All the *five measurable and objective indicators* are easy to measure. When schools have a stake in the outcome, they are better incentivised to achieve results. When they are incentivised to achieve results, the probability of a successful outcome increases exponentially.

A School-Led Initiative

This policy setting needs to empower schools and work with their natural velocity, not against it.

This policy proposal is not about forcing anything on schools or Indigenous children. The vast majority of schools in Australia already have the will to do more in the Indigenous education space, and there is plenty of pent-up demand from Indigenous parents to have more choice in the educational offerings available to them.

This policy setting isn't about forcing unwanted change on schools as most of them have the will and capacity to do more, if only the barriers of money and bureaucracy could be dismantled.

Those schools that do not wish to engage in Indigenous education are not forced to.

Therefore, this policy will turbo charge the goodwill of schools that want to do more and will produce concrete results, but at the same time, it must allow them to do it in their own localised way.

Working with their natural velocity, not against it.

Individual schools have different approaches and styles that vary as wildly as disparate environments they operate within. This means they shouldn't be burdened with prescribed or rigid process-driven programmes that get in their way or a one-size-fits-all approach.

We must acknowledge that schools know what works best in their own environment and apart from resourcing them to get on with it, they ought to be able to carry out their work and achieve results in their own way and with minimum red-tape.

Education is the core competency of schools. It is not the core competency of governments, businesses, external committees, service providers or the non-profit sector, even though those groups have powerful value they can add.

Schools should be able to determine how to best go about their job and everyone else can support them in a way that each school individually decides that any support is required. Any other approach means that the schools are being pushed and pulled into processes that get in their way, bury them down and distract their precious resources away from their Indigenous students.

Any external support should sit behind schools and not in between them and their Indigenous students or their families and communities. Schools should have the direct relationships and channels of communications with Indigenous students and their families and communities, as this gives the school a deeper understanding of the student's needs and

background and a direct stake and “ownership” of the outcome for each student.

However, in some cases (e.g. Indigenous students from more remote communities with different needs), a schools may choose to work with outside agencies to assist them in their work, and many would. But it is a question of choice by each school rather than a prescriptive requirement.

Don't Create Second Class Citizens

There should not be any external organisation seeking to “own” or “brand” the Indigenous students within any school as “belonging” to a “programme” or the like.

Those students, like every other student within the school, are simply students of that school and the less they are treated like a “special cohort” the better off they will be.

This doesn't prevent businesses and schools promoting and celebrating their partnerships, but respects that Indigenous education is an urgent national imperative and not a 'commercial opportunity'.

Furthermore, Indigenous students themselves should not be required to fill in reports or evaluation forms other than anything that applies to all students (Indigenous and non-Indigenous) within the school.

Too many programmes overlay requirements on Indigenous students that single them out and force them to feel part of a “special programme” when the best way to build their confidence and self-esteem is to be in an environment that celebrates, welcomes and respects their culture but otherwise treats them the same as everyone else, highlights their similarities and not their differences, and respects them for who they are not what they are.

This policy setting must avoid creating a group of second class citizens of Indigenous students within a school.

If we continue to subject Indigenous students to pointless and mind-numbing bureaucracy and paperwork we are continually reminding them that they are in a school for different reasons to every other student and we are conditioning them for a lifetime habit and expectation of being recipients of “service delivery” when we need to be doing exactly the opposite.

How are Indigenous students selected?

This policy is about dismantling the barriers to entry and opening the doors of all schools around Australia. It is not about telling schools or Indigenous families what they should do, it is simply about providing choice and access.

Accordingly, Indigenous students would be selected the same way as non-Indigenous students are within each school. That is, Indigenous parents would seek out schools that they wish to apply to for their children and schools would assess enrolment applications themselves using their own criteria.

There's no point for students to be forced upon a school, and neither the school, the student nor the parent would want that. This is about choice and access.

If student outcomes are to be successful, schools must be able to determine which applicants are most likely to succeed in the specific and unique environment of their school. A school that suits one child may not suit another, depending on the culture, values and traditions of each school.

But since this policy also promotes and encourages partnerships between schools and Indigenous communities or organisations, many Indigenous parents will come to understand the way each school within their proximity goes about its work.

Having several Indigenous students from the same community within a particular school goes a long way to creating a more welcoming environment for Indigenous students and is a critical success factor highlighted by many schools and Indigenous students and parents.

There could also be website hub that connects individual schools with particular Indigenous communities so that new partnerships can be forged.

Nature of funding incentives

The vast majority of Indigenous families lack the financial means to access the full range of educational choices for their children that are available to many other Australians, so they lack any real choice in the educational setting for their children.

At the same time, high quality schools all around Australia have the desire and the capacity to enrol more Indigenous students, but are constrained by a lack of funds and endless bureaucracy.

This is why financial incentives are exactly what is required. The financial incentives proposed under this policy are not “bonus payments” to go into a general or discretionary funding pool, but are to provide financial resources to improve their Indigenous education initiatives.

Most schools will tell you that a lack of funding is the main constraint to increasing the number of Indigenous enrolments, simply because their families are financially excluded.

The funding incentives would be determined by a set formula driven by the scores of each school against the *five measurable and objective indicators* outlined above, so that a fixed amount per student is calculated from their scores.

The formula would be the same for all schools so that there is national consistency in how funding is allocated, although the level of fees at each school would have to be a factor in determining the amount of the incentive payment.

The payments received would be required to be spent on individual Indigenous education programmes in the relevant school.

There would be discretion and flexibility in exactly how that funding is used so that each school can design their own programme to suit their individual strengths, circumstances and requirements.

The proviso would be simply that they use the funding for Indigenous education. For example it could be used for:

- tuition fees for their Indigenous students
- boarding / accommodation costs for their Indigenous students
- books, stationary, clothing, excursions, pocket money, student/family travel to or from school, sporting or musical equipment, costs associated with co-curricular activities, etc
- Indigenous staff costs
- Culturally relevant professional development for Indigenous or non-Indigenous staff

- Cultural activities
- Laptop computers or other information and communications technology for their Indigenous students
- Leadership or personal development initiatives their for Indigenous students
- Learning support / tutoring for their Indigenous students
- Mentoring programmes for their Indigenous students
- Career or study pathways for their Indigenous students, for example work experience, workplace visits, orientation programmes, etc
- Costs associated with collaborating with their Indigenous community partners
- Costs associated with collaboration with businesses engaged in Indigenous education at the schools in the nature of career pathways, mentoring etc
- Post school support for Indigenous students into employment or tertiary education
- Other as determined by each school.

The principle is simply that the funds are used for Indigenous education related costs as long as the particular school is achieving at or above benchmark scores on the *five measurable and objective indicators*.

Many schools believe that deeper engagement (and better outcomes) will occur if parents and families are required to make a financial contribution towards the student's costs in a way that is appropriate to their means. This would be a discretionary matter for each school and

any payments thus received would not reduce the government incentive payments.

The funding arrangements must be simple and with minimal bureaucracy and red tape, so that precious resources are not diverted from teaching/support for Indigenous students and having teachers or other staff stuck behind their desks managing paperwork.

The reporting could be done simply by each school:

- completing one simple annual return with data on their performance against *the measurable and objective indicators*;
- providing the same student reports that each school already prepares for the every other student; and
- providing a simple annual financial statement verified by the external auditors of the school that itemises how much funding has been received from government *and* from other / private sources and how it has been spent in the previous year.

Effective Implementation: Public – Private Partnership

In the same way that schools have a core competency in education, the corporate sector can offer a powerful array of skills that are within its area of core competency combined with much needed funding to complement government investment in Indigenous education.

However, private sector appetite to invest in *government programmes* is extremely limited.

There are very few examples of successful programmes where the private sector has been willing to co-invest in any meaningful way into

government or quasi-government programmes, and there is very little private sector appetite to do this in the field of Indigenous education. The reasons for this include:

- rightly or wrongly, the same level of cynicism towards government and issues around trust that seems to have developed in the broader community in recent years;
- rightly or wrongly, a *perception* that government programmes might be politically motivated and risk being withdrawn as political winds change;
- rightly or wrongly, a *perception* that government programmes are overly focused on short-term outcomes and lack long term vision and certainty;
- rightly or wrongly, a *perception* that government programmes can be bureaucratic, inefficient and ineffective;
- rightly or wrongly, a *perception* that government programmes are overly reductionist in that they play to the lowest common denominator that everyone can agree on instead of being bold, creative and innovative;
- rightly or wrongly, a *perception* that government programmes lack disciplined market-driven efficiencies in the use and allocation of resources;
- rightly or wrongly, a *perception* that government programmes lack strategic focus and crisp thinking;
- rightly or wrongly, a *perception* that government programmes don't challenge conventional thinking;

- rightly or wrongly, a *perception* that government programmes overly focus on process instead of results;
- rightly or wrongly, a *perception* that government programmes may be run by individuals that are unable to effectively implement new approaches because of the confines and constraints of the bureaucracy they operate within;
- rightly or wrongly, a *perception* that government programmes have insufficient staff who are effective and innovative, focused, enthusiastic, committed, results-driven, proven performers and passionate people itchy to bring about lasting change who will work whatever hours are required to get the job done;
- rightly or wrongly, a *perception* that government programmes can be hijacked by influential industry groups, lobbyists, political ideologies, culture warriors, and other organisations or special interest groups with conflicting agendas;
- rightly or wrongly, a *perception* that government programmes lack pragmatism and an ability to get the job done without unwieldy process;
- rightly or wrongly, a *perception* that government programmes are mainly reactionary and not pro-active;
- rightly or wrongly, a *perception* that government programmes may drift along comfortably without being challenged to do better;
- rightly or wrongly, a *perception* that government programmes may not give creative and skilled individuals and organisations the opportunity to excel and innovate;

- rightly or wrongly, a *perception* that government programmes get bogged down in committees, over-consultation and process which results in programmes being implemented that bear little resemblance to the original policy settings and policy objectives;
- and the list goes on.

It's no good shooting the messenger, these perceptions exist in the private sector, whether we like them or not. And as long as they exist, there will not be any meaningful appetite for the private sector to invest in government or quasi-government programmes.

On the other hand, the key strengths of government include providing leadership, an ability to give wings to good ideas and to develop sound and responsible policy settings. But there can be a tendency to then overburden the policy with process which is debilitating and which doesn't bring out the best in people.

The solution lies in partnerships - having the government providing the leadership and setting the policy, and then implementing the policy by co-investing with the private sector in transparent and accountable non-profit programmes led by organisations or people with a proven track-record of getting things done effectively and efficiently, including proven leaders from the big end of town in Corporate Australia.

If this is done:

- the goodwill and commitment of business leaders from the big end of town with proven track-records and influence will be mobilised to get involved to contribute to the effective delivery of the policy;
- co-investment from high net worth individuals and corporate Australia will flood in;

- schools and Indigenous students all around Australia will be lining up at the door; and
- we will see a rapid increase in successful educational achievement by Indigenous students.

Long-term strategy with funding certainty

We need to invest some of the dividends of our historic and unprecedented economic growth in the future of Indigenous children rather than spending the proceeds on consumption and leaving behind a quarry for future generations of Indigenous Australians.

If the government adopts this model, substantial public funding needs to be invested upfront from budget surpluses rather than being drip fed over political cycles.

If the education sector and the private sector are to mobilise in partnership with government and be ambitious and innovative in their responses to the Indigenous education crisis, they need long-term certainty of funding which is immune from the short-term nature of political cycles.

This requires a 20-year investment in Indigenous education which gives long-term certainty to this initiative.

Conclusion

50% of Indigenous Australians are under the age of 20. If we want long term strategies to close the gap we must focus on children and their education and pathways to productive employment.

We have a national emergency and instead of tinkering at the edges, an emergency response with big and bold policy is imperative.

These educational opportunities for Indigenous families and Indigenous children are about choice, not imposition.

We must act so that we seize the unprecedented opportunity to address this national emergency while the climate set by the Apology is ripe.

Coming so soon after taking office, the Prime Minister's words on 13 February have put the Indigenous crisis at the centre of the political agenda for this government. Having taken so long to come, the Apology is a once only event. There's no second chance. Our generation will be judged by how we now respond.

We may have no Bill of Rights but there's one right that many Australians have embedded in their soul: the Right to a Fair Go.

Indigenous children shouldn't have to *Fight* for a fair go- it's their *Right* to a fair go. And it's the responsibility of both the government and the private sector in this era of historic and unprecedented economic growth to see they get it and to address this crisis immediately.

Endnotes:

- A similar policy could apply to tertiary institutions and residential colleges etc the same way as it does for schools. The policy suggestion in this paper also incorporates school/hostel combinations.
- There could also be a separate but related metric built around providing schools with funds for capital expenditure to build more physical capacity within their school for Indigenous students. Capital investment drives productivity.
- Personal Biography: Andrew Penfold worked as a corporate lawyer and investment banker with leading firms in Sydney, London and Hong Kong for

around 20 years. Four years ago he left the corporate world and has been working ever since on a full-time but voluntary basis to assist Indigenous children to enrol at boarding schools.

Andrew established and is Chairman of the St Joseph's College Indigenous Fund which has raised approximately \$5 million at zero cost over the past two years to provide a permanent and sustainable capital base and an annual income stream to support the costs associated with boarding school scholarships for around 40 Indigenous boys. Approximately 75% of this \$5 million has been contributed from sources without any connection to St Joseph's College, largely by corporations and the leaders of corporate Australia in their personal capacity.

This programme has been recognised by the Productivity Commission's 2007 report 'Overcoming Indigenous Disadvantage' as one of the few 'Things that Work' in the key indicator of Years 10 and 12 retention and attainment.

Through this work, Andrew consults daily with leaders of corporate Australia and with staff at the coalface of Indigenous education programmes at schools and universities throughout Australia.

- **See Annexures for the inspirational story of Craig Ashby, an Indigenous student from Walgett in NSW who attended St Joseph's College in Sydney. This is his story of *Illiteracy to University in Four Years* published in 2007. Craig is now in his third year studying to become a teacher at Sydney University and his dream is to become a teacher in his home town of Walgett. (articles omitted from Word file to keep file size small – contact me if required)**