

**SCHOOL CURRICULUM AND STANDARDS AUTHORITY AMENDMENT BILL 2017**

*Receipt and First Reading*

Bill received from the Assembly; and, on motion by **Hon Sue Ellery (Minister for Education and Training)**, read a first time.

*Second Reading*

**HON SUE ELLERY (South Metropolitan — Minister for Education and Training)** [2.32 pm]: I move —

That the bill be now read a second time.

I am pleased to introduce legislation to this house that will further enhance the role of the School Curriculum and Standards Authority of Western Australia. Improving educational outcomes for each student requires a comprehensive picture of student services and outcomes across government portfolios. Multiple agencies, including child welfare, health, and early learning, all seek to improve outcomes for children and young people.

There are three key changes regarding the disclosure of student data that this bill seeks to achieve by amendments to the School Curriculum and Standards Authority Act 1997. Firstly, amendments to section 9 of the act will permit the disclosure of identified student data held by the authority for the purposes of student registration in online National Assessment Program — Literacy and Numeracy testing, known as NAPLAN Online, commencing in 2018. The current wording of the act prevents the authority from releasing student data for the purpose of participation in NAPLAN Online. The bill addresses this by amending section 9 of the act to clarify the ongoing role of the authority as the test administration authority for WA for all national assessment program testing. The insertion of a new provision in section 9 of the act also clarifies the authority's role with other national assessments that require student data for the purposes of development and participation. The act currently contains confidentiality exemption provisions that are constrained by the narrow nature of the objects of the legislation. For example, without the proposed amendments, the authority would have to individually collect and manage consent for 123 000 students participating in NAPLAN Online, which would be impracticable.

The second key change involves the insertion of another new provision in section 9 of the act to permit the authority to disclose identified student data for the purposes of research to promote or understand outcomes connected with student achievement and wellbeing. Data would be provided only to parties with a relevant and legitimate need to access it. The current wording in the act prevents the authority from releasing identified student data to organisations such as the Telethon Kids Institute to undertake research for which educational achievement is relevant. Sharing data with independent research institutes will enable them to undertake improved research that better supports educational practices, identifies trends in student outcomes and may lead to improvements in student wellbeing. Strategic data disclosure will also support greater collaboration between agencies providing services to children and young people to better meet their unique needs.

Thirdly, the insertion of proposed section 32B in the bill will ensure that identifying student data disclosed for the purposes of research is protected. The bill seeks to achieve this by requiring the board of the authority to be satisfied that disclosure is necessary for the purposes of the research, and that obtaining individual consent is impracticable; enabling the board to impose strict conditions on recipients of data; and ensuring transparency and accountability in the authority's disclosure of student data by requiring the board to establish procedures for disclosure, which will be stipulated in the regulations. Conditions set out in proposed section 32B on recipients of data require the person to store information in a way that protects it from misuse, interference, unauthorised access or modification. Conditions are also imposed to specify that the use of information be only for the purpose for which it was disclosed, the time period for which information may be retained and how it will be disposed of. Furthermore, proposed section 32B of the amendment bill provides for a statutory penalty of \$10 000 for noncompliance with the conditions.

The authority has engaged in extensive consultation with bodies representing a broad range of interest groups, including research organisations, relevant government agencies, school systems, and sector and parent representative groups.

Pursuant to standing order 126(1), I confirm that this bill is not a uniform legislation bill. It does not ratify or give effect to any intergovernmental or multilateral agreements to which the government of the state is a party. No uniform schemes or uniform laws throughout the commonwealth are introduced through this bill.

I commend the bill to the house and table an explanatory memorandum.

[See paper 903.]

Debate adjourned, pursuant to standing orders.