

# Submission to the Consultation on the Definition of a Charity

## Who We Are

Queensland Council of Parents and Citizens Associations (QCPCA) is a community organisation which represents the interests of state school Parents and Citizens Associations throughout Queensland. It has a history of more than fifty years. Approximately 1300 P&C Associations are affiliated.

### Primary Purpose

Our aims and objectives are:

- To represent and co-ordinate the activities of P&C Associations
- To foster, establish and encourage the activities of P&C Associations in the interest of the school students
- To be involved in all areas of education affecting the parent, the school and the community
- To co-operate with state education authorities and other bodies having objectives similar to those of the Council
- To promote closer cooperation between principals, teachers, students and parents
- To win general support for the objects of the State Council
- To be non-sectarian and non-party political

We provide to our affiliates:

A personalised information service and support to all P&C's. Information can be provided by mail, telephone, fax or e-mail and a lot of information is also available on our Internet web page [www.qcpc.org.au](http://www.qcpc.org.au)

- A Newsletter, *Parent Talk*, which presents information of interest to P&C Associations, schools and parents (2 issues per term, 2 copies to each P&C).
- Guest speakers on request
- Research and reports
- Networking support for all target groups
- Analysis of federal and state education policies/budgets
- **Representation at district, state and federal levels**
- Regional conferences, seminars and workshops
- Resources, kits, videos, tapes, journals eg from other state parent organisations
- Insurance cover
  - ◆ Public Liability
  - ◆ Voluntary Workers
  - ◆ General Property

We also:

- Consult with our membership through direct contact, branches, regional councils and State Executive.
- **Represent affiliates on government committees and departmental committees at both district and state level.**
- **Participate in Australian Council of State Schools Organizations to enable our affiliates to be represented at a federal level.**

## **QCPCA is supportive of the intent of the proposed Charities Bill 2003, however we have concerns with Clause 8 Section 2 C which we address through the following comments.**

QCPCA agree with the Committee's conclusions from the Inquiry into the Definition of Charities and Related Organizations that was conducted in 2001. It stated-

"The Committee recommends that charities should be permitted to engage in advocacy on behalf of those they benefit. Conduct of this kind should not deny them charitable status even if it involves advocating for a change in law or policy."

### **Reference to Workability**

QCPCA are responding to this consultation because of concerns for our affiliates who themselves are endorsed as charitable entities.

Advocacy is definitely not their dominant purpose but at a local level many of our P&C's advocate for change to policy by speaking to local members of parliament, local council members and then approach us if they need to further their cause. We do not wish to see their freedom to do this restricted in any way as all issues they pursue are in the best interests of the students at their school. The primary function of the P&C in the modern school community is to:

- To foster generally community interest in educational matters;
- To bring about closer cooperation between the parents, other members of the community, the teachers, other members of the staff and students at the school;
- To provide, if requested by the Principal (or if an association considers it desirable so to do) advice and recommendations to the Principal-
  1. Upon issues and concerns in respect of students attending that school and
  2. Upon the general operations and management of the school
- To provide or assist in the provision of financial or other resources or services for the benefit of the students of the school;

We are also responding because of concerns for our own organisation. As you can see from the information on the first page, our dominant purpose is the support to P&C's with a role of advocacy as an ancillary role.

QCPCA considers that this role is a very important one and one that our affiliates need/expect us to perform on their behalf. We are concerned that, taken literally the activity of advocacy for change to Government policy will be monitored in a manner that will either impact on us to create a greater workload on our ourselves and our affiliates by the reporting that would be required and the constant worry that we may have overstepped our 'quota' and are pushing the boundary between ancillary and dominant.

With the disqualifying purpose written as it is in Clause 8 Section 2C also gives rise to a concern about who will monitor this qualifying statement and how open to interpretation it may be.

## **Other information from the Inquiry into the Definition of Charities states that-**

“The Queensland Government also noted that it funds community organisations to undertake advocacy as part of their service. It went on to note that in addition to advocacy on behalf of individuals:

...a range of community services sector organisations are active in undertaking research, consultation and training and liaison with government concerning effective social policy responses. These activities are designed to further the kinds of aims and objectives encapsulated in the common law definition of charitable purposes.”

Current education philosophy notes the value of the community in the education process. QCPCA promotes its policy through active participation in consultation undertaken by the State Government in relation to proposed Bills that have widespread community impact. **QCPCA receives a grant-in-aid from the Minister for Education**

### **Administrative Burden**

Because we represent on departmental committees and other bodies in the promotion of education’ is this clause (Section 8 Clause 2C) going to contribute to the virtual gagging of us in areas we believe should change for the benefit of our students and their education. We believe that the disqualifying purposes inherent in this clause necessitates its deletion .

To include this in legislative framework, the effectiveness of a community to have impact upon areas of public concern is limited. Inclusion of this clause would necessitate a monitoring process which would be of concern. Would the monitoring process effect a barrier to consultation that would not reflect the changing need of Society.

QCPCA has moved on from being a “Lamington drive group “that raised only funds to being a partner in educational processes through consultation, representation and participation in the development of education to meet the changing needs of Queensland Society. By limiting us through Clause 8 Section 2C , we see that it would be a retrograde step diminishing our value and worth to our affiliates, who empower us to be their voice.

Community input is necessary to ensure that governments develop socially just legislation to benefit all aspects of society.

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