Short-Statement Impact Analysis Statements

Education and Other Legislation Amendment Bill 2026

Details of overall proposal:

Lead department	Department of Education
Name of the proposal	Education and Other Legislation Amendment Bill
Submission type (*Summary IAS / Consultation IAS / Decision IAS)*	Variable
Title of related legislative or regulatory instruments	*Education (Accreditation of Non-State Schools) Act 2017* *Education (General Provisions) Act 2006* *Education (Queensland College of Teachers) Act 2005* *Education (Queensland Curriculum and Assessment Authority) Act 2014* *Libraries Act 1988* *Queensland Art Gallery Act 1987* *Queensland Museum Act 1970* *Queensland Performing Arts Trust Act 1997* *Queensland Theatre Company Act 1970*
Date of issue	18 November 2025

Details

Name of the proposal	Legislative amendments to improve the effectiveness of the accreditation framework for Queensland's non-state schools
Submission type (*Summary IAS / Consultation IAS / Decision IAS)*	Summary IAS
Title of related legislative or regulatory instrument	*Education (Accreditation of Non-State Schools) Act 2017*

What is the nature, size and scope of the problem? What are the objectives of government action?

The Queensland education system comprises both a State and a non-state sector. Non-state sector schools are represented by two peak bodies; Independent Schools Queensland (ISQ) representing a broad range of independent schools, and the Queensland Catholic Education Commission (QCEC) representing Catholic non-state schools. QCEC will become Catholic Education Queensland Limited (CEQL) on 1 January 2026.

Queensland's non-state schooling sector is administered under the *Education (Accreditation of Non-State Schools) Act 2017* (EANSS Act) and the *Education (Accreditation of Non-State Schools) Regulation 2017* (EANSS Regulation).

The EANSS Act and EANNS Regulation establish the governing body, the Non-State Schools Accreditation Board (NSSAB), and the accreditation framework, against which Queensland's non-state schools are assessed for suitability and continued operation.

The NSSAB works predominantly with the governing bodies of non-state schools on aspects of accreditation and funding eligibility. NSSAB's functions are to:

- assess applications for the accreditation of non-state schools including assessment of changes of accreditation criteria for non-state schools
- assess and decide applications about governing bodies eligibility for government funding; including whether the governing bodies that are eligible for government funding continue to meet eligibility criteria for this government funding
- maintain a register of accredited schools
- monitor whether accredited schools continue to comply with the accreditation criteria
- monitor whether the governing bodies of accredited schools are suitable to continue to be a school's governing body
- monitor and enforce compliance with EANSS Act and the EANSS Regulation
- conduct investigations about contraventions of, or non-compliance with, EANSS Act
- examine and advise the Minister about the operation and eligibility for government funding schemes under EANSSA which may include for example, examining or reporting on matters referred to NSSAB by the Minister.

NSSAB is supported in its operations by a dedicated secretariat, which provides administrative and operational support enabling NSSAB to fulfil its statutory responsibilities efficiently and transparently. NSSAB appoints authorised persons who are empowered under the EANSSA to carry out specific duties for the NSSAB. Together, the legislation, NSSAB, its Secretariat and authorised persons form the Non-State Schools Accreditation Framework (NSSAF), which safeguards the quality and integrity of non-state schooling in Queensland, while promoting choice and confidence for families.

NSSAB has regulatory oversight of one-third of Queensland's school students, ensuring their education, safety, and wellbeing. As of 30 June 2025, NSSAB regulates 551 non-state schools across 643 sites, educating 321,885 students — 36% of Queensland's student population.

NSSAB members are appointed by Governor in Council and consist of a nominee of the Minister as Chair, three nominees of the Minister nominated after consultation with ISQ and QCEC, a nominee of the chief executive of DoE, a nominee of ISQ and a nominee of QCEC.

The EANSS Act and EANSS Regulation, set out accreditation criteria with which schools must comply in order to maintain their accreditation. The accreditation criteria are prescribed in sections 5 – 20 of the EANSSR for the purposes of section 11 of EANSSA and consider:

- Administration and governance (School survey data and associated documents, Governance, Complaints procedures)
- Financial viability
- Educational program (educational program, statement of philosophy and aims, students who are persons with a disability, schools delivering distance education, special assistance schools, flexible arrangements approvals)
- Student welfare processes (health and safety, conduct of staff and students and response to harm)
- School resources (staffing, land and buildings, educational facilities and materials)
- Improvement Processes

In 2023 the review of the non-state schools accreditation framework was completed with the release of a final report (the report) in March 2023.

https://alt-qed.qed.qld.gov.au/programsinitiatives/department/Documents/nssaf-review-final-report.pdf)

The report set out recommendations for a contemporary non-state schools accreditation framework under four key themes: culture, collaboration and communication; clarity and consistency; compliance and community confidence.

NSSAB is transitioning to a more proactive, risk-based, and educative regulatory approach under the NSSAF, aligning its operations with the Queensland Government Regulator Performance Framework (QGRPF), the recommendations of the review and recent independent Nous Group reports commissioned by NSSAB. This shift supports the Minister's Charter Letter to empower school leaders and communities to deliver world-class education for Queensland students.

Complementary to the recommendations made in the report, NSSAB has identified priority operational legislative amendments for this Bill. Recommendations 2.3 (assessment of accreditation attributes) and 4.2 (delegation model) are supported by proposed reforms.

The proposed reforms relating to accreditation and use of temporary sites will improve administrative processes, support risk-based regulation and reduce regulatory burden on NSSAB and the non-state sector. Proposed reforms about providing clarity for NSSAB's power to delegate functions will enhance governance and reduce regulatory burden. Proposed reforms for information sharing respond to recommendations of the report, to improve compliance and monitoring, delivering enhanced governance and improving continuity of education.

The proposed reforms are:

(1) <u>Assessment of applications on changes in attributes</u> – the EANSS Act does not provide contemporary flexibility for NSSAB to assess changes in attributes of accreditation in a way responsive to the level of risk that may be associated with the change. Currently when a non-state school seeks a change in accreditation attributes, for example, a change in years offered by the school, NSSAB and the non-state school must engage in a full accreditation assessment, rather than focusing assessment only on changed attributes. This places an unnecessary administrative requirement on NSSAB and non-state schools. It is proposed to amend the EANSS Act to provide that assessment of applications for changes in accreditation are relevant to the change being sought.

(2) <u>Use of temporary sites</u> – Special Assistance Schools (SAS) may use temporary sites, but this is not enabled for other non-state schools. The proposed reforms will clarify accreditation status of an SAS during application to use a temporary site and extend eligibility to apply for temporary site use to all non-state schools. This will clarify the accreditation process and also support continuity of education by enabling all non-state schools to use temporary sites (for example, where a school may need to operate elsewhere due to a natural disaster) and ensure operational clarity for schools for their accreditation status while doing so.

(3) Delegations – the EANSS Act does not provide NSSAB with the ability to delegate its functions to appropriate officers, which limits its operational efficiency. It is common across Queensland statutes for Boards to have express delegation powers that allow them to assign any or all their functions to officers prescribed under legislation. For example, section 264 of the *Education (Queensland College of Teachers) Act 2005* authorises the Queensland College of Teachers (QCT) Board to delegate its functions to board members, committees, the director or appropriately qualified staff of the QCT office (of the QCT director). A similar delegation provision is proposed, ensuring NSSAB can operate more effectively and align with similar governance arrangements for statutory boards in Queensland. (4) Information sharing between NSSAB and Department of Education (DoE) – under the EANSS Act NSSAB is authorised to provide information to the Minister but not to DoE. While NSSAB shares certain information to support the administration of funding, it does not provide updates on regulatory actions such as show cause notices issued to non-state schools, or cessation of accreditation. This limits DoE's ability to perform its functions effectively, including administration of Queensland Government funding to non-state schools and advising the Minister for Education and the Arts on emerging issues. Timely and accurate information from NSSAB is essential to inform DoE decisions and policy responses. Proposed reforms will clarify information sharing. Further, the existing public interest framework under EANSS Act only allows the DoE Chief Executive to determine whether an NSSAB decision may be disclosed to another State or the Commonwealth, but not to DoE itself. Proposed amendments will enable timely information sharing between NSSAB and DoE regarding the accreditation status of a non-state schools, supporting effective planning for the continued delivery of education and clarifying circumstances under which disclosure of information is appropriate. (5) Ministerial statement of expectations – the EANSS Act does not provide for the Minister to issue a Statement of Expectations to NSSAB. Other similar statutes, such as section 74 of the *Education (Queensland Curriculum and Assessment Authority) Act 2014* provide for the Minister to issue a Statement of Expectations to the authority stating the Minister's expectations for the performance of the authority in relation to its functions. It is proposed to amend the EANSS Act to provide a consistent approach for the Minister administering the EANSS Act to be able to issue a statement to NSSAB.
What options were considered?
Option One: maintain status quo with no legislative changes. Option Two: amend legislation to provide for the reforms outlined above, to ensure the effectiveness of the accreditation regulatory framework and reduce red tape for the NSSAB and the non-state school sector.
What are the impacts?
The impacts of both options are minimal on all stakeholders, including community, government and schools. However, Option Two improves the overall effectiveness of the regulatory framework, improving administrative processes, reducing red tape on the non-state sector and NSSAB, strengthening governance arrangements and providing clarity for NSSAB operations and non-state schools.
Who was consulted?
The independent review consulted broadly in the community, government, and school sector (including extensive consultation with the non-state school sector. Recommendations proposed through the independent review were either accepted in full or in-principle by the Queensland Government and supported by sector stakeholders. NSSAB is comprised of members including representatives from the non-state school sector and peak bodies. Operational issues identified by NSSAB have been considered by these members.
What is the recommended option and why?
Option Two is the preferred option. Proposed reforms enable a risk-based approach to assessing changes in accreditation attributes and clarify how Special Assistance Schools (SAS) and other non-state schools can use temporary sites in particular circumstances, without impacting their accreditation status. Proposed reforms will also enable the NSSAB to delegate functions to appropriate persons, enable the Minister for Education to issue a statement of expectations to NSSAB, and clarify the sharing of information between NSSAB and the Department of Education (DoE) about non-state schools for particular purposes.

These initial reforms will provide NSSAB with streamlined accreditation processes, reduce red tape and administrative burden for non-state schools, and respond in part to review recommendations about improved sector collaboration and communication.

Impact assessment

	First full year	First 10 years**
Direct costs – *Compliance costs**	Compliance costs related to changes to accreditation provisions cannot be accurately quantified as costs vary widely due to the nature of non-state schools and their circumstances (e.g. size of school, number of students, number of times a school may require use of a temporary site, or number of times a school applies for a change in accreditation attribute). The proposed reforms are intended to reduce the administrative burden associated with assessment processes related to accreditation. Provision for information sharing between NSSAB and the Department is not anticipated to add compliance costs. Costs associated with delegation and Ministerial Statement of Expectations will be minor and related only to ensuring that record keeping reflects decisions. Benefits associated with improved administrative processes will outweigh potential costs.	Compliance costs related to changes to accreditation provisions cannot be accurately quantified as costs vary widely due to the nature of non-state schools and their circumstances (e.g. size of school, number of students, number of times a school may require use of a temporary site, or number of times a school applies for a change in accreditation attribute). The proposed reforms are intended to reduce the administrative burden associated with assessment processes related to accreditation. Provision for information sharing between NSSAB and the Department is not anticipated to add compliance costs. Costs associated with delegation and Ministerial Statement of Expectations will be minor and related only to ensuring that record keeping reflects decisions. Benefits associated with improved administrative processes will outweigh potential costs.
Direct costs – *Government costs*	Cost to Government is expected to be minimal. Costs cannot be accurately quantified. The proposed reforms are intended to reduce the administrative burden associated with assessment processes related to accreditation and clarify administrative processes for delegations and Ministerial Statement of Expectations. Information sharing between the NSSAB and DoE will support robust decision-making and is not expected to result in additional costs. Benefits realised from clarity of legislative processes will outweigh potential costs.	Cost to Government is expected to be minimal. Costs cannot be accurately quantified. The proposed reforms are intended to reduce the administrative burden associated with assessment processes related to accreditation and clarify administrative processes for delegations and Ministerial Statement of Expectations. Information sharing between the NSSAB and DoE will support robust decision-making and is not expected to result in additional costs. Benefits realised from clarity of legislative processes will outweigh potential costs.

SIGNED

Director-General
Department of Education
Date: 18/11/2025

SIGNED

Minister for Education and the Arts

Date: 20/11/2025

Details

Name of the proposal	Re-engagement of young persons in education, employment and training and Education and Training Centres – legislative clarifications
Submission type (*Summary IAS / Consultation IAS / Decision IAS)*	Short statement IAS
Title of related legislative or regulatory instrument	*Education (General Provisions) Act 2006*

Proposal type	**Details**
Minor and machinery in nature	<u>Re-engagement programs</u> DoE delivers a range of non-school based programs and initiatives designed to re-engage young persons in education, training or employment pathways. These include: • Regional Youth Engagement Services, Indigenous liaison officers; • the Education Justice Initiative, in which Court Liaison Officers and Youth Transition Officers work with young person's appearing before the Children's Court and assist them to transition to education, training or employment; • Intensive Education Case Managers, who work with young persons who have been subject to long-term suspensions or exclusions from school; • Youth Support Co-ordinators, who work in schools and regions to re-engage young persons in Years 10 to 12; and • new specialised alternative learning programs, in which DoE fund non-government organisations to work with young persons aged 10-16 years who have been involved with the youth justice system, and who require additional support to transition to further education, training or employment pathways. Programs and initiatives are available to and utilised by young persons from state and non-state schools. Young people who have been disengaged from schooling often receive coordinated support through these DoE programs alongside other agencies, such as the Department of Youth Justice and Victim Support, Child Safety and the Department of Families, Seniors, Disability Services and Child Safety. This includes support from non-government organisations contracted by DoE to provide special alternative learning programs in Ipswich, Townsville, Mount Isa and Cairns. The *Education (General Provisions) Act 2006* (EGPA) does not clearly recognise participation in these non-school based programs where a child or young person is not enrolled in a state or non-state school or another eligible option. Proposed amendments will clarify that DoE may support and manage participation of children and young people in non-school-based re-engagement programs until they are ready to transition back into formal education or training.

Proposal type	Details
	Explicit statutory recognition of re-engagement programs will minimise any risk that the provision of such activities is seen as supporting non-attendance in a manner that is inconsistent with compulsory schooling and compulsory participation requirements under the EGPA. The proposal does not impose new arrangements, but simply provides statutory clarity and recognition for existing approaches and supports the internal operations of DoE. Education and Training Centres (ETCs) The day-to-day operation of ETCs within youth detention centres is documented administratively through a Memorandum of Understanding with the Department of Youth Justice and Victim Support. The unclear status of ETCs within the legislation has been highlighted by recent uncertainty as to whether Blue Card exemption requirements apply to teachers working in ETCs, in the same way as teachers working in other educational institutions established under the EGPA such as schools and environment and outdoor education centres. ETCs cannot be established as state schools under the EGPA due to their unique operating characteristics, including relatively short periods of enrolment, lower student-to-teacher ratios, and tailored curriculum offerings. While section 15 of the EGPA also provides for the Minister to establish other educational institutions, it is considered that ETCs do not fall within the scope of ‘other educational institutions’, either. Examples in the EGPA of what other educational institutions may be (i.e. student hostels or staff development / support centres) do not readily contemplate ETCs. Proposed reforms will include an explicit legislative reference to ETCs as an educational institution for section 15 of the EGPA. The proposals are minor and machinery in nature, relate to internal administrative arrangements, and do not result in regulatory or policy change. No regulatory impact analysis is required under the Queensland Government Better Regulation Policy.

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Director-General
Department of Education
Date: 18/11/2025

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Minister for Education and the Arts

Date: 20/11/2025

Details

Name of the proposal	Provide for information sharing arrangements to support the re-engagement of young people in education, training or employment
Submission type (*Summary IAS / Consultation IAS / Decision IAS)*	Summary IAS
Title of related legislative or regulatory instrument	*Education (General Provisions) Act 2006*

What is the nature, size and scope of the problem? What are the objectives of government action?

DoE delivers a range of non-school based programs and initiatives designed to re-engage young persons in education, training or employment pathways. These include:

- Regional Youth Engagement Services, Indigenous liaison officers;
- the Education Justice Initiative, in which Court Liaison Officers and Youth Transition Officers work with young person's appearing before the Children's Court and assist them to transition to education, training or employment;
- Intensive Education Case Managers, who work with young persons who have been subject to long-term suspensions or exclusions from school;
- Youth Support Co-ordinators, who work in schools and regions to re-engage young persons in Years 10 to 12; and
- new specialised alternative learning programs, in which DoE fund non-government organisations to work with young persons aged 10-16 years who have been involved with the youth justice system, and who require additional support to transition to further education, training or employment pathways.

Programs and initiatives are available to and utilised by young persons from state and non-state schools.

Young people who have been disengaged from schooling often receive coordinated support through these DoE programs alongside other agencies, such as the Department of Youth Justice and Victim Support, Child Safety and the Department of Families, Seniors, Disability Services and Child Safety. This includes support from non-government organisations contracted by DoE to provide special alternative learning programs in Ipswich, Townsville, Mount Isa and Cairns.

Information-sharing provisions in other legislation such as the *Youth Justice Act 1992* may sometimes be relied on to support information sharing about young people participating in re-engagement programs. However, these provisions do not apply to all disengaged young persons of compulsory school age.

Section 251A of the EGPA provides that, to help in carrying on re-engagement activities for a young person in the compulsory participation phase, the chief executive may disclose a range of information (name, address, date of birth, the last eligible option they participated in, and other information prescribed by regulation) to an entity the chief executive considers to be appropriate. There is no corresponding provision in relation to the sharing of information to support carrying out re-engagement activities for children and young persons who are of compulsory school age.

In practice, sharing with consent (as provided under section 426(4)(b)) of the EGPA is the preferred option, in accordance with Information Principals under the *Information Privacy Act 2009*. However, consent may not be readily available in a significant number of cases, e.g. where parents or caregivers cannot be readily contacted and / or located.

While provisions relating to the confidentiality of personal information allow for the use or disclosure of information 'for the purposes of this Act' (section 426(4)(a)) of the EGPA, it is not explicit that these purposes would include activities to support the re-engagement of young persons of compulsory school age. Information-sharing provisions in other legislation may sometimes be relied on (e.g. information sharing under the *Youth Justice Act 1992* in relation to young persons involved with the Education Justice Initiative or Multi-Agency Collaborative Panels), but these are not applicable for all disengaged young persons of compulsory school age.

Amendments to the EGPA will clarify that DoE may use or disclose personal information to support a young person's engagement or re-engagement in education, where that young person is of compulsory school age.
What options were considered?
The only suitable option to achieve the necessary outcome is regulatory change. This will ensure a transparent approach to information sharing that cannot be achieved by other means. Current arrangements and reliance on other statutes is unsatisfactory and does provide sufficient legislative authority or protections. For clarity, and to support the re-engagement of children of compulsory school age, the information sharing provisions set out in section 251A of the EGPA should be expressly extended to include re-engagement activities for young persons of compulsory school age.
What are the impacts?
The proposed reforms will provide for a transparent and accountable approach that can be applied consistently for young people who are participating in re-engagement programs. The current frameworks do not necessarily provide the level of clarity that is appropriate.
Who was consulted?
Although direct consultation has not yet occurred on the proposed amendments, stakeholders such as the courts or Specialised Alternative Learning Program providers recognise that effective information sharing is critical to delivering tailored support and safeguarding potentially vulnerable individuals. The proposed reforms will provide transparency about information and enable informed decision-making. By facilitating the timely and secure exchange of necessary information, the reforms will help address risks, promote positive outcomes, and uphold the interests of young people. Stakeholders will continue to be engaged as the reforms progress.
What is the recommended option and why?
The recommended option is to clarify and strengthen the current framework to ensure information is managed appropriately. This will provide protection for the young people participating in re-engagement programs. While provisions relating to the confidentiality of personal information allow for the use or disclosure of information 'for the purposes of this Act' (section 426(4)(a)) of the EGPA, it is not clear that these purposes would include activities to support the re-engagement of young persons of compulsory school age.

Impact assessment

	First full year	**First 10 years****
Direct costs – *Compliance costs**	DoE provides re-engagement programs to individuals to support their re-engagement with education, training or employment. The reforms provide legislative clarity for existing programs and will not result in additional or new compliance costs. The variance in programs, associated with the nature of the program, the needs of an individual and the range of outcomes, means that assessment of re-engagement programs cannot be quantified. The social benefit cost deriving from re-engagement programs cannot be quantified.	DoE provides re-engagement programs to individuals to support their re-engagement with education, training or employment. The reforms provide legislative clarity for existing programs and will not result in additional or new compliance costs. The variance in programs, associated with the nature of the program, the needs of an individual and the range of outcomes, means that assessment of re-engagement programs cannot be quantified. The social benefit cost deriving from re-engagement programs cannot be quantified.

	First full year	First 10 years**
	The benefit of creating clear legislative provisions that allow for information transfer facilitate continuity of education for children and young people and enhance safety settings for schools and their communities.	The benefit of creating clear legislative provisions that allow for information transfer facilitate continuity of education for children and young people and enhance safety settings for schools and their communities.
Direct costs – *Government costs*	DoE provides re-engagement programs to individuals to support their re-engagement with education, training or employment. The reforms provide legislative clarity for existing programs and will not result in additional or new compliance costs. The variance in programs, associated with the nature of the program, the needs of an individual and the range of outcomes, means that assessment of re-engagement programs cannot be quantified. The social benefit cost deriving from re-engagement programs cannot be quantified. The benefit of creating clear legislative provisions that allow for information transfer facilitate continuity of education for children and young people and enhance safety settings for schools and their communities.	DoE provides re-engagement programs to individuals to support their re-engagement with education, training or employment. The reforms provide legislative clarity for existing programs and will not result in additional or new compliance costs. The variance in programs, associated with the nature of the program, the needs of an individual and the range of outcomes, means that assessment of re-engagement programs cannot be quantified. The social benefit cost deriving from re-engagement programs cannot be quantified. The benefit of creating clear legislative provisions that allow for information transfer facilitate continuity of education for children and young people and enhance safety settings for schools and their communities.

SIGNED

Director-General
Department of Education
Date: 18/11/2025

SIGNED

Minister for Education and the Arts

Date: 20/11/2025

Details

Name of the proposal	Internal operations of the Queensland College of Teachers
Submission type (*Summary IAS / Consultation IAS / Decision IAS)*	Short-Statement IAS
Title of related legislative or regulatory instrument	*Education (Queensland College of Teachers) Act 2005*

Proposal type	Details
Minor and machinery in nature	Legislative proposals to assist the internal operations of the QCT are minor and machinery in nature and do not result in a substantive change to regulatory policy or new impacts on business, government or the community. The proposal modernises internal governance arrangements by replacing references to the head of the College from “director” to “chief executive officer” and aligns the College’s financial year and annual reporting deadline with standard Queensland Government practice, supported by transitional provisions. The objectives of the proposal are to modernise legislative language, improve operational alignment with broader Queensland Government processes, and ensure clarity in governance arrangements. It is also important that legislation is correct and that any ambiguities are rectified. The proposal relates to technical amendments to ensure legislative currency. No further regulatory impact analysis is required under the Queensland Government Better Regulation Policy.

SIGNED

Director-General
Department of Education
Date: 18/11/2025

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Minister for Education and the Arts

Date: 20/11/2025

Details

Name of the proposal	International delivery of the Queensland Certificate of Education (QCE) program by non-state schools
Submission type (*Summary IAS / Consultation IAS / Decision IAS)*	Summary IAS
Title of related legislative or regulatory instrument	*Education (Accreditation of Non-State Schools) Act 2017 and Education (Queensland Curriculum and Assessment Authority) Act 2014*

What is the nature, size and scope of the problem? What are the objectives of government action?
The Queensland Certificate of Education (QCE) is Queensland's senior secondary schooling qualification recognised within the Australian Qualifications Framework. It is internationally recognised and provides a pathway to further education in Queensland, and other Australian and international universities. The QCE is administered by the Queensland Curriculum and Assessment Authority (QCAA) under the *Education (Queensland Curriculum and Assessment Authority) Act 2014* (QCAA Act) and the *Education (Queensland Curriculum and Assessment Authority) Regulation 2025*. The QCAA is a statutory body, established under the QCAA Act. Its functions are set out in part 2 of the QCAA Act and includes providing senior secondary curriculum and assessment services to 'recognised schools'. The QCAA awards QCEs to eligible students who have undertaken school assessments endorsed and moderated by the QCAA (school assessments); and external assessments developed and marked by the QCAA. External assessments are administered at the same time and on the same day. Schools delivering the QCE enter into an annual Senior Secondary Certification Agreement (certification agreement) with the QCAA. Since 2011, DoE, through its commercial arm known as Department of Education International (DEi), has worked in partnership with QCAA to enable the QCE to be delivered in recognised (overseas) schools (current arrangement). 'Recognised schools' are schools based overseas whose governing body has an agreement with the State of Queensland (through the Department of Education) under which the governing body is authorised to implement, for the students at the school, the QCAA's syllabuses for senior subjects. 'Recognised schools' are defined in the QCAA Act, to be: (a) an entity providing educational instruction to students; (b) that does not operate in Australia; and (c) where the schools' governing body has an agreement with the State to implement the QCAA's syllabuses for senior subjects. The current arrangement operates through a service agreement between DEi and the QCAA (DEi agreement). Under the DEi agreement, DEi deems an overseas school to be a recognised school for the purpose of the Act, undertakes due diligence on the overseas school and associated entities, monitors school performance, facilitates school reviews conducted by the department, and provides professional development and mentoring. DEi sets fees for the QCE program with overseas schools (fees are Commercial in Confidence). The QCAA provides quality assurance of the delivery of the QCE by the recognised schools, including issuing the certification agreement, initial training and professional development of school staff, on-site visits and administering new external examinations for schools in the Northern Hemisphere. As DEi is a commercial entity, the QCAA provides curriculum support to overseas schools including providing and/or modifying school assessments. DEi currently has agreements in place with seven overseas schools, with around 744 students, across four countries eligible to be awarded a QCE in 2025: • Hangzhou Dongfang High School, Qingdao Guokai Middle School, Tianmen Huatai Middle School and Wuxi Foreign Language School – China • New Taipei Yuteh Private School – Taiwan

- AIS Sharjah – United Arab Emirates
- Nauru Secondary School – Nauru

The QCAA has a current agreement with DoE, which is in force until 31 December 2028, under which the department can negotiate and administer arrangements for supporting recognised schools to deliver the Queensland Certificate of Education (QCE) program internationally. That support is in addition to the support that the QCAA provides to recognised schools under section 12 of the QCAA Act.

The department accepts and assesses applications from overseas schools to become a 'recognised school' under the QCAA Act and implement the QCE program by entering into a Program Delivery Services Agreement (PDSA) with the department. This allows students at those recognised schools to receive a QCE and an ATAR through the Queensland Tertiary Admissions Centre.

Under the QCAA Act, it is the State through the department which decides whether an overseas school can be a recognised school, and the program exclusively involves the department partnering with each recognised school. The non-State education sector is not involved.

Independent Schools Queensland (ISQ), the peak body for independent non-state schools in Queensland, has advocated for the opportunity for schools in their sector to engage in commercial agreements with partner overseas schools to deliver the QCE. The current legislative framework does not provide a pathway this to occur.

For a non-state school to partner with an overseas school to support the delivery of the QCE, the State would first need to authorise the overseas provider. This creates challenges under current legislative framework, as it raises a perceived conflict of interest if DEi were to administer a non-state school's participation. As a result, non-state schools have been unable to deliver the QCE internationally under the current model.

It is proposed to expand the current model for international delivery of the QCE to allow entry to the model by non-state schools. The proposed reforms to support the QCE program will provide the non-state schooling sector with the same opportunities as the State Government, through DEi, to partner with overseas schools and has the potential to increase pathways for overseas students to Queensland universities.

New South Wales, Western Australia and South Australia curriculum and assessment authorities administer programs that enable the delivery of their respective Year 12 certifications overseas, however only Victoria enables non-state schools to partner with overseas schools.

It is proposed to implement a program, informed by the Victorian model, to provide Queensland non-state schools with the same opportunities to partner with overseas schools to deliver the QCE internationally (program). The program is underpinned by the need to protect the integrity and reputation of the QCE, and to apply the same eligibility requirements for the QCE for Queensland students and students enrolled in an overseas school.

The desired outcome is for the model to be expanded, with relevant legislation updated to allow accredited non-state schools in Queensland to participate in the international delivery of the QCE including the establishment of a statutory fee structure for the QCAA.

Fees are not related to compliance costs directly but provide for services to be offered on a cost recovery basis by the QCAA.

What options were considered?

Option 1: Maintain status quo – the current regulatory framework for the provision of QCE to overseas schools would remain, with DEi the only entity able to provide QCE education to overseas schools, in agreement with QCAA.

Option 2: Expand the framework to allow non-state schools to deliver the QCE in overseas schools, in partnership with QCAA, with minimal regulatory oversight.

Option 3: Expand the framework to allow non-state schools to deliver the QCE in overseas schools, in partnership with QCAA, with sufficient regulatory oversight to ensure the integrity and reputation of the Queensland education system and associated QCE.

What are the impacts?
Option 1: Under this option, the impacts would be minimal to all parties, except non-state schools. Non-state schools would continue to be excluded from being able to undertake the international delivery of the QCE program in partnership with overseas schools, in the same way that DEi is currently able to. Option 2: Under this option, the ability to provide QCE to overseas schools, in partnership with the QCAA, would be expanded to non-state schools, as well as DEi. Legislative amendments would be required to expand QCAA's functions. However, as minimal regulatory oversight would be provided for, there is a risk of the QCE program being offered in a manner that could undermine Queensland's reputation and the integrity of the QCE program. This could impact the broader Queensland education system, and students attending Queensland schools seeking education or employment opportunities overseas. Option 3: Under this option, the ability to provide the QCE program to overseas schools, in partnership with the QCAA, would be expanded to non-state schools, as well as DEi. Legislative amendments would be required to expand QCAA's functions, but also ensure due diligence on the provision of QCE studies in overseas schools. This additional regulatory oversight would ensure that Queensland and the QCE's reputation and integrity are not impacted.
Who was consulted?
Stakeholders who have been engaged and consulted on the proposal to expand the model for international delivery of the QCE program are Independent Schools Queensland and the QCAA, as the key stakeholders. Stakeholders support proposed Option 3.
What is the recommended option and why?
Option 3 is the preferred option. This option allows both non-state schools and DEi to provide the QCE to overseas schools, but ensure due diligence is undertaken to protect the integrity and reputation of the QCE and Queensland education system. Reforms to the EANSS Act and the QCAA will support an expanded model for the international delivery of the QCE. The reforms will provide for the QCAA to be established as the authorising entity to undertake due diligence on overseas schools and non-state schools to ensure the integrity of arrangements. This will support non-state schools to enter partnerships with overseas schools. The policy objectives for the new model under Option 3 are: • QCAA to become the authoriser of international QCE delivery; • Authorisation of the international delivery of QCE to occur: – Through the State system – by agreement between QCAA and DEi; – Through the non-State sector – by agreement between QCAA and the non-State school applicant; • New functions for QCAA to undertake relevant due diligence including: – For the State sector, due diligence on the overseas school and the proposed partnership with DEi, but not on DEi itself, and ongoing quality assurance on the overseas school; and – For the non-State sector, due diligence and ongoing quality assurance on both the local and overseas school; – QCAA to perform any other investigations that may be required from time to time to ensure that international delivery of the QCE, whether through a partnership with DEi or a non-State school, is undertaken as agreed; – QCAA to charge fees for performing its expanded functions; and – New standards with which local partners from any sector must comply. • Under the expanded model QCAA to take the place of 'the State' as the authoriser of international QCE delivery, with authorisation of international QCE delivery to occur via: in the case of the state system—agreement between QCAA and the State (DEi), in relation to a proposed specified partnership between DEi and a specified overseas school;

• in the case of non-state schools—agreement between the QCAA and a non-state school applicant, in relation to a proposed specified partnership between the non-state school and a specified overseas school; and • agreement between the QCAA and a non-state school system (e.g. Catholic or Anglican, etc.) applicant, in relation to a proposed specified partnership between the non-state school system and a specified overseas school. New associated functions and powers for the QCAA including in relation to undertaking: • in the case of the state system—due diligence on the overseas school and the proposed partnership with DEi (but not on DEi itself), as part of assessing an application from DEi for international delivery of the QCE supported by DEi; ongoing quality assurance (QA) in relation to the overseas school and the agreed partnership with DEi (but not on DEi itself), as part of providing ongoing oversight of the agreed arrangement for international delivery of the QCE; • in the case of non-state schools—due diligence on both the local and overseas school, and their proposed partnership, as part of assessing an application from a local school for international delivery of the QCE; ongoing QA in relation to both the local and overseas school, and their agreed partnership, as part of providing ongoing oversight of the agreed arrangement for international delivery of the QCE; and • any other investigations required from time to time to ensure that international delivery of the QCE is undertaken as agreed. The amendments will include for QCAA to develop guidelines that support authorised agreements and partnership arrangements and establish a regulation making power specific to the international delivery of the QCE. Option 3 also contemplates the establishment of a fee structure, subject to Government approval. In summary, the program will establish a robust framework to provide the non-state schooling sector with the same opportunities to partner with overseas schools, and has the potential to increase pathways for overseas students to Queensland universities, supporting access to education.

Impact assessment

	First full year	First 10 years**
Direct costs – *Compliance costs**	DEi currently provides for the delivery of the QCE program through recognised overseas schools and these schools enter into a contract with DEi. Fees are currently Commercial in Confidence. The overall fees model for DEi and QCAA under this proposal remains subject to government approval	It is not anticipated that there will be an extensive uptake by independent schools to partner with overseas schools. Compliance costs cannot be quantified. Fees are currently Commercial in Confidence. The overall fees model for DEi and QCAA under this proposal remains subject to government approval
Direct costs – *Government costs*	DEi currently provides for the delivery of the QCE program through recognised overseas schools and these schools enter into a contract with DEi. Fees are currently Commercial in Confidence.	It is not anticipated that there will be an extensive uptake by independent schools to partner with overseas schools. Costs cannot be quantified. Fees are currently Commercial in Confidence.

	The overall fees model for DEi and QCAA under this proposal remains subject to government approval	The overall fees model for DEi and QCAA under this proposal remains subject to government approval

SIGNED

Director-General
Department of Education
Date: 18/11/2025

SIGNED

Minister for Education and the Arts

Date: 20/11/2025

Details

Name of the proposal	Arts Statutory Body – legislative amendments
Submission type	Short Statement IAS
Title of related legislative or regulatory instrument	*Libraries Act 1988,* *Queensland Art Gallery Act 1987* *Queensland Museum Act 1970* *Queensland Performing Arts Trust Act 1997* *Queensland Theatre Company Act 1970.*

Proposal type	Details
No RIA Required	The Arts Statutory Body (ASB) Acts outline the role and responsibilities of the board and the operational function of the body they enable. The amendments proposed have no regulatory impacts on the ASBs or members of the public. The proposals set out to improve governance of the ASBs. The impact of this change is directly to the organisations that the Acts govern, with no regulatory impact on the public. As the governance amendments are focused on modernising governance and delivering efficiencies and relate to the internal operations of the Statutory Bodies (and therefore a within the category of 'Regulatory proposals for the internal management of the public sector) RIA is not required.

SIGNED

Director-General
Department of Education
Date: 18/11/2025

SIGNED

Minister for Education and the Arts

Date: 20/11/2025

Details

Name of the proposal	Technical amendments: • Head of powers • modernisation of the legislative mechanism for charging Criminal History Check fees • updates to cross references in legislation
Submission type	Short-Statement IAS
Title of related legislative or regulatory instrument	*Education (General Provisions) Act 2006* *Education (Queensland College of Teachers) Act 2005*

Proposal type	Details
Minor and machinery in nature	<u>Head of powers</u> The *Education (General Provisions) Regulation 2017* (EGP Regulation) is due to be remade by 1 September 2027 under the *Statutory Instruments Act 1992*. A review of the EGP Regulation has commenced and potential head of power issues between the EGPA and the EGP Regulation have been identified. Section 62 of the EGP Regulation (Report about State school student, or former State school student, for particular proceedings or in particular circumstances) does not meet the regulation making powers outlined in the EGPA i.e. section 434 (Regulation-making power) or any other regulation making powers in the EGPA which relate to prescribing matters which may be disclosed by the chief executive. Further, section 62 of the EGP Regulation provides the chief executive with a broader power to disclose personal information than contemplated by the EGPA. Section 62 of the EGP Regulation sets out that the chief executive could provide a report about a student provided they are satisfied the person requesting the report has a sufficient interest and the report is not detrimental to the student. DoE relies on section 62 of the EGP Regulation to manage requests for reports for the purpose of family law and other proceedings. The proposed amendments will ensure that the intersection between the EGPA and section 62 of the EGP Regulation is clear and robust. Legal advice for this reform is at Attachment 5. Additional amendments to the EGPA may also be necessary to ensure there is appropriate authority for all sections of the current EGP Regulation, such as section 63 in relation to enrolment of overseas students in State schools. <u>Criminal History Checks</u> The EGPA and QCT Act provide for criminal history checks to be undertaken for applicants for these two matters. Currently, criminal history check (CHC) fees are carried within the *Education (General Provisions) Regulation 2017* and the *Education (Queensland College of Teachers) Regulation 2016* as a dollar value. Annually DoE updates these values, via changes to the respective Regulations, subject to advice from the Queensland Police Service who administer and index the fee. The current mechanism presents ongoing administrative and regulatory burden.

Proposal type	Details
	Amendments to the EGPA and the QCT Act will provide a contemporary approach to application processes for mature age students and teacher registration while reducing the regulatory and administrative burden for DoE and QCT associated with annual updates to fees. The proposed approach is consistent with several Queensland statutes. The proposed reforms to amend the EGPA and QCT Act will establish that an applicant as a mature age student or for teacher registration may be required to pay the reasonable, but no more than actual, costs of obtaining a report about the criminal history to assess their suitability. The reforms would also set out that the criminal history cost requirement may be set out in an approved form, on DoE's website; or in a written notice given to the applicant. This approach is already operational to an extent, given the QCT website and the DoE's Prospective mature age student Criminal history check consent form both indicate the application of a criminal history check fee. Other matters proposed for reform include that the EGPA and QCT Act provide for the refund of the amount paid to the applicant in certain circumstances, such as where an application is refused without asking for a criminal history check or where an applicant withdraws the application before the criminal history check is obtained. The proposed reform is consistent with that proposed to amend the QCT's financial year from calendar year as fee changes occur on 1 July annually. <u>Cross references</u> The QCT Act will be updated to ensure the current nomenclature for the PC&TC Committee and ISQ are reflected. A typographical error will be corrected. All of these amendments are minor and technical in nature.

SIGNED

Director-General
Department of Education
Date: 18/11/2025

SIGNED

John-Paul Langbroek

Minister for Education and the Arts

Date: 20/11/2025