

Ministerial Records 1 Feb and 23 September
Ministerial Briefing notes forwarded to DG 1 July - 23 September

CM Ref	Team	Type	Title	To MESU
s.73(1) - RTI - Not relevant to scope of application				
21/39884	S&P	MBN	Approval of Correspondence to encourage participation in the 2021 Next Step Survey of Year 12 completers	2022091
21/125367	SPIR	MBN	Australia's Foreign Relations Act - Stocktake of State School Arrangements	2022091
21/76310	SPIR	MBN	Australia's Foreign Relations Act - Stocktake of Existing arrangements in the Department of Education	2022091
21/59824	SPIR	MBN	Contrary to the public interest	2022091
21/59962	SPIR	MBN	Contrary to the public interest	2022091
21/67267	SPIR	MBN	Contrary to the public interest	2022091
s.73(1) - RTI - Not relevant to scope of application				
21/80760	SPIR	MBN	Contrary to the public interest	2022091
20/524753	SPIR	MBN	Contrary to the public interest	2022091
20/698059	SPIR	MBN	QATSIETAC Charter Letter and 2019-20 Annual Report and 2021 Charter Letter	2022091
21/124103	SPIR	MBN	Contrary to the public interest	2022091
21/163358	ERS	MBN	Sch. 3(3)(1)(e)	2022091
21/128363	ERS	MBN	Revised Instrument of Delegation	2022091

21/149179	SPIR	MBN	Contrary to the public interest
21/240317	ONSE	MBN	Administrative Arrangements for Capital Assistance Supplementary Scheme For Non-State Schools
21/199011	ONSE	MBN	Referral of a matter to the Non-State School Accreditation Board under section 121 of the Education (Accreditation of Non-state Schools) Act 2017
s.73(1) - RTI - Not relevant to scope of application			
21/222057	ERS	MBN	Sch. 3(3)(1)(e)
21/255422	LSU	MBN	Sch. 3(2)(1)(b)
s.73(1) - RTI - Not relevant to scope of application			
21/252991	SPIR	MBN	Contrary to the public interest
21/269724	SPIR	MBN	2021-22 Federal Budget Implications
s.73(1) - RTI - Not relevant to scope of application			
21/252954	SPIR	MBN	Contrary to the public interest
21/255125	SPIR	MBN	Contrary to the public interest
21/253816	ERS	MBN	Sch. 3(3)(1)(e)
21/252192	SPIR	MBN	Contrary to the public interest
21/265018	ERS	MBN	Sch. 3(3)(1)(e)

Released by DOE under the RTI Act

21/253468	SPIR	MBN	Contrary to the public interest
21/296211	SPIR	MBN	Contrary to the public interest
s.73(1) - RTI - Not relevant to scope of application			
21/308190	ONSE	MBN	Casual Vacancy on the QCAA Board and NSSAB
21/319486	S&P	MBN	Approval of Correspondence to encourage participation in the 2021 Next Step Survey of Early School Leavers
21/261090	SPIR	MBN and Response	Contrary to the public interest
s.73(1) - RTI - Not relevant to scope of application			
289635	SPIR	MBN and Response	Contrary to the public interest
21/336947	SPIR	MBN and Response	Contrary to the public interest
21/401597	SPIR	MBN and Response	Contrary to the public interest
21/355930	SPIR	MBN and Response	Contrary to the public interest

Released by DOE under the RTI Act

21/396756	ERS	MBN and Response	Sch. 3(3)(1)(e)	5/07/2021
21/343636	ECEI	MBN	Contrary to the public interest	6/07/2021
21/366437	ERS	MBN	Sch. 3(3)(1)(e)	16/07/2021
21/402563	SPIR	MBN and Response	Contrary to the public interest	20/07/2021
21/403791	SPIR	MBN and Response	Contrary to the public interest	20/07/2021
s.73(1) - RTI - Not relevant to scope of application				21/07/2021
21/403916	SPIR	MBN and Response	Contrary to the public interest	21/07/2021
21/405765	SPIR	MBN and Response	Contrary to the public interest	21/07/2021
21/403853	SPIR	MBN and Response	Contrary to the public interest	23/07/2021
21/40385	SPIR	MBN and Response	Contrary to the public interest	23/07/2021
21/437419	ERS	MBN	Sch. 3(3)(1)(e)	26/07/2021
21/456572	ERS	MBN	Queensland Curriculum and Assessment Authority (QCAA) Decision to revise piece rates for National Assessment Program Literacy and Numeracy Exam Markers	3/08/2021

21/317802	SPIR	MBN	QATSIETAC 2021-22 Work Plan	10/08/2021
21/446573	SPIR	MBN	Contrary to the public interest	11/08/2021
21/470802	SPIR	MBN and response	Contrary to the public interest	17/08/2021
21/470783	SPIR	MBN and response	Contrary to the public interest	17/08/2021
21/470690	SPIR	MBN and response	Contrary to the public interest	17/08/2021
21/513213	SPIR	MBN	Contrary to the public interest	31/08/2021
21/503318	ONSE	MBN	Sch. 3(3)(1)(e)	20/09/2021

Released by DOE under the RTI Act

DG Records Progressed between 1 September and 23 September

GM Ref	Team	Type	Title	Final Date
21/527223	LSU	DG BN	Establishing the Education (General Provisions) Act 2006 Review Steering Committee	13/09/2021
21/439539	SPIR	DG BN	Contrary to the public interest	09/09/2021
21/571720	SPIR	DG BN	Contrary to the public interest	17/09/2021
21/582626	S&P	DG BN	Australian Government Policy Requirements under the Australian Education Act 2013	22/09/2021

Released by DOE under the RTI Act

Briefing Note

Acting Director-General
Department of Education

Action required: For Approval

Action required by: 17 September 2021

Urgent: To enable commencement of the review as a matter of priority.

SUBJECT: ESTABLISHING THE *EDUCATION (GENERAL PROVISIONS) ACT 2006* REVIEW STEERING COMMITTEE

Summary of key objectives

- To seek the Acting Director-General's approval to establish the *Education (General Provisions) Act 2006* (EGPA) Review Steering Committee in line with the Terms of Reference (ToR) provided at **Attachment 1**.
- To request the Acting Director-General sign letters to:
 - the Queensland Teachers' Union (QTU) and Queensland Independent Education Union (QIEU), notifying them of the review and inviting them to participate in the Steering Committee (**Attachments 2 and 3**); and
 - Independent Schools Queensland (ISQ) and the Queensland Catholic Education Commission (QCEC), notifying them of the review, indicating their advice will be sought on any further issues to be considered through the review and noting they will be invited to Steering Committee meetings when cross-sectoral policy proposals are discussed (**Attachments 4 and 5**).
- To request the Acting Director-General send emails to the following:
 - the Department of the Premier and Cabinet (DPC) and Queensland Treasury (QT), inviting them to participate in the Steering Committee (**Attachment 6**); and
 - key stakeholders, notifying them of the review and advising that they will be consulted on proposals emanating from the review in due course (**Attachment 7**).

Key issues

1. On 30 August 2021, the Government approved a focused review of the EGPA. In line with advice to the Government, a Steering Committee will be established to guide the review.
2. Draft Steering Committee ToR are provided at **Attachment 1**. These include information approved by the Government on the scope of the review, which is focused on three key themes: protecting students; providing good order and management in schools; and modernising and improving the provision of education services and related operations. The ToR will be updated once nominations have been received, and presented for endorsement at the first Steering Committee meeting.
3. Membership of the Steering Committee will include the Director-General (Chair), Deputy Directors-General from each division and representatives from the QTU, QIEU, DPC and QT. ISQ and QCEC representatives will be invited to participate in Steering Committee meetings when matters of cross-sectoral interest are discussed.
4. Correspondence to the QTU, QIEU, DPC and QT, seeking nominations for participation on the Steering Committee, is provided at **Attachments 2, 3 and 6**.

5. Letters to ISQ and QCEC provided at **Attachments 4 and 5** formally notify them of the review (highlighting the focused scope), indicate their advice will be sought on any further issues to be considered through the review and note they will be invited to Steering Committee meetings at relevant points.
6. An email to stakeholders likely to be engaged on a number of proposals arising from the review (i.e. state and non-state principal and parent organisations) advises they will be consulted on proposals emanating from the review in due course and seeks details for a nominee the Department of Education can liaise with as required (**Attachment 7**). Stakeholders likely to be engaged on specific issues only will be contacted separately as consideration of these matters progresses.
7. The Acting Deputy Director-General, Policy, Performance and Planning, will advise relevant internal officers of their membership of the Steering Committee and invite them to nominate policy development leads on matters for which they are responsible. Regional Directors will be briefed about the review through the Regional Directors forum.
8. To meet indicative review timeframes, it is anticipated the Steering Committee will meet four times as follows (with additional meetings scheduled if required):
 - Meeting 1 (October 2021) – Establish the Steering Committee, and confirm Steering Committee ToR, review process and timeframes.
 - Meeting 2 (November 2021) – Confirm any additional matters in/out of scope of the review and consider preliminary policy matters.
 - Meeting 3 (January/February 2022) – Consider policy options papers and associated consultation processes.
 - Meeting 4 (March 2022) – Consider consultation outcomes and final policy positions.

Implications

9. It is anticipated that the department will prepare submissions for Government consideration in June 2022.
10. Internal and external stakeholders are likely to raise issues outside the initial scope of the review. This risk will be managed by the Steering Committee in accordance with advice provided to the Government that the review will focus on legislative changes within the three key themes only, and will not result in a significant restructure of the EGPA or fundamental changes to delivery of state education services.
11. The review is being completed within existing resources across the department, and competing with current and emerging priorities of the business units involved.
12. Depending on the nature of any proposed legislative amendments and their regulatory impact, the department may be required to undertake further consultation to meet Government requirements in relation to regulatory impact assessments.
13. Extending the scope or reach of the review could have resource implications and/or require an extension to current review timeframes.
14. The tight timeframe for the review may increase the risk of inadequate policy development and/or perceptions of insufficient consultation, and reduce time for drafting of the Bill.

Human rights

15. All proposals arising from the review will be assessed against the *Human Rights Act 2019*. A Statement of Compatibility will be prepared for any legislation arising from the review.

Background

16. The EGPA provides the legislative framework which underpins the administration of education in state schools, other regulatory matters for both state and non-state schools and the delivery of education services (e.g. home education).

Recommendation

That the Acting Director-General:

- **approve** establishment of the *Education (General Provisions) Act 2006* (EGPA) Review Steering Committee in line with Terms of Reference provided at **Attachment 1**;
- **sign** letters to the Queensland Teachers' Union and Queensland Independent Education Union, notifying them of the review and inviting them to participate in the Steering Committee (**Attachments 2 and 3**);
- **sign** letters to Independent Schools Queensland and the Queensland Catholic Education Commission, notifying them of the review, indicating that their advice will be sought on any further issues to be considered through the review and noting they will be invited to Steering Committee meetings when cross-sectoral policy proposals are discussed (**Attachments 4 and 5**);
- **send** the email provided at **Attachment 6** to the Department of the Premier and Cabinet and Queensland Treasury, inviting them to participate in the Steering Committee; and
- **send** the email to key stakeholders provided at **Attachment 7**, notifying them of the review and advising that they will be consulted on proposals emanating from the review in due course.

NOTED / APPROVED / NOT APPROVED

CRAIG ALLEN
Acting Director-General
Department of Education

/ /

Copy to Minister's Office

Acting Director-General's comments

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Released by DOE
under the RTI Act

Briefing Note

Acting Director-General
Department of Education

Action required: For Approval

Action required by: 23 September 2021

Urgent: The 2020 Compliance Certificate is due to the Australian Government by 24 September 2021.

SUBJECT: AUSTRALIAN GOVERNMENT POLICY REQUIREMENTS UNDER THE AUSTRALIAN EDUCATION ACT 2013

Summary of key objectives

To request the Acting Director-General sign:

- the letter to Ms Robyn Beutel, Assistant Secretary, Australian Government Department of Education, Skills and Employment, confirming that policy requirements under section 77 of the *Australian Education Act 2013* (the Act) were met in 2020 (**Attachment 1**); and
- the 2020 Compliance Certificate at **Attachment 2** to be sent with the letter to Ms Beutel at **Attachment 1** and evidence of compliance at **Attachment 3**.

Key issues

1. Each year, the Australian Government Department of Education, Skills and Employment requests states and territories to complete a compliance assurance checklist to ensure they meet the requirements under section 77 of the Act.
2. On 10 May 2021, Ms Beutel wrote to the then Director-General requesting completion of the 2020 Compliance Certificate and financial accountability requirements under sections 77 and 78 of the Act, respectively.
3. The 2020 Compliance Certificate covers the following four key policy questions/areas:
 - Did your schools implement the Australian Curriculum (teach, assess and report on student achievement using the content and standards in the curriculum) as required in your state or territory?
 - Did your schools collect and report information on the sex, Indigenous status, socioeconomic background (parental education and occupation) and language background of all students enrolled in the 2019 school year?
 - Did your schools provide parents and carers of students in Years 1 to 10 with reports on student achievement for each subject using A to E or an equivalent scale?
 - Did your schools participate in the National Assessment Programs?
4. The Department of Education's (DoE) Strategy and Performance Branch, in collaboration with the State Schools Division, has completed the Compliance Certificate (**Attachment 2**) and provided supporting evidence that all four policy areas have been met (**Attachment 3**).
5. Notably, DoE has responded that schools participated in the National Assessment Programs, despite the related assessments being cancelled in 2020. In 2020, although the main assessments did not go ahead, Queensland still met its obligations, ensuring schools participated in item trial and equating tests.

Implications

6. The Australian Government provides funding to support school education in accordance with the Act. Queensland, as an approved authority, is required under the Act to meet ongoing policy requirements.
7. Completion of this certificate provides appropriate assurances to the Australian Government as required under section 77 of the Act.

Background

8. Section 77 of the Act sets out the ongoing policy requirements to ensure:
 - the approved authority implements a curriculum at the schools in accordance with the *Australian Education Regulation 2013* (the Regulation);
 - the approved authority ensures that schools participate in the national assessment program in accordance with the Regulation;
 - the approved authority provides information in accordance with the Regulation; and
 - without limiting paragraph (2)(f), the Regulation may require the approved authority to provide the following information:
 - o information relating to a school's census;
 - o information for the purposes of a national program to collect data on schools and school education;
 - o information for the purposes of conducting research on schools and school education;
 - o information relating to the administration and operation of a school;
 - o information in reports to persons responsible for students at a school; and
 - o information provided to the public about a school.
9. Financial acquittal information relating to section 78 of the Act was approved and returned to Ms Beutel on 18 June 2021 (**Attachment 4**).

Released under
the RTI Act

Recommendation

That the Acting Director-General sign:

- the letter to Ms Robyn Beutel, Assistant Secretary, Australian Government Department of Education, Skills and Employment, advising that requirements under section 77 of the *Australian Education Act 2013* were met in 2020 (**Attachment 1**); and
- the 2020 Compliance Certificate at **Attachment 2** to be sent with the letter to Ms Beutel at **Attachment 1** and evidence of compliance at **Attachment 3**.

NOTED / APPROVED / NOT APPROVED



CRAIG ALLEN
Acting Director-General
Department of Education

23/9/2021

Copy to Minister's Office

Acting Director-General's comments

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Contrary to the public interest
Sch. 3(3)

Released by DOE
under the RTI Act

Briefing Note

The Honourable Grace Grace MP
Minister for Education
Minister for Industrial Relations and
Minister for Racing

Action required: For Noting

Action required by: N/A

Routine

SUBJECT: QUEENSLAND CURRICULUM AND ASSESSMENT AUTHORITY DECISION TO REVISE PIECE RATES FOR NATIONAL ASSESSMENT PROGRAM – LITERACY AND NUMERACY EXAM MARKERS

Summary of key objectives

- For the Minister to note the information regarding the Queensland Curriculum and Assessment Authority's (QCAA) decision to introduce piece rate pay for the National Assessment Program – Literacy and Numeracy (NAPLAN) exam markers.

Key issues

Marker remuneration

1. The administration, marking and reporting of NAPLAN in Queensland is the responsibility of the QCAA, an independent statutory body established under the *Education (Queensland Curriculum and Assessment Authority) Act 2014*.
2. Previously, NAPLAN markers were paid an hourly rate for marking, training and recalibration (quality assurance) activities in person at central marking venues. Due to the COVID-19 health pandemic, these activities were moved to online delivery.
3. The QCAA noted that the move to online marking presented many benefits, including:
 - teachers located outside the Metropolitan area have easier access to the development of training and marking NAPLAN; and
 - markers are only required to be available for the specified two hours per day for quality assurance training and contact purposes; and
 - makers can complete their required hours of marking at their own discretion (within specified shift times for the first week, and at any time thereafter).
4. The QCAA has advised that appropriately remunerating markers for online marking via hourly rates is difficult to achieve, as their only visibility of a marker's activities is whether they are logged into the QCAA's online marking platform. It is common for a marker to remain logged in while they are away from their computer.
5. To mitigate this issue, in 2021, the QCAA replaced markers' hourly pay with a piece rate of \$6.17 per completed script.
6. Markers were still paid an hourly rate for completing training modules.
7. The QCAA estimated that markers will complete approximately eight scripts per hour, which would result in hourly pay of \$49.36 under the piece rate arrangements. This is equivalent to the hourly rate prior to the change to piece rate remuneration.
8. The QCAA does not limit how many scripts a marker may mark.

9. The QCAA advised that on average this year, markers completed eight scripts per hour, and many markers completed more than eight scripts per hour.
10. The piece rate paid by the QCAA is comparable to rates paid to NAPLAN markers in other Australian jurisdictions where markers are expected to complete about eight scripts per hour.
11. Consultation was undertaken with other jurisdictions that use the piece rate payment system for NAPLAN marking and that have undertaken online marking.
12. The Governor-in-Council approved payment of a piece (derived from the hourly rate and linked to the number of assessments to be completed in an hour) for NAPLAN marking.

Remuneration notification

13. The recruitment of markers occurs several months prior to NAPLAN. In 2021, markers were recruited prior to the new remuneration arrangements being finalised.
14. Markers were advised by email of the new remuneration arrangements prior to the completion of the 2021 NAPLAN.
15. The remuneration arrangements were also communicated to markers during training sessions, in the QCAA's handbook for markers and via an announcement on the QCAA's Online Assessment Marking platform.
16. The QCAA advised markers they could withdraw from marking if they did not wish to participate under the new remuneration arrangements.
17. The Department of Education has received only one complaint regarding the introduction of the piece rate pay for NAPLAN markers.
18. If any marker requires further information, they can contact Ms Robyn Simpson, Assistant Director, External Assessment, by email robyn.simpson@qcaa.edu.au or on (07) 3864 0478.

Human rights

19. No human rights implications have been identified.

Background

20. In 2020–21, the department made two payments totalling \$5.031 million (made up of \$1.722 million first payment and \$3.309 million second payment) to supplement the QCAA for the NAPLAN costs consisting of staffing, printing and other costs incurred by both the QCAA and its logistics contractor in preparation for the 2021 test. The department is not provided a breakdown of how the funds are utilised by the QCAA.

Recommendation

That the Minister **note** the information regarding the Queensland Curriculum and Assessment Authority's decision to introduce piece rate pay for the National Assessment Program – Literacy and Numeracy exam markers.

NOTED**APPROVED/NOT APPROVED
ENDORSED/NOTED**

SHARON DURHAM
Chief of Staff
Office of the Hon Grace Grace MP
Minister for Education
Minister for Industrial Relations and
Minister for Racing

GRACE GRACE MP
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Minister's comments

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Briefing Note

The Honourable Grace Grace MP
Minister for Education
Minister for Industrial Relations and
Minister for Racing

Action required: For Approval

Action required by: 10 September 2021

Routine

**SUBJECT: QUEENSLAND ABORIGINAL AND TORRES STRAIT ISLANDER
EDUCATION AND TRAINING ADVISORY COMMITTEE 2021–22 WORK
PLAN**

Summary of key objectives

- To seek the Minister's approval of the Queensland Aboriginal and Torres Strait Islander Education and Training Advisory Committee (QATSJETAC) 2021–22 work plan provided at **Attachment 1**.
- To request the Minister sign the letter to the Honourable Dianne Farmer MP, Minister for Employment and Small Business and Minister for Training and Skills Development, seeking endorsement of the QATSJETAC 2021–22 work plan (**Attachment 2**).

Key issues

1. The work of QATSJETAC is set by the Minister for Education through an annual Charter Letter and work plan.
2. The Charter Letter for the current period was sent to the QATSJETAC Chair on 20 April 2021.
3. The Department of Education (DoE) and the Department of Employment, Small Business and Training (DESBT) have subsequently been working with QATSJETAC to finalise the 2021–22 work plan.

QATSJETAC 2021–22 work plan

4. The proposed 2021–22 QATSJETAC work plan provided at **Attachment 1** comprises a small group of priority initiatives that have a strong focus on improving attendance and engagement in education. These include:
 - projects to be co-designed directly with the committee, building on the success of this approach over the previous year (e.g. kindergarten participation strategy);
 - community co-design projects, where the committee will provide advice on projects involving co-design with the community (e.g. local community engagement through co-design initiative); and
 - national/State initiatives about which QATSJETAC will be informed or on which QATSJETAC's advice will be sought (e.g. DoE workforce strategy and community-controlled organisations).
5. It also includes two training initiatives at the request of DESBT (Gateway Industry Schools Plan and First Nations Training Strategy).
6. Work plan initiatives are aligned to Closing the Gap (CtG) targets and priority reforms.

7. The work plan is supported for progression by the QATSIETAC Chair, and is now ready for the Minister's approval.
8. Given inclusion of training initiatives on the work plan, a letter has been prepared to seek Minister Farmer's endorsement (**Attachment 2**).
9. While not currently on the work plan, the upcoming QATSIETAC meeting (scheduled for 30 September 2021) provides an opportunity for the Minister to also request advice from QATSIETAC regarding strategies to support Aboriginal and Torres Strait Islander students who have been suspended or excluded from school. A related initiative can be added to the work plan following the meeting.
10. In addition to work plan initiatives, and consistent with the current CIG agenda:
 - QATSIETAC is being consulted on the possible establishment of an independent representative organisation for early childhood and school education in Queensland; and
 - two QATSIETAC members (Mr Leon Epong and Mr Ned David) are representing Queensland on a co-design partnership group preparing advice on the First Nations Voice to the Education Ministers Meeting.

Recent QATSIETAC meetings

11. QATSIETAC has met three times this year to maintain good governance, progress continuing work and develop its work plan.
12. Confirmed minutes of the 26 February 2021 workshop are provided at **Attachment 3**.
13. Confirmed minutes of the 13 April 2021 meeting (which included a session with Ministers) are provided at **Attachment 4**.
14. Minutes of the most recent 29 to 30 July 2021 meeting will be finalised at the next meeting, which is scheduled for 30 September 2021.

Financial implications

15. QATSIETAC is supported by a departmental Secretariat within existing resources.

Aboriginal and Torres Strait Islander impacts

16. QATSIETAC is comprised of Aboriginal and Torres Strait Islander Queenslanders with diverse backgrounds and experiences in early childhood, school education, training and higher education.

Human rights

17. Partnership with QATSIETAC is compatible with human rights. The *Human Rights Act 2019* is not limited by approval of the QATSIETAC work plan.

Background

18. QATSIETAC is a Ministerial advisory committee established by the Minister for Education in 2016, under section 412 of the *Education (General Provisions) Act 2006*. It provides strategic and cultural advice to the Minister for Education, Minister for Training and Skills Development and their departments on education and training matters affecting Aboriginal and Torres Strait Islander children, students and young people.

Recommendation

That the Minister:

- **approve** the Queensland Aboriginal and Torres Strait Islander Education and Training Advisory Committee (QATSIETAC) 2021–22 work plan provided at **Attachment 1**; and
- **sign** the letter to the Honourable Dianne Farmer MP, Minister for Employment and Small Business and Minister for Training and Skills Development, seeking endorsement of the QATSIETAC 2021–22 work plan (**Attachment 2**).

NOTED

APPROVED/NOT APPROVED
ENDORSED/NOTED



SHARON DURHAM
Chief of Staff
Office of the Hon Grace Grace MP
Minister for Education
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14/09/21



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Minister's comments

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