MINISTER FOR EDUCATION AND TRAINING

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Mr Russell Keith
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Dear Mr Keith Russell

The Government has considered the Legislative Scrutiny Committee Report, *Inquiry into the Education Standards and Registration Board Bill 2026* (the report) tabled in the Legislative Assembly on 25 August 2026. I am writing to advise the Government's response in accordance with Standing order 201.

In relation to the recommendations directed to Government, I provide the following response.

Recommendation 1
The Government partially accepts recommendation 1, proposing 2 assembly amendments during the passage of the Education Standards and Registration Board Bill 2026 as outlined below.

Recommendations 2 and 5
The Government accepts recommendations 2 and 5. These recommendations address a drafting error and a drafting oversight and provide greater clarity regarding the intended operation of the Education Standards and Registration Board. Assembly amendments were made to the Education Standards and Registration Board Bill 2026 during its passage through the Legislative Assembly on 13 October 2026 to give effect to these recommendations.

Recommendations 3 and 4
Government does not accept Recommendation 3. The Government considers that legislation is not required to enable the Board to provide advice to the Minister regarding the appointment of the Chairperson or Deputy Chairperson. Appropriate administrative arrangements can support consultation with the Board on these appointments while preserving flexibility in the appointment process.

Government does not accept Recommendation 4. The Government considers it unnecessary to prescribe a statutory review after 3 years. The legislation instead provides sufficient flexibility for a review to be undertaken when there is adequate operational experience and evidence to support a meaningful assessment of the Board's effectiveness.

The Government also considers that decisions regarding the tabling, publication and dissemination of any review should remain a matter for the Minister, having regard to the nature, scope and purpose of the review.

I thank the Committee for its detailed consideration of the Education Standards and Registration Board Bill 2026 and its report.

Yours sincerely



JO HERSEY

05 NOV 2026