

Standing Committee on Social Issues

Transition support for students with additional or complex needs and their families

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Terms of reference

That the Standing Committee on Social Issues inquire into and report on programs and services for children with additional and/or complex needs and their families during transitions between stages of education, and in particular:

1. the adequacy and accessibility of appropriate support for children and their families;
2. best practice approaches to ensure seamless and streamlined assistance during transitions; and
3. any other related matters.

These terms of reference were referred to the Committee by the Minister for Education, the Hon Adrian Piccoli MP, and were adopted by the Committee on 21 June 2011.

Committee membership

Hon Niall Blair MLC	The Nationals	<i>(Chair)</i>
Hon Helen Westwood MLC	Australian Labor Party	<i>(Deputy Chair)</i>
Hon Catherine Cusack MLC	Liberal Party	
Hon Greg Donnelly MLC	Australian Labor Party	
Hon Cate Faehrmann MLC	The Greens	
Hon Natasha Maclaren-Jones MLC	Liberal Party	

Table of contents

	Chair's foreword	xi
	Summary of key issues	xiii
	Summary of recommendations	xvii
Chapter 1	Introduction	1
	Terms of reference	1
	Conduct of the Inquiry	1
	Submissions	1
	Public hearings	1
	Site visit and roundtable discussions	2
	Other relevant reviews	2
	Report structure	3
Chapter 2	Educational transitions and support	5
	Overview	5
	When do transitions occur?	6
	Why are positive transitions important?	8
	What are additional or complex needs?	9
	Terminology	11
	Statistics	11
	What transition support is available?	13
	Policies and programs	14
	School staff	16
	Issues with the transition support service system	18
	Complex and confusing	18
	Lack of coordination between services	19
	Lack of integration and alignment	21
	Variations between schools and school settings	22
	Other issues	23
	Withdrawal of support at transition points	24
	National Disability Insurance Scheme	25
Chapter 3	Access to and transfer of information	27
	Issues with access to information	27

	Improving access to information	29
	A ‘one-stop shop’	29
	The value of sharing stories	31
	Increased guidance and support	33
	Transfer of information	34
	Issues with the transfer of information	34
	Families re-telling their stories	36
	Methods for storing and transferring information	37
Chapter 4	Placement and enrolment	43
	Schooling options	43
	Schools rejecting children with additional needs	47
	School placements	49
	Issues with enrolment process	51
	Placement panel decisions	52
	Timeliness of placement decisions	53
	Disability Standards for Education	57
	Unjustifiable hardship	58
Chapter 5	Specific transition points	61
	Home to early childhood services	61
	Early childhood services to school	63
	Primary to secondary school	66
	School to post-school	68
	Planning should commence as early as possible	68
	ADHC post-school programs	70
	Support Teachers Transition	77
	Transition between different educational settings	78
Chapter 6	Specific needs groups	81
	Refugees and families from culturally diverse backgrounds	81
	Issues specific to refugees	82
	Transition programs for refugees	84
	Aboriginal students	85
	Children and young people in out-of-home care	88
	Young people in juvenile justice	90
	Students with mental health issues	93

	Students in rural and regional areas	94
Chapter 7	Funding, staff and invisible disabilities	97
	Funding	97
	General funding for students with additional or complex needs	97
	Funding for transitions	98
	Funding following the student	99
	Control and flexibility	101
	Supervisor Subsidy Scheme	102
	Teachers	103
	Teacher training	103
	Insufficient time to prepare for transitions	105
	Attitudes	107
	Impact on enrolments	107
	Impact on students and their families	109
	Impact on transition planning	110
	Culture change	111
	Parents as advocates	112
	Invisible disability	114
Chapter 8	Best practice	117
	Case management	117
	Continuity of care and centralised support	119
	Flexible approach	122
	Person and family-centred planning	124
	Person-centred planning	124
	Family-centred planning	125
	Collaborative relationships with stakeholders	129
	Individual plans	130
	Overview	131
	Issues with IEPs	132
	Carriage of plans	133
	Mandating plans	135
	Lifespan approach	137
	Timeframe for transitions	138
	Starting early	138
	Orientation programs	141
	Post-transition support	141
	Evaluation	142

	Conclusion	143
Appendix 1	Submissions	145
Appendix 2	Witnesses	147
Appendix 3	Tabled documents	151
Appendix 4	Answers to questions on notice	152
Appendix 5	Minutes	153

Case studies

Case study: Mac	46
Case study: Isaiah	50
Case study: Client A	54
Case study: Toby	109
Case study: Jane	126

Chair's foreword

Positive transitions play a key role in the educational outcomes of students, and can lead to better employment opportunities and a more meaningful community life for young people with additional or complex needs.

Unfortunately however the transition support service system in New South Wales is fragmented and complex, with information about transition support difficult to find and hard to understand. Many families are not even aware that transition support or services even exist, and those that are aware struggle to navigate their way around such a disjointed system.

While there is some guidance available to families through case managers and transition support staff, this support is only available for limited periods of time and is not available to everyone. The same issue applies to support services for students with additional or complex needs in general, many of which are withdrawn at key transition points. The lack of continuity in care is exacerbated by the fact that there is no single agency responsible for transition planning and support, and is a major issue for students and their families.

Another significant issue is that there are inadequacies with the transfer of information about the strengths and needs of individual students with additional or complex needs between education and service providers. As a result, families are having to re-tell their stories every time they go through a transition or apply for a new service.

The Committee has made a number of best practice recommendations to address these issues. Key among these include recommendations for a dedicated section within the NSW Department of Education and Communities to provide ongoing, flexible transition support and case management services to all students with additional or complex needs and their families.

There are also recommendations to improve access to information about transition support, assist with the transfer of information about individual students and address enrolment issues. Further, the Committee has recommended that legislation be introduced to mandate transition planning for students with additional or complex needs.

While we acknowledge that implementing best practice methods for transition planning may require additional funding and resources, the Committee believes that the value of successful support and planning cannot be underestimated. In the long run, investing in transition planning will lead to reduced costs on governments through having more educated and employable people in the community, and we urge the NSW Government to implement the Committee's recommendations.

Finally, while nearly all of the recommendations throughout this report are aimed at NSW Government schools and government agencies, many could be applied to Catholic and independent schools. We strongly encourage schools in those sectors to also adopt the best practice recommendations regarding transition planning and support for students with additional or complex needs made throughout this report.

On behalf of the Committee, I extend my gratitude to all participants in this Inquiry for taking the time to write submissions and/or appear to give evidence in person. In particular I wish to thank all the inquiry participants who met with the Committee in Dubbo and facilitated its visit.

I thank my Committee colleagues, who share my concerns about the adequacy of transition support for students with additional or complex needs; and I thank Rachel Simpson, Teresa McMichael and Lisa Scheikowski in the Committee secretariat for their assistance in supporting this Inquiry.



Hon Niall Blair MLC
Committee Chair

Summary of key issues

In June 2011, the Minister for Education, the Hon Adrian Piccoli MP, referred an inquiry into transition support for students with additional or complex needs and their families to the Standing Committee on Social Issues.

Transition support for students has been raised in several other inquiries relating to education, disabilities or children and young people, and the Committee welcomes this opportunity to give detailed consideration to this important subject matter.

In this report, the Committee examines the importance of positive transitions on the educational outcomes of students with additional or complex needs. It considers barriers impeding successful transitions, and makes 24 recommendations aimed to overcome those barriers. The Committee's findings are summarised below.

Educational transitions and support

Educational transitions occur when students move between classes or schools or different settings. They are a time of change and adjustment for students, involving new roles and relationships, changes in support services and types of providers, and moving from the known to the unknown.

Successful transitions can have a significant positive effect on the current and future educational experiences of students. While transitions can be challenging for any student, they are particularly challenging for students with additional or complex needs.

Concerns were expressed by inquiry participants that the transition support service system in New South Wales is complex and confusing, there is a lack of coordination between services, a lack of integration and alignment of services, and there are variations in transition support between schools and school settings. There is also often a withdrawal of support at key transition points.

Access to and transfer of information

Easy access to clear and accurate information about transition support, services and funding is essential for families to make timely and informed decisions. However, nearly all inquiry participants expressed the view that information about transition support is both difficult to find and hard to understand. Many families tend to 'stumble' upon information in ad-hoc ways, with some not even aware that transition support exists at all.

The Committee has therefore recommended that an online central access point for information be created, as a 'one-stop shop' for families to access up-to-date information and links to relevant services (Recommendation 1). The Committee also recommends that families be facilitated to share their transition stories with other families through online forums and face-to-face workshops (Recommendation 2).

Concerns were also raised regarding inadequacies with the transfer of information about the strengths and needs of individual students, with the result being that families have to re-tell their story every time they apply for support or go through a transition. To improve the transfer of information the

Committee recommends that there be a coordinated, electronic method of storing a student's information that can be accessed by relevant providers ((Recommendation 3).

Placement and enrolment

There are several mainstream and supported schooling options available for students with additional or complex needs.

Under the *Education Act 1990* (NSW), every child in New South Wales is entitled to enrol in the government school that is designated for the area where their home is situated and that they are eligible to attend. The majority of students with additional or complex needs are enrolled in their local school and attend mainstream classes.

Decisions about placements in specialist or support classes in regular schools or Schools for Specific Purposes are made by regional placement panels. Placement panels also determine access to specialist support provisions such as itinerant teachers and additional funding support.

Concerns have been raised that families' preferences regarding schools are not being respected or valued, with some schools attempting to 'channel' families down a different path. There are also concerns about the timeliness of placement panel decisions, with late decisions causing added stress to students with additional or complex needs and their families and impeding the ability of families and schools to adequately plan and prepare for transitions.

The Committee encourages schools to consider and respect families' preferences for a school setting for their child, and recommends that standard placement panel decisions be made by the beginning of Term 3 of the year prior to school entry, if not earlier.

These issues are addressed in Recommendations 5 - 7.

Funding and resources

Funding for students with disabilities and special needs has been a longstanding issue, not only in New South Wales but throughout Australia. The increased number of students with additional needs, combined with the shift toward greater inclusion of these students in mainstream education, has placed even greater pressure on resources and funding. The Committee is hopeful that the introduction of the National Disability Insurance Scheme will alleviate many of the disability funding concerns raised by inquiry participants.

Inquiry participants also argued that funding should be more flexible to better meet needs. The Committee believes that recent New South Wales and Australian Government policies which empower schools to make more local decision making in regard to their school budgets will enable this to occur, however we emphasise that it is imperative that these decisions include a focus on transition support.

Continuity of care and centralised support

There is no one agency with overall responsibility for a child's transitions. Instead, responsibility is fragmented over a range of specialised services, such as education, disability, mental health and child protection. Issues raised during the Inquiry regarding communication and coordination and the transfer of information across those services are exacerbated by the fragmented nature of this service system.

The Committee therefore proposes that there be a centralised system to provide coordinated transition support for students with additional or complex needs, and has recommended that the NSW Government ensure there is a dedicated branch or section within the NSW Department of Education and Communities (DEC) to provide this service (Recommendation 19). In order to be effective, this section would need the authority to work across agency boundaries to facilitate collaborative input by all other relevant agencies, including Ageing, Disability and Home Care (ADHC), Health, Community Services, Juvenile Justice and Aboriginal Affairs. The section should also engage in ongoing dialogue with the Catholic and independent school sectors to improve the sharing of information regarding students who transfer across sectors.

Case managers

Providing case managers to students with additional or complex needs and their families would assist with many of the issues raised throughout this Inquiry. Case managers could assist by guiding families through the complex service system, providing advocacy and mediation, facilitating the transfer and sharing of information, and providing general support where needed. Case managers can take on the important role of connecting and coordinating the various agencies involved in a child's life and linking families together to form support networks.

While there are case management services provided and funded by ADHC, there are often long waiting lists to access these services. Further, many students with additional or complex needs may not be eligible for these services.

The Committee has therefore recommended that case management services be provided to support all students with additional or complex needs and their families during key educational transitions (Recommendation 20). While the case managers should be part of the dedicated DEC transition section, they should be available across the state so as to provide local support and decision making to communities.

Transition planning

Transition planning is essential for students with additional or complex needs. Individual plans are a key tool for successful transitions, however there is a poor record of developing and implementing individual plans in New South Wales, exacerbated by the fact that there is no one agency responsible for these plans.

In order to provide continuity of care and to ensure that plans are followed up, the Committee has recommended that case managers within the dedicated DEC transition section develop plans locally in collaboration with the student, their family, the schools/teachers and any other relevant service provider or stakeholder (Recommendation 22). The DEC transition section should then have ongoing carriage and responsibility for the plan.

The Committee also recommends that transition planning for students with additional or complex needs be mandated in New South Wales, as it is in overseas jurisdictions such as the United States and United Kingdom (Recommendation 23).

Best practice transition planning should be family-centred. Families are an essential source of information and knowledge on their child, and should be recognised as experts regarding their child's needs and what their child wants.

However the Committee heard that families are often not consulted in regard to their child's transition planning, with some reporting that they have felt discouraged from communicating with schools. The Committee recommends that transition planning and support involve the whole family (Recommendation 21).

Finally, transition planning for children with additional or complex needs should commence well in advance to give students and their families as much time as possible to prepare for and adjust to the transition. Beginning the transition process early also allows for appropriate supports, including therapy services and building modifications, to be accessed and implemented in time for when the student starts school. Transition support should also continue for a period after the actual transition. The Committee has therefore recommended that planning for transitions between schools should begin at least 12 months prior to transition, and that support should continue for at least six months after (Recommendation 24).

Summary of recommendations

- Recommendation 1** 31
That the NSW Government create a central online access point for information about transition support for students with additional or complex needs.
- Recommendation 2** 33
That the NSW Government establish statewide workshops and online forums for families of children with additional or complex needs to share their transition stories and experiences.
- Recommendation 3** 41
That the NSW Government create an ongoing electronic record of the strengths, abilities and supports required for individual students with additional or complex needs that can be accessed by relevant providers with the consent of the student (or their parent/guardian if under 18 years of age).
- Recommendation 4** 41
That the NSW Department of Education and Communities consider adopting a tool similar to the Victorian Transition Learning and Development Statement, to facilitate the sharing of information about a student's learning and development.
- Recommendation 5** 52
That the NSW Department of Education and Communities allow families to submit placement panel applications at either their local school or a School for Specific Purposes.
- Recommendation 6** 56
That the NSW Department of Education and Communities introduce a policy that standard placement panel decisions should be made by the beginning of Term 3 of the year prior to school entry, and that it publicise the date that placement outcomes will be notified throughout the community and on the central online access point for information.
- Recommendation 7** 57
That the NSW Department of Education and Communities standardise application dates across all regional placement panels, and publicise these dates throughout the community and on the central online access point for information.
- Recommendation 8** 70
That the NSW Department of Education and Communities introduce a policy that post-school transition planning for students with additional or complex needs should commence at 14 years of age.
- Recommendation 9** 76
That the NSW Ageing, Disability and Home Care Agency undertake assessments for the Transition to Work and Community Participation programs in Year 11, and that students be notified of outcomes by the end of Year 11.

- Recommendation 10** 76
That the NSW Ageing, Disability and Home Care Agency consider developing a blended service that would allow people to transfer between the Transition to Work and Community Participation programs if a participant's needs change.
- Recommendation 11** 76
That the NSW Department of Family and Community Services' Ageing, Disability and Home Care enable students with a disability to trial the Transition to Work and Community Participation programs from Year 10.
- Recommendation 12** 78
That the NSW Department of Education and Communities fund additional Support Teachers Transition to ensure that all schools have adequate access to their services, particularly in rural and regional New South Wales.
- Recommendation 13** 85
That the NSW Department of Education and Communities provide ongoing funding and support to establish transition programs for newly arrived refugee children and young people, such as the 'Beginning School Well' pilot.
- Recommendation 14** 85
That the NSW Government develop a standard assessment process for all newly arrived refugee children and young people to determine their skill and education level, so that they can be placed in the most appropriate educational setting based on their capabilities and educational needs rather than age.
- Recommendation 15** 96
That the NSW Government consider ways to increase transition support services for students with additional or complex needs and their families in rural and regional New South Wales.
- Recommendation 16** 103
That the NSW Government amend the Supervisor Subsidy Scheme so that funding continues while a student is enrolled in school, even after the student turns 18.
- Recommendation 17** 112
That the NSW Department of Education and Communities provide training to all school staff on their obligations regarding students with additional or complex needs, and that the training include a section on the importance of transition planning and support.

Further, that the Catholic and independent school sectors be encouraged to review and where appropriate, introduce similar training to staff in the schools they operate.
- Recommendation 18** 116
That the NSW Department of Education and Communities review its Disability Criteria to consider including children with a mild to moderate disability.

Recommendation 19

121

That the NSW Government ensure there is a dedicated section within the NSW Department of Education and Communities that has authority to collaborate with other state government agencies to provide dedicated transition support for students with additional or complex needs.

Further, that the section engage in ongoing dialogue with the Catholic and independent school sectors to improve the sharing of information for students with additional or complex needs who transfer across sectors.

Recommendation 20

122

That the NSW Government fund the NSW Department of Education and Communities to provide adequate and timely case management through the dedicated transition section to support students with additional or complex needs through key transitions.

Recommendation 21

129

That the NSW Department of Education and Communities implement a flexible, family-centred approach to transition planning and support for students with additional or complex needs.

Recommendation 22

134

That case managers within the dedicated transition section of the NSW Department of Education and Communities develop transition plans for students with additional or complex needs locally with families, schools and other stakeholders.

The transition section should have ongoing carriage of and responsibility for these plans.

Recommendation 23

137

That the NSW Government introduce legislation to mandate transition planning for students with additional or complex needs, and that it consider the impact of the legislation on the reasonable adjustment process required under the *Disability Discrimination Act 1992* (Cth).

Recommendation 24

143

That the NSW Department of Education and Communities introduce a policy that planning for students with additional or complex needs transitioning between schools should commence at least 12 months prior to transition, and that support should continue for at least six months after.

Chapter 1 Introduction

This chapter provides an overview of the manner in which the Inquiry was conducted and the structure of the report. It also includes a summary of some other recent reviews related to transition support for students with additional needs.

Terms of reference

- 1.1 This Inquiry was established to inquire into and report on the adequacy and accessibility of support for students with additional or complex needs and their families during transitions between different stages of education. The terms of reference for the Inquiry were referred by the Minister for Education, the Hon Adrian Piccoli MP, and were adopted by the Committee on 21 June 2011. The terms of reference are reproduced on page iv.

Conduct of the Inquiry

Submissions

- 1.2 The Committee advertised a call for submissions in the *Sydney Morning Herald* and *The Daily Telegraph* on 29 June 2011. A media release announcing the Inquiry and the call for submissions was sent to all media outlets in New South Wales. The Committee also wrote to a number of relevant stakeholders inviting them to participate in the Inquiry process.
- 1.3 The Committee received a total of 67 submissions. Two submission authors requested that their name be suppressed from publication or for some content of their submission to remain confidential. Three submissions were kept fully confidential by resolution of the Committee. A list of all submissions is contained in **Appendix 1**.
- 1.4 The Committee considered this report on 27 February 2012. Minutes of the deliberative are included in **Appendix 5**.

Public hearings

- 1.5 The Committee held three public hearings at Parliament House on 12 September, 10 October and 13 December 2011.
- 1.6 A list of witnesses is set out in **Appendix 2** and published transcripts are available on the Committee's website.¹ A list of documents tabled at the public hearings is provided in Appendix 3. A list of witnesses who provided answers to questions taken on notice during the hearings is provided in **Appendix 4**.
- 1.7 The Committee would like to thank all those who participated in the Inquiry, whether by making a submission, giving evidence or attending the public hearings.

¹ The Committee's website can be found at <www.parliament.nsw.gov.au/socialissues>

Site visit and roundtable discussions

- 1.8** The Committee travelled to Dubbo on 5 December 2011, where it conducted a site visit of Orana Heights Public School in the morning, followed by a series of roundtable discussions held at Mission Australia with stakeholders representing different interest groups.
- 1.9** At Orana Heights the Committee visited four support classes for students with additional or complex needs. The Committee was extremely impressed by the classes, teachers and facilities, and thanks the school staff for its hospitality and for organising the visit.
- 1.10** The Committee would also like to thank Mission Australia Dubbo for generously loaning its meeting room to the Committee for its roundtable discussions, and thanks all of the stakeholders that participated in the discussions for providing valuable information to the Inquiry.
- 1.11** A list of participants that attended the roundtable discussions is set out in **Appendix 2** and published transcripts are available on the Committee's website.¹

Other relevant reviews

- 1.12** There are several current or recent reviews that are relevant to transition support for students with additional or complex needs that have been referred to throughout this report. These are summarised below.
- 1.13** On **20 February 2012**, the Australian Government released the findings of a review into school funding arrangements (the '**Gonski review**'). The review, chaired by Mr David Gonski AC, highlighted a link between low levels of achievement and educational disadvantage. It made a number of recommendations including, among other things, a significant increase in funding based on a 'Schooling Resource Standard' (involving a base dollar amount for every student), with an additional loading to address factors such as disability, low socio-economic background, remoteness and school size. The report also called for major changes to the distribution of funding between private, government and Catholic schools.²
- 1.14** In **June 2011** the **NSW Ombudsman** released a report on consultations with families of children with disabilities on access to services and support. The report followed consultations with over 300 parents and carers of children with disabilities across New South Wales. It highlighted key issues raised by parents and carers of children with disabilities, including the need for support during educational transitions and issues with the provision of that support.³
- 1.15** In **July 2011**, the **Productivity Commission** delivered a report on Disability Care and Support to the Australian Government. The report recommended a National Disability

² Bianca Hall, *Surplus before schools as Gonski report decries student disadvantage*, Sydney Morning Herald, accessed 20 February 2012, <<http://www.smh.com.au/opinion/political-news/surplus-before-schools-as-gonski-report-decries-student-disadvantage-20120220-1tin1.html>>; Alexandra Kirk, *Review calls for school spending overhaul*, ABC News, accessed 20 February 2012, <<http://www.abc.net.au/news/2012-02-20/gonski-review-calls-for-school-spending-overhaul/3840192?section=act>>

³ NSW Ombudsman, *Consultations with families of children with disabilities on access to service and support*, Final report, June 2011, p 13.

Insurance Scheme (NDIS) to provide all Australians with insurance for the costs of support if they or a family member acquire a disability.⁴ The Council of Australian Governments agreed to lay the foundations for a NDIS by mid-2013.⁵

- 1.16** The **NSW Legislative Council General Purpose Standing Committee No. 2** released a report in **July 2010** on the provision of education to students with disability or special needs. The report identified significant inadequacies in the NSW education system for these students and made a number of recommendations to increase funding and teacher training, improve assessment processes, enhance access to professional support and address unmet demand for special education places.⁶
- 1.17** In **September 2009**, the **NSW Parliament Joint Committee on Children and Young People** released a report into the needs of children and young people aged 9-14 years in New South Wales. The report identified gaps in services across a range of areas including education, health and welfare, as well identifying a number of promising programs. The report also highlighted the benefits of enabling children and young people to have input into decisions that affect their lives, including input into policies and programs.⁷

Report structure

- 1.18** **Chapter 2** provides an overview of educational transitions, ‘additional or complex’ needs, the transition support service system in New South Wales and general issues with that system.
- 1.19** **Chapter 3** examines issues regarding access to information about transition funding and support, and the inadequate transfer of information about individual students between education and service providers.
- 1.20** Different schooling options for students with additional or complex needs are considered in **chapter 4**, which also considers issues with the school enrolment process.
- 1.21** **Chapter 5** explores issues that apply specifically to the transitions from home to early childhood education, early childhood education to school, primary school to secondary school, school to post-school and between different educational settings.
- 1.22** Issues that are particular to specific groups of students with additional needs and their families are discussed in **chapter 6**.
- 1.23** **Chapter 7** examines issues regarding funding, teachers, school and principal attitudes and ‘invisible disabilities’.

⁴ Productivity Commission, *Disability Care and Support: Executive Summary*, Report no. 54, July 2011, p 5.

⁵ National Disability Insurance Scheme, NDIS Select Council, accessed 30 January 2012, <<http://www.ndis.gov.au/ndis-select-council/>>

⁶ NSW Legislative Council, General Purpose Standing Committee No. 2, *The provision of education to students with a disability or special needs*, Report 34, July 2010.

⁷ NSW Parliament, Joint Committee on Children and Young People, *Children and Young People Aged 9-14 Years in NSW: The Missing Middle*, Report No. 5/54, September 2009.

- 1.24** The final chapter, **chapter 8**, considers best practice methods for the provision of transition support for students with additional or complex needs, including the need for an ongoing, centralised approach to transition planning.

Chapter 2 Educational transitions and support

This chapter discusses what educational transitions are and why they are important. It considers the definition of ‘additional or complex needs’ and outlines when different educational transition points occur.

The chapter then sets out a broad overview of the transition support service system in New South Wales, and considers general issues with that system. More detailed discussion of specific issues will be considered throughout the remainder of this report.

Overview

2.1 Educational transitions occur when students move between classes or schools or different settings. They are a time of change and adjustment for students, involving new roles and relationships, changes in support services and types of providers, and moving from the known to the unknown.⁸ Educational transitions often involve students and families building new networks and adapting to new expectations.⁹

2.2 Transitioning between different stages of education can be challenging for any student. However, for students with additional or complex needs and their families, these periods can produce even higher levels of stress, anxiety and confusion.¹⁰ This was highlighted by the NSW Commission for Children and Young People:

... transitions are a time of additional financial, social and emotional stress for children and families. They can be regarded as a time of both vulnerability and opportunity, as children and families may be both more at risk due to changing service eligibility and lack of service continuity ...¹¹

2.3 Northcott Disability Services noted that changes in routines and activities, ensuring their child’s needs are being met, and even logistical arrangements such as getting their child to and from school can lead to significant concern and stress to families of students with a disability.¹²

2.4 This was reiterated by the NSW Teachers Federation, which stated:

Starting school, moving schools, leaving school and even joining new classes can be difficult times for students and their families. For students with additional or complex needs and their families, transitions can be even more difficult. Students need to feel secure, parents/caregivers reassured that their concerns are addressed and teachers need to have the knowledge and understanding of the student’s needs.¹³

⁸ Submission 52, NSW Commission for Children and Young People, p 5.

⁹ Submission 53 - Detailed, NSW Government, p 2.

¹⁰ Submission 17, Northcott Disability Services, p 4.

¹¹ Submission 52, p 5.

¹² Submission 17, p 4.

¹³ Submission 32, NSW Teachers Federation, p 2.

- 2.5 Inquiry participants asserted that the provision of adequate and accessible transition support for students with additional or complex needs is therefore crucial at these times, however expressed concerns about the level of support received. For example, UnitingCare Children, Young People and Families told the Committee that in their experience, there is generally 'little or no extra support provided within the primary school for children with additional or complex needs with the transition process.'¹⁴
- 2.6 Similarly, in reference to a guide published by the Department of Education and Communities (DEC) regarding transitions to school for young students with special learning needs, Autism Aspergers Advocacy Australia stated:

It alleges transition support is available for students. Ideally, the early learning support team oversees transitions: there are actions for the team to carry out the year before a child starts school. More often, DET staff and families have minimal communication and families only hear from DET staff if they require parent permission to do a child care visit in determining the child's level of functioning.¹⁵

When do transitions occur?

- 2.7 The NSW Government submission noted that there are numerous transition points for students and their families. It described transitions as being either vertical or horizontal:

[Vertical transitions] are the best known and occur when a child moves from home to school, from grade to grade, from school to school, from community to school or from school to community. Whereas, horizontal transitions involve the transitions in everyday life for example social networks in school and before or after school care situations, and in the home or community setting. These transitions often involve frequent changes between settings within a short time frame and are increasingly becoming part of everyday life.¹⁶

- 2.8 The following common transition points were identified by Speech Pathology Australia:
- transition into school
 - transition between school levels (e.g. early childhood → primary school → secondary school)
 - transition between classes
 - transition within classes
 - transition within years
 - transition between schools (e.g. mainstream – support units/Schools for Specific Purposes, or mainstream – mainstream)
 - transition between educational settings (public – Catholic – independent)

¹⁴ Submission 47, UnitingCare Children, Young People and Families, p 16.

¹⁵ Submission 38, Autism Aspergers Advocacy Australia, p 4.

¹⁶ Submission 53 – Overview, NSW Government, p 2.

- transition from school to post-school options.¹⁷

2.9 Other transition points identified by inquiry participants include:

- school to alternate setting due to behaviour issues or medical problems¹⁸
- alternate setting to mainstream setting following extended periods of absence for reasons such as behaviour or medical issues¹⁹
- transition back to school after an acquired disability²⁰
- juvenile justice system to school²¹
- Intensive English Centre to mainstream setting.²²

2.10 Ms Deonne Smith, General Manager, Access and Equity, DEC stated that key transition points are from Years 2 to 3, Years 6 to 7 and from secondary school to further training and employment.²³ The NSW Primary Principals Association also highlighted the transition between Years 2 to 3, as well as the transitions from Years 6 to 7 and into kindergarten.²⁴

2.11 The Committee was informed that the reason why the transition from Year 2 to 3 is considered a significant transition point is because of changes to curriculum and social demands due to an increase in class sizes (from a teacher/student ratio of 1:24 in Year 2 to 1:30 in Year 3).²⁵ The NSW Primary Principals' Association advised that developmental delays for students at this time become problematic and obvious, with gaps between children and their classmates becoming highly visible.²⁶ This was illustrated by Ms Desley Morgan, Vice President, NSW Primary Principals' Association:

[The transition from Year 2 to 3] is the point of time they are going into stage 2 curriculum, so it is harder for them. They have to write and think symbolically, use language in a different way and that is where the cracks start to appear. Also the other children are becoming more socially competent and they are not.²⁷

2.12 Ms Morgan added that diagnosis often occurs at this stage as many doctors, paediatricians and psychiatrists will not identify or diagnose a child until they are around seven to eight years of age.²⁸

¹⁷ Submission 30, Speech Pathology Australia, p 4.

¹⁸ Submission 10, Federation of Parents and Citizens' Association of NSW, p 2.

¹⁹ Submission 10, p 2; Submission 36, Ronald McDonald House Charities, p 3.

²⁰ Submission 43, Royal Australasian College of Physicians, p 4.

²¹ Submission 32, p 7.

²² Submission 32, p 7.

²³ Ms Deonne Smith, General Manager, Access and Equity, Department of Education and Communities, Evidence, 12 September 2011, p 1.

²⁴ Submission 15, NSW Primary Principals Association, p 1.

²⁵ Submission 15, p 5.

²⁶ Submission 15, p 5.

²⁷ Ms Desley Morgan, Vice President, NSW Primary Principals' Association, Evidence, 12 September 2011, p 58.

²⁸ Ms Morgan, Evidence, 12 September 2011, p 58.

- 2.13** Inquiry participants also highlighted the impact of smaller day-to-day transitions on children with additional or complex needs. Down Syndrome NSW referred to these as ‘micro-transitions’, such as the movements between classes or between the classroom and playground, stating:

The overall transition planning for any student with Down syndrome must include the classroom, the playground and getting to and from school. It cannot be assumed that students with Down syndrome will ‘just know’ what to do outside of the classroom, or that they will learn how to manage without support, or that they will be safe without support. Initial orientation to a new school must include the whole environment, will need to be detailed, and visual tools should be incorporated to support the student’s transition.²⁹

- 2.14** Similarly, Dr Trevor Clark, Director, Education and Research, Autism Spectrum Australia (Aspect) pointed out that transitions occur from hour to hour, lesson to lesson, morning tea back into class and so on.³⁰ This was reiterated by Autism Spectrum Australia:

The small transitions can be just as stressful for children with autism and teaching and learning strategies have to take account of the need to plan for every change that a child will encounter.³¹

- 2.15** Dr Clark noted that all of these transitions impact on people on the autism spectrum:

Many of our people tend to be very rigid in behaviour, so when you are talking about a change you are talking about a transition that can, more often than not, create anxiety and distress for our population.³²

Why are positive transitions important?

- 2.16** The importance of positive transitions was raised by numerous inquiry participants.³³ For example, Ms Smith stated: ‘It is extremely important for children and young people to experience a positive transition so that they are set up to be as successful as possible in their new environment.’³⁴

²⁹ Submission 39, Down Syndrome NSW, p 19.

³⁰ Dr Trevor Clark, Director, Education and Research, Autism Spectrum Australia (Aspect), Evidence, 10 October 2011, p 17.

³¹ Submission 7, Autism Spectrum Australia, p 8.

³² Dr Trevor Clark, Director, Education and Research, Autism Spectrum Australia (Aspect), Evidence, 10 October 2011, p 17.

³³ For example, Submissions 7, 47, 52 and 53; Submission 37, Dr Coral Kemp and Ms Dawn Chadwick; Submission 57, NSW Parents’ Council, and Ms Smith, Evidence, 12 September 2011, p 1.

³⁴ Ms Smith, Evidence, 12 September 2011, p 1.

- 2.17** Particular emphasis was placed on the importance of transitions to early childhood education or primary school. According to UnitingCare Children, Young People and Families, these transitions have an enormous impact on a child's schooling:

Research indicates that children who make a smooth transition and experience early school success are more likely to be socially competent and achieve better results throughout their schooling. Conversely, children who experience academic and social difficulties in their start to school are likely to continue to have problems throughout their school careers, and often into adulthood.³⁵

- 2.18** Likewise, Dr Coral Kemp, part-time academic and special education consultant and Ms Dawn Chadwick, manager of the STaR Childcare Support Program, noted that 'promoting successful transitions is an important goal of early intervention because early transitions are thought to contribute to subsequent positive or negative transition experiences.'³⁶

- 2.19** The NSW Parents' Council added that positive transitions can also impact on the post-school success of a student, commenting: 'Carefully thought out transition planning can assist the young person in securing employment, pursuing post-secondary education and experiencing a meaningful community life.'³⁷

Committee comment

- 2.20** The Committee acknowledges that transitions can be challenging for any student, however recognise that this is particularly the case for those with additional or complex needs. We note that successful transitions can have a significant positive effect on the current and future educational experiences of students, and therefore welcome this important inquiry.

What are additional or complex needs?

- 2.21** As noted in the Background Paper to this Inquiry, there are no agreed definitions for the terms 'additional' or 'complex' needs, despite the concepts being widely recognised.³⁸

- 2.22** The terms 'additional' or 'complex' needs can be used separately or together or in combination with others, as demonstrated in evidence to the Inquiry. For example, the definition of children with 'additional and/or complex needs' provided by the NSW Government refers to:

... those experiencing multiple challenges related to children, parents or the whole family. These could encompass poverty, unemployment, ill health, substance abuse, experiences of violence or trauma, poor educational outcomes, truancy, behavioural problems, isolation and/or responding to family members with disabilities or special education needs.³⁹

³⁵ Submission 47, p 12.

³⁶ Submission 37, p 2.

³⁷ Submission 57, p 4.

³⁸ NSW Legislative Council, Standing Committee on Social Issues, *Inquiry into transition support for students with additional and/or complex needs and their families: Background Paper*, 25 July 2011, p 1.

³⁹ Submission 53 - Detailed, p 3.

2.23 Another definition of children ‘with additional and/or complex needs’, provided by the NSW Teachers Federation, includes children with:

- learning difficulties
- a behaviour disorder
- a physical or intellectual disability (including language disorders, mental health conditions or autism)
- needs arising from homelessness or cultural background
- more than one impairment that limits their ability to participate in daily life
- a requirement for significant extraordinary care due to severe impairment(s), or
- who may be deemed ‘at risk’, such as students who are estranged from their family, are carers for their family, or are school phobic or suffering from trauma and abuse.⁴⁰

2.24 The Liverpool Migrant Resource Centre (LMRC) provided a definition of children with ‘additional needs’ as children with ‘problems which affect their development, health, well-being, and ability to play and learn.’⁴¹ Such problems include disability, sensory impairment, emotional problems, developmental delays, communication problems and serious medical conditions.⁴²

2.25 A definition of families with ‘complex needs’, provided by Mission Australia, was described as families (whether it be parents, children or the whole family) experiencing multiple challenges, including:

... financial problems, ill health, substance abuse, family violence, poor educational outcomes and truancy ... Additional factors, on their own or in combination, may cause families to be particularly disadvantaged, attracting a label of ‘vulnerable and at risk’.⁴³

2.26 One group that was specifically raised during the Inquiry as having additional needs is children that have experienced trauma, such as refugee children. The LMRC explained:

We classified traumatised refugee children as having ‘additional needs’, since their development may be below their stage/age of development. In particular, their basic foundations of emotional and social development have been affected — for example the ability to trust others, to form meaningful attachments with other people, to make decisions by themselves, to be able to accept and negotiate the opinion of their peers without being hurt and to feel confident and good about themselves.⁴⁴

2.27 Children in out-of-home care who have also experienced significant trauma from abuse and neglect were also identified during the Inquiry as a group with additional needs.

⁴⁰ Submission 32, p 2.

⁴¹ Submission 63, Liverpool Migrant Resource Centre, p 2.

⁴² Submission 63, p 2.

⁴³ Submission 29, Mission Australia, p 2.

⁴⁴ Submission 63, p 3.

- 2.28** Other additional needs groups identified during the Inquiry were students with cultural and language differences (such as Aboriginal children or children from non-English speaking backgrounds), students in remote or regional areas, and students with mental health conditions or that have been in the juvenile justice system. Specific issues faced by these groups will be considered further in chapter 6 – Specific needs groups.
- 2.29** However, as noted by Ms Smith, whether or not students in these groups will require additional support will depend upon their personal circumstances:

Complex and additional needs can affect a very wide range of children and young people and their families for a very wide range of reasons and in a very wide range of ways. For example, being an Aboriginal person does not automatically mean that you have complex or additional needs that will affect your transition through education, but for some Aboriginal students and their families, the transition points at different stages of education are very difficult and require a real personalised approach where you get to know the child and the family very well and learn what it will take for them to be successful in a new setting.⁴⁵

Terminology

- 2.30** It should be noted that there are many references throughout this report to ‘students with a disability’, as opposed to ‘students with additional or complex needs’. This is reflective of the fact that the majority of evidence received during the Inquiry pertained to students with a disability. The Committee is nonetheless aware that while the term ‘additional or complex needs’ does encompass physical or intellectual disability, it is also much broader than that. The use of the term ‘students with a disability’ has therefore only been used in this report where necessary to accurately reflect the evidence.

Statistics

- 2.31** This section provides a broad overview of the number of students with disabilities or additional or complex needs in New South Wales. The section reflects the fact that the Committee received a variety of figures from inquiry participants who all presented their information slightly differently. It also reflects that the majority of evidence received pertained to students in NSW Government schools.
- 2.32** The NSW Teachers Federation advised that the overwhelming majority of children with a disability can be found in the NSW Government school system:

Just over three in every four students with a disability in New South Wales are enrolled in a public school. One in every 17 public school students has a disability compared to one in every 27 non-government school students.⁴⁶

- 2.33** The NSW Government advised that there were 35,000 students with confirmed disabilities in NSW Government schools in 2011 (equating to 4.5 per cent of total students in the public system).⁴⁷

⁴⁵ Ms Smith, Evidence, 12 September 2011, p 2.

⁴⁶ Submission 32, p 4.

- 2.34** The Teachers Federation noted that NSW Government schools also have a majority of:
- low socioeconomic students
 - Aboriginal students (87 per cent)
 - students with disabilities and special needs (76 per cent)
 - newly arrived and refugee students with a language background other than English (91.5 per cent), and
 - the majority of students in rural and remote locations.⁴⁸
- 2.35** Mr Brian Smyth King, Director, Disability Programs, DEC advised that of the 740,000 students enrolled in NSW Government schools, approximately 90,000 have additional or complex needs in relation to their learning.⁴⁹
- 2.36** Figures from the My School website indicate that there are more socioeducational disadvantaged students in public schools on average than in Catholic and independent schools.⁵⁰ The Teachers Federation outlined the impact of this:
- This means that a public school student with additional and/or complex needs is more likely to have parents/caregivers with lesser educational attainment and fewer financial resources and also live in rural/remote locations than the average private school student. This translates into the greater likelihood that the parents/caregivers face greater challenges in negotiating the range of service providers, if they exist, and may lack the financial resources to pay for professional services, if available.⁵¹
- 2.37** The Catholic Education Commission NSW advised that in 2010, 10,907 out of 240,983 students with disabilities were enrolled in 583 Catholic schools (which included seven special schools).⁵² The Association of Independent Schools NSW advised that in 2009, there were 3,391 students with disabilities in the NSW independent sector.⁵³
- 2.38** There has been a significant increase in the number of students with a disability over recent times, as highlighted by the NSW Primary Principals' Association, which noted that the percentage of primary school students with disabilities doubled between 1995 and 2006.⁵⁴
- 2.39** Further, according to figures in the NSW Government *Interim Submission to the Australian Government's Review of Funding for Schooling*, the number of students with a disability in NSW public schools increased by 20 per cent between 2005 and 2010, including a 165 per cent

⁴⁷ Mr Brian Smyth King, Director, Disability Programs, Department of Education and Communities, Evidence, 12 September 2011, p 4.

⁴⁸ Submission 32, p 4.

⁴⁹ Mr Smyth King, Evidence, 12 September 2011, p 3.

⁵⁰ Submission 32, p 4.

⁵¹ Submission 32, p 4.

⁵² Submission 51, Catholic Education Commission NSW, p 1.

⁵³ Answers to supplementary questions on notice, 13 December 2011, Association of Independent Schools NSW, Attachment B, p 9.

⁵⁴ Submission 15, p 1.

increase in the number of students diagnosed with autism and a 75 per cent increase in students with a mental health diagnosis since 2003.⁵⁵

- 2.40** The increase in children and young people with a disability has been accompanied by an increase in the proportion of these students attending mainstream schools as opposed to special schools (or ‘Schools for Specific Purposes’).⁵⁶ The NSW Government advised that more than 77 per cent of students with disabilities and additional learning needs are now enrolled and supported in regular classrooms in regular schools.⁵⁷ The shift toward mainstream education is considered in more detail in chapter 4 – Placement and enrolment.
- 2.41** The NSW Government noted that the reasons for the increasing numbers are complex. Possible explanations include changes in medical practices and interventions, increased awareness of certain conditions leading to increased diagnosis, and increased incidence of autism and mental health disorders. The Government stated in its submission: ‘At any rate, the increasing incidence of mental health and autism disorders appears to be a world-wide phenomenon.’⁵⁸
- 2.42** The Australian Institute of Health and Welfare similarly suggested that the increase in the reported number of children with a disability could be due to both higher levels of diagnosis and heightened awareness among parents, educators and health professionals about conditions such as attention deficit hyperactivity disorder and Autism Spectrum Disorder.⁵⁹
- 2.43** Other contributing factors to the increase in disabilities, identified in the 2010 NSW Legislative Council General Purpose Standing Committee No. 2 inquiry into the provision of education to students with a disability or special needs (the ‘Disability Education inquiry’),⁶⁰ are improved infant survival rates and more sensitive diagnostic tools for mental health disorders and autism.⁶¹

What transition support is available?

- 2.44** The Committee received a significant amount of evidence regarding general support services for students with disabilities or special needs in schools. These services were considered in detail in the Disability Education inquiry.⁶²
- 2.45** In view of the terms of reference for this Inquiry, the Committee only intends to examine those support services that are relevant to educational transitions. For a broader overview of

⁵⁵ NSW Government, *Interim Submission to the Australian Government’s Review of Funding for Schooling*, June 2011, p 6, accessed 23 February 2012, < <https://www.det.nsw.edu.au/media/downloads/about-us/news-at-det/nsw-government-interim-submission.pdf>>

⁵⁶ Submission 52, p 4.

⁵⁷ Submission 53 – Detailed, p 4.

⁵⁸ Submission 53 – Detailed, p 4.

⁵⁹ Submission 52, p 4.

⁶⁰ NSW Legislative Council, General Purpose Standing Committee No. 2, *The provision of education to students with a disability or special needs*, Report 34, July 2010.

⁶¹ General Purpose Standing Committee No. 2, Report 34, p xiv.

⁶² General Purpose Standing Committee No. 2, Report 34.

support services for students with disabilities or special needs in schools, please refer to chapters 6 and 7 of the Disability Education inquiry report.

- 2.46** Transition support for students with additional or complex needs and their families in New South Wales is provided through several government agencies: DEC, the Department of Family and Community Services (which encompasses Ageing Disability and Home Care, Community Services and Housing NSW) and NSW Health. In addition, a range of non government organisations provide transition services and supports to children with additional needs and their families.⁶³
- 2.47** The following sections provide a general overview of the different transition supports available to these students and their families. It does not intend to be a definitive guide, rather it is a brief snapshot of some of the policies, programs and other supports available across the state.

Policies and programs

- 2.48** There is a wide range of government and non government policies and programs that are either intended to support students with disabilities or additional needs, or support students in educational transitions. While many of these programs can be utilised to do both (i.e. support students with disabilities during transitions), there appear to be few that have been specifically designed to do so. For example, the DEC Transition to Year 7 Program policy does not set out any specific requirements for the transition of students with disabilities, even though it can be used for this purpose.⁶⁴
- 2.49** The lack of targeted programs to support students with a disability during transitions was commented on by the NSW Commission for Children and Young People:
- While policies or strategies are in place for most school transitions, there appear to be some inadequacies in regard to transition planning for children with a disability. Specific policies do not appear to exist for all school transitions for this group, and the extent to which their needs are adequately addressed in mainstream/generic transition plans and policies is difficult to gauge.⁶⁵
- 2.50** Examples of NSW Government programs or policies that are designed for, or specifically refer to, transition support for students with a disability include:
- *Transition to school for young children with special needs* - DEC guidelines to assist schools in transitioning young children with disabilities or significant learning or behaviour difficulties to primary school⁶⁶
 - *Our Middle Years Learners - engaged, resilient, successful* - DEC education strategy for students in Years 5 to 9, which includes a commitment to implement individualised transition plans for students with a disability or special education needs⁶⁷

⁶³ Submission 53 - Overview, p 4.

⁶⁴ Submission 52, p 12.

⁶⁵ Submission 52, p 12.

⁶⁶ Department of Education and Communities, *Transition to school for young children with special needs*, Guidelines, 1997.

- Community Participation program - an intensive skills based training program administered by Ageing, Disability and Home Care (ADHC) for school leavers with a significant disability who cannot enter the workforce immediately or in two years after finishing school
- Transition to Work Program – ADHC program which aims to assist young people with a disability to gain employment after finishing school.

2.51 The NSW Commission for Children and Young People noted that there is a gap in government policies for children with a disability transitioning into early childhood education and care.⁶⁸

2.52 An issue raised by one inquiry participant is that although there are policies in place, the application of these policies is variable:

The Education sector definitely has policies and procedures in place which on paper support the ideals expressed in this submission. However, in my experience these policies often do not transfer to the classroom, playground or meeting room.⁶⁹

2.53 This is supported by evidence from the NSW Commission for Children and Young People, which noted for example that it is unclear if schools are obligated to implement the *Our Middle Years Learners - engaged, resilient, successful* strategy.⁷⁰

2.54 In addition to the abovementioned programs and policies, the NSW Government advised that public schools can adopt their own localised transition processes. For example, some government schools use a *Transition to School* matrix, which is a practical tool to plan and self-evaluate transitions.⁷¹ There is also a resource package that was developed through the Low SES Communities National Partnership to assist schools provide extended transition programs. The aim of the package is to improve support for the transition of young children (including those with complex needs) into school by developing positive relationships between local preschools and community services.⁷²

2.55 The NSW Government acknowledged however that these localised models 'have varying degrees of quality and success', which often comes down to the relationships between the key stakeholders.⁷³

2.56 The Committee also received evidence about a range of various non government organisation programs and services that provide transition support to students with additional or complex needs, as well as transition programs run by specific schools, such as an exemplary transition program run through the Parramatta Diocese.⁷⁴

⁶⁷ Department of Education and Communities, *Our Middle Years Learners - engaged, resilient, successful: An Education Strategy for Years 5 to 9, 2010-2012*, p 12.

⁶⁸ Submission 52, p 11.

⁶⁹ Submission 13, Name suppressed, p 4.

⁷⁰ Submission 52, p 12.

⁷¹ Submission 53 – Overview, p 8.

⁷² Submission 53 - Overview - p 8.

⁷³ Submission 53 - Overview - p 8.

⁷⁴ See for Submission 21, Catholic Education, Diocese of Parramatta, p 2.

- 2.57 Further, evidence was received about various publications and packages that provide information about transition processes. However, as with the transition programs and policies, these tended to be general publications about transitions with little reference to students with additional or complex needs.⁷⁵

Stronger Together

- 2.58 Another relevant policy that should be noted is the NSW Government's 10 year plan to improve disability services, *Stronger Together: A new direction for disability services in NSW 2006-2016*.

- 2.59 The NSW Government submission advised that under the first five years of *Stronger Together*, \$1.3 billion in growth funding was provided to strengthen families, promote community inclusion and improve capacity and accountability. The first phase provided growth in therapy and case management positions across the disability sector, with the intention of making it easier for young people to access the services they need.⁷⁶

- 2.60 The second phase of *Stronger Together* (2011-2016) will deliver an additional \$2 billion of funding to continue expanding resources such as information, planning, advocacy, case management, service brokers and support coordination.⁷⁷ *Stronger Together 2* focuses on families as the key determiners of how resources are to be used. It also features person-centred support (including individual and portable funding arrangements) and a lifespan approach, focusing on significant life stages and transition points, to meeting people's needs.⁷⁸ Mr Patrick Maher, Chief Operating Officer, National Disability Services, commented on the focus of *Stronger Together 2*:

Stronger Together 2 signals the beginning of a significant paradigm shift in the way services and supports will be provided to people with disability and their families. It also commits the NSW Government to creating a service sector that provides for certainty of support across the lifespan, especially at key transition points, and a commitment to portable, flexible, individualised packages for anyone receiving disability services by the end of 2013-14.⁷⁹

School staff

- 2.61 School staff are an important resource and can also assist in providing transition support to students with additional or complex needs and their families.
- 2.62 For example, DEC advised that NSW Government schools provide Specialist Support Teachers who can assist in providing adjustments for the learning and support needs of

⁷⁵ Submission 10, p 4.

⁷⁶ Submission 53 - Detailed, p 26.

⁷⁷ Ombudsman, *Consultations with families of children with disabilities on access to service and support*, Final report, 2011, p 7.

⁷⁸ Submission 25, NSW Ombudsman, p 2; Submission 53 - Detailed, p 26.

⁷⁹ Mr Patrick Maher, Chief Operating Officer, National Disability Services, Evidence, 10 October 2011, p 45.

students with a disability. Specialist Support Teachers have expertise in early intervention, integration, hearing, vision, autism and transition (secondary to post-school).⁸⁰

2.63 DEC further advised that school counsellors, career advisors and transition advisors are also available for students in government schools.⁸¹

2.64 However, Speech Pathology Australia contended that access to the transition staff employed by DEC is ‘variable and inconsistent’, resulting in inadequate and inequitable service. It also noted that many families are unaware that these transition staff exist, and as such do not realise that they can access these services.⁸² This was reiterated by one parent, Sharon, who told the Committee:

I have never met a transition advisor yet in DEC and I work with the school sector. I know they are out there, but I am not sure where they are. I have heard they are out there. It is a real issue.

Recently I ran a transition forum for parents – I had over 80 turn up for the first time of this event – and the amount of parents that had never heard of a transition advisor from government and non-government schools – we had a mixture.⁸³

2.65 In regard to secondary school students, the Committee was informed about an initiative where DEC provide Support Teachers Transition and the Catholic Education Office provide Transition Officers to assist students with disabilities in Years 7 to 12 with school to post-school transition planning.⁸⁴

2.66 There is also assistance for secondary school students with the transition from secondary school to employment, further education, or other post-school options, provided through National Disability Coordination Officers funded by the Commonwealth Department of Education, Employment and Workplace Relations.⁸⁵

Committee comment

2.67 The Committee notes the wide variety of programs, policies and supports available to assist students with additional or complex needs with educational transitions. We received information about many more programs, particularly from non government organisations, as well as pilot programs run through government agencies, that can also provide transition support for these students. While we have not mentioned all of the different programs and pilot programs raised in evidence, we value the important contributions from inquiry participants who provided this information.

⁸⁰ Answers to questions on notice taken during evidence 12 September 2011, Department of Education and Communities, Question 4, p 4.

⁸¹ Answers to questions on notice taken during evidence 12 September 2011, Department of Education and Communities, Question 4, p 4.

⁸² Submission 30, p 5.

⁸³ Sharon, Parent, Evidence, 10 October 2011, p16.

⁸⁴ Submission 54, Juvenile Justice, p 4.

⁸⁵ Submission 23, National Disability Coordination Officer Program, University of Western Sydney, p 1.

- 2.68** Importantly, we note that the large number and variety of programs and support options is fragmented and confusing, as will be discussed below.

Issues with the transition support service system

- 2.69** Concerns expressed by inquiry participants regarding the transition support service system in New South Wales include that the system is complex and confusing, there is a lack of coordination between services, a lack of integration and alignment of services, and there are variations in transition support between schools and school settings.

Complex and confusing

- 2.70** The service system in New South Wales generally has been described as ‘highly fragmented and complex’,⁸⁶ while the interaction of the vast number of health, community and education programs available to students with additional or complex needs has been described as ‘episodic and inconsistent.’⁸⁷

- 2.71** Mission Australia observed that families with multiple needs find the diverse service system ‘confusing and disempowering, making it difficult to negotiate.’⁸⁸ This was echoed by the NSW Parents’ Council:

In NSW there is a complex service system which can create confusion for individuals and families (for example, families often struggle to find out about services specific to their child’s needs).⁸⁹

- 2.72** Speech Pathology Australia expressed concern that the allocation of services often depends on a family’s ability to navigate the fragmented and complex service system, which leads to ‘reduced access and inequitable apportioning of services.’⁹⁰

- 2.73** The NSW Government acknowledged that there is a wide range of programs and services for children and young people with additional or complex needs, and that the provision of these services and supports varies across educational settings and different stages of life. The Government recognised that families find the system difficult to navigate, and that they report ‘feeling as though they are in a “maze” of processes, options and supports, particularly at the key transition stages in their child’s education.’⁹¹

- 2.74** In its submission the NSW Government noted that the therapy service system alone is complex, as it is provided by a range of government and non government organisations which all offer different services, use different eligibility criteria and have different assessment requirements and processes. Additional challenges then arise when therapy services are

⁸⁶ Submission 34, Family Advocacy, p 1.

⁸⁷ Answers to supplementary questions 12 September 2011, Professor Bob Perry, Murray School of Education, Charles Sturt University, Question 1, p 1.

⁸⁸ Submission 29, p 6.

⁸⁹ Submission 57, p 6.

⁹⁰ Submission 30, p 5.

⁹¹ Submission 53 – Overview, p 4.

required to align with educational services, as both sectors have a different purpose and focus.⁹²

- 2.75** Another issue adding to the complexity of the service system, identified by Ms Smith, is the variation in supports in different regions:

Some of the challenges that we face are the complexity of the support service landscape for individual children and families and across agencies and the different support that is available in different locations. So from a school's perspective or a teacher's perspective the kind of supports available in one community might be quite different to another and you need to have your head around that.⁹³

- 2.76** Issues faced by students with additional or complex needs in regional or remote areas will be considered in more detail in chapter 6 – Specific needs groups.

Lack of coordination between services

- 2.77** A lack of coordination and communication between services (whether between state government agencies, state and federal government agencies or government and non government organisations) was another issue raised during the Inquiry.

- 2.78** Mr Dave Ryan, Operations Manager, Orana Far West, UnitingCare Burnside provided the following example of a lack of communication between NSW Government agencies:

We found that with the family referral services ... there were some changes in one of the departments – changes to Referral Pathways for Brighter Futures but the referral service was not informed. So the Department of Community Services made some changes and did not inform Health. It might seem only a minor thing but sometimes government departments can make their own decisions and not inform other departments.⁹⁴

- 2.79** Issues with communication between state government agencies were also touched on by Dr Michelle Townsend, Researcher, Centre for Children and Young People, Southern Cross University:

There are memorandums of understanding between each of those agencies but for practitioners at a grassroots level they still operate with a lot of lack of understanding about what each of the other services should do or can do.⁹⁵

- 2.80** There are also coordination issues between services, which were acknowledged in the NSW Government submission:

Services, policy and programs can seem fragmented and poorly coordinated with varying degrees of provision and accessibility, particularly in rural and remote

⁹² Submission 53 – Overview, p 6.

⁹³ Ms Smith, Evidence, 12 September 2011, p 2.

⁹⁴ Mr Dave Ryan, Operations Manager, Orana Far West, UnitingCare Burnside, Evidence, 5 December 2011, p 30.

⁹⁵ Dr Michelle Townsend, Researcher, Centre for Children and Young People, Southern Cross University, Evidence, 13 December 2011, p 13.

locations. There is duplication in some areas, yet gaps in provision, strategy and infrastructure in others.⁹⁶

- 2.81** The Committee also heard about coordination issues between state and federal services. For example, Mr Ryan advised that UnitingCare Burnside and Mission Australia have been planning to provide certain transition support services, however have discovered that the Commonwealth Department of Families, Housing, Community Services and Indigenous Affairs will be releasing funding with very similar requirements. Mr Ryan said:

It would be nice if we could coordinate that funding and say, “We can do some really good work if we can get Federal and State working together saying, ‘What is it we want to achieve in these areas?’ and coordinate our responses so we are not competing with one another to get something up and running in a very short time”.⁹⁷

- 2.82** Ms Dale Towns, Service Manager, Mission Australia said that duplications in services are confusing for families,⁹⁸ and can also cause tension between the different agencies:

... it can be extremely difficult when you are working in small communities and you are working with a program that may be working with 12 to 18 year olds to keep them in school and then another program from another government department is rolled out that merely mimics what you are already doing in that community. That can cause quite a lot of unrest between the two agencies that have funding as well.⁹⁹

- 2.83** Issues with coordination at the state and federal level were also highlighted by Ms Sylvana Mahmic, Director, Pathways Early Childhood Intervention NSW Chapter, who noted: ‘For those of us who are running organisations we continually have to juggle the State/Federal situation and there frankly does not seem to be coordination regarding services and funding buckets for children with disabilities.’¹⁰⁰

- 2.84** In addition, concerns were raised about the coordination of services between non government organisations and private therapists. Ms Liz Forsyth, Sector and Business Development Manager, Northcott Disability Services used wait lists as an example to note that there is no central or coordinated approach to these lists. As such:

... sometimes school aged children might be all attending the same school and have been accessing different therapy services and you might get three OTs [Occupational Therapists] who end up attending the same school on the same day.¹⁰¹

- 2.85** Ms Forsyth suggested that if there was a central way of keeping track of therapy wait lists, resources could be allocated more efficiently, rather than having the fragmented approach that currently exists.¹⁰²

⁹⁶ Submission 53 – Overview, p 5.

⁹⁷ Mr Ryan, Evidence, 5 December 2011, p 30.

⁹⁸ Ms Dale Towns, Service Manager, Mission Australia, Evidence, 5 December 2011, p 31.

⁹⁹ Ms Towns, Evidence, 5 December 2011, p 30.

¹⁰⁰ Ms Sylvana Mahmic, Director, Pathways Early Childhood Intervention NSW Chapter, Evidence, 12 September 2011, p 45.

¹⁰¹ Ms Liz Forsyth, Sector and Business Development Manager, Northcott Disability Services, Evidence, 12 September 2011, p 54.

¹⁰² Ms Forsyth, Evidence, 12 September 2011, p 54.

- 2.86** The Committee did receive positive evidence regarding coordination between non government services in regional areas, which was attributed to good relationships between organisations. Ms Cathy Lambert, Manager, Child and Family Team, UnitingCare Burnside told the Committee during a hearing in Dubbo:

... the non-government organisations out here manage because they do know each other well and they coordinate really well because they are similar and they will take these tasks and you take those tasks and then we are not competing and we work together to help the family out. So I see that happening more and more. But it is really because the relationship is out here, not because of any legislation or organisation on anyone else's part.¹⁰³

Lack of integration and alignment

- 2.87** The NSW Government noted that while agencies try to work collaboratively, there is no state or national integrated action plan or policy for children with additional or complex support needs.¹⁰⁴

- 2.88** The effect of not having a national integrated approach was highlighted by Ms Mahmic, who was recently contacted by a parent in New Zealand planning to move to Australia and seeking information about support services for students with a disability:

I was scrambling and researching to try and find out because at first she thought she was coming to New South Wales ... Then she emailed to say she was going to Queensland and I recognised what the issue is: That none of us could definitely say there was any integrated approach across Australia; to me that was a problem, sending a message back to that mother saying: Sorry, currently, right now, there is no integrated approach for people with disabilities across the various States and Territories. You have to contact somebody in Queensland to find that information out.¹⁰⁵

- 2.89** Ms Mahmic suggested that this issue may be improved with the introduction of the National Disability Insurance Scheme (discussed later in this chapter).¹⁰⁶

- 2.90** The Committee was told that there have been some moves toward better alignment of services within NSW service sectors. For example, in regard to disability services, Mr Patrick Maher, Chief Operating Officer, National Disability Services advised that the NSW Government has allocated \$17 million toward an Industry Development Fund (IDF) to 'support the transition of non-government, not-for-profit disability services sector into a more integrated, efficient, innovative, robust and responsive service system'.¹⁰⁷

¹⁰³ Ms Cathy Lambert, Manager, Child and Family Team, UnitingCare Burnside, Evidence, 5 December 2011, p 31.

¹⁰⁴ Submission 53 – Overview, p 5.

¹⁰⁵ Ms Mahmic, Evidence, 12 September 2011, p 45.

¹⁰⁶ Ms Mahmic, Evidence, 12 September 2011, p 45.

¹⁰⁷ Answers to questions on notice taken during evidence 10 October 2011, National Disability Services, Question 1, p 1.

2.91 Mr Maher advised that so far \$6.7 million of the funding has been allocated to projects that support the strategic objectives of the IDF, and that development work is nearing completion for a second round of funding allocations of a similar magnitude in late 2011/early 2012.¹⁰⁸

2.92 The Committee was also informed that the NSW Government has recently commenced a formal policy review of its investment in early childhood services. Mr John Mason, Executive Director, Early Childhood Education and Care, DEC advised:

One of the goals of that review is to look at the alignment of programs and expenditure, particularly in this area where there is obviously duplication of programs and also about the way in which they are administered to make them less unnecessarily burdensome for providers to be engaged with ...¹⁰⁹

Variations between schools and school settings

2.93 Variations in transition support between schools and school settings was another concern raised during the Inquiry.

2.94 For example, UnitingCare Children, Young People and Families stated that the extent of transition support within schools ‘depends on local decision making and whether the school leadership team consider this a priority.’¹¹⁰ It gave the following example:

... a number of schools in Western Sydney run transition programs where children come into the school for half a day in term four in the year before starting school (or in several schools for two terms). In contrast, other nearby schools will only have one or two orientation sessions in the last few weeks of the school year.¹¹¹

2.95 Inconsistency in transition support between schools was also raised by the NSW Parents’ Council, which observed that ‘some schools are excellent and there is a staff member responsible for transition support. In some schools there can be no specific staff member appointed and responsible for transition support.’¹¹²

2.96 The same issue was identified in a 2011 NSW Ombudsman report, *Consultations with families of children with disabilities on access to services and support*, which found ‘considerable differences’ between schools in regard to the flexibility and support they provide to students with disabilities, including whether a child could do a gradual transition into school.¹¹³

2.97 In addition to inconsistencies between schools, the Committee received evidence about inconsistencies across different educational settings. For example, Ms Mahmic expressed the view that DEC has good policies and procedures, however noted that they do not apply in

¹⁰⁸ Answers to questions on notice taken during evidence 10 October 2011, National Disability Services, Question 1, p 2.

¹⁰⁹ Mr John Mason, Executive Director, Early Childhood Education and Care, Department of Education and Communities, Evidence, 12 September 2011, p 11.

¹¹⁰ Submission 47, p 5.

¹¹¹ Submission 47, p 13.

¹¹² Submission 57, p 7.

¹¹³ Ombudsman, *Consultations with families of children with disabilities on access to service and support*, Final report, 2011, p 13.

other educational settings.¹¹⁴ Ms Mahmic recommended that all school settings should have the same policies and procedures regarding the inclusion of children with disabilities.¹¹⁵

2.98 However, as pointed out at 2.52, even when there are good policies in place, the application of these policies is variable. The NSW Government suggested that one reason for this may be that some staff do not understand the importance of transition processes, particularly for students with additional or complex needs, which can result in inconsistencies in transition planning across schools.¹¹⁶

2.99 Carers NSW observed that the highly varied nature of support across school settings increases the anxiety of carers and family members at transition stages:

Most carers, if not all, have experienced their child receiving inadequate or inappropriate services, support, and treatment, and will be anxious at transition stages that they will be worse off in the next stage – whether it be with a new teacher, in a new educational setting, or post-school. For instance, one carer said she was ‘petrified’ of having to transition her daughter to high school in the future.¹¹⁷

Other issues

2.100 A range of other issues were raised during the Inquiry regarding the transition support service system in New South Wales.

2.101 For example, concern was raised that there is a ‘general lack of consistency in the quantity and quality’ of services in New South Wales. The NSW Primary Principals’ Association said that this issue applies to both government and non government services.¹¹⁸

2.102 The quantity of services was also raised as a concern by Northcott Disability Services in regard to the availability of therapy services (such as occupational therapy, speech pathology, physiotherapy and social work), which provide much of the transition support for children with additional needs.¹¹⁹ Northcott stated that there are insufficient therapy services to meet demand and lengthy waitlists (sometimes up to two or three years) to receive therapy services.¹²⁰ Northcott illustrated the impact of long waitlists:

If referred when four years old, by the time they receive a service, often they have already started primary school. Many of the issues where help was needed will not have been addressed, meaning that the child’s ability to access their school curriculum and environment will have been significantly impacted and their successful transition into school is compromised.¹²¹

¹¹⁴ Ms Mahmic, Evidence, 12 September 2011, p 32.

¹¹⁵ Ms Mahmic, Evidence, 12 September 2011, p 38.

¹¹⁶ Submission 53 – Overview, p 3.

¹¹⁷ Submission 11, Carers NSW, p 9.

¹¹⁸ Submission 15, p 3.

¹¹⁹ Submission 17, Northcott Disability Services, p 3.

¹²⁰ Submission 17, p 3 and p 6.

¹²¹ Submission 17, p 6.

- 2.103** Another issue is that government programs have different eligibility requirements. This issue was acknowledged by the NSW Government which gave an example using the Australian Government's initiative, *A Better Start for Children with a Disability* ('Better Start'). Better Start provides funding for early intervention services for children with Down syndrome, cerebral palsy, Fragile X syndrome, or a moderate or greater vision or hearing impairment. While Better Start complements the early intervention services provided by the NSW Government, it has different eligibility criteria. The NSW Government noted that 'families find it difficult to understand why they may be eligible for one program yet not another.'¹²²
- 2.104** The impact of different application and eligibility requirements on families and service providers was discussed by Ms Robyn Bale, Director, Student Achievement and Community Partnerships, DEC, who said:

I think one of the things that we do acknowledge with the different funding streams is that there are different application requirements, there are different timings, there are different accountability requirements and so on. That does create red tape for organisations. It does create confusion for families because there is also different eligibility requirements.¹²³

Committee comment

- 2.105** The Committee is significantly concerned by the wide range of issues that have been raised in regard to the transition support service system in New South Wales. We are particularly concerned about the difficulties experienced by students with additional or complex needs and their families in trying to navigate their way around such a complex, fragmented, confusing and poorly coordinated system.
- 2.106** The Committee is confident that these issues can be addressed through the recommendations made in this report, particularly the best practice recommendations in chapter 8.

Withdrawal of support at transition points

- 2.107** Another issue raised during the Inquiry is that there is often a withdrawal of support at key transition points. For example, Speech Pathology Australia noted that therapy support diminishes significantly as students transition through the education system:

Many children receive therapy support in Early Intervention; however as they start school, some of these services discontinue; some services cut out at age 7, and so on until services are almost non-existent in secondary school.¹²⁴

¹²² Submission 53 – Overview, pp 4-5.

¹²³ Ms Robyn Bale, Director, Student Achievement and Community Partnerships, Department of Education and Communities, Evidence, 12 September 2011, p 5.

¹²⁴ Submission 30, p 5.

- 2.108** The issue of students being cut-off from essential services at certain ages was also highlighted by Ms Desley Morgan, Vice President, NSW Primary Principals' Association, who declared:

They are just really dumped. One service will dump them and move on and say: You do not fit. We stop at 7 or we stop at 6. We stop at 4. We stop at 5. That is it. They never get any help from that agency again. It is a bit dismal.¹²⁵

- 2.109** Ms Cathy Lambert, Manager, Child and Family Team, UnitingCare Burnside acknowledged that there are no services that support families throughout a child's schooling career:

... we all have different eligibility criteria and we all service families for a limited amount of time. We are looking after families for perhaps a few years and then they get passed onto whoever they fit next. So the ongoing longevity of following a child from when they start in an early childhood service right through their school career, we do not have the capacity to do that anywhere – whether it is through a non government organisation or through the education department.¹²⁶

- 2.110** The Federation of Parents and Citizens' Association of NSW observed that families often become nervous at transition points as they fear that changes in school settings will result in changes to the support they are receiving, and a reduction or removal of funding.¹²⁷

- 2.111** Concern was raised that the withdrawal of support at transition points means that families have to re-apply for services, undergo new assessments, complete more paperwork and re-tell their stories (the issue of families re-telling their stories will be discussed in the next chapter). As pointed out by Ms Lambert: 'Every time you have a major change it is impacted by all the other things you are not eligible for any more or the different things you have to apply for.'¹²⁸

- 2.112** Withdrawal of support is particularly an issue during the transition from early childhood education to school, and will be considered in more detail in chapter 5 – Specific transition points.

National Disability Insurance Scheme

- 2.113** In April 2010, the Australian Government referred an inquiry into a national disability long term care and support scheme to the Productivity Commission.

- 2.114** The Productivity Commission delivered its final report on Disability Care and Support to the Australian Government on 31 July 2011. The report recommends a National Disability Insurance Scheme (NDIS) to provide all Australians with insurance for the costs of support if they or a family member acquire a disability.¹²⁹

- 2.115** On 19 August 2011 the Council of Australian Governments (COAG) agreed to the need for major reform of disability services in Australia through a NDIS. The COAG agreed to the

¹²⁵ Ms Morgan, Evidence, 12 September 2011, p 60.

¹²⁶ Ms Lambert, Evidence, 5 December 2011, p 24.

¹²⁷ Submission 10, p 6.

¹²⁸ Ms Lambert, Evidence, 5 December 2011, p 32.

¹²⁹ Productivity Commission (Cth), *Disability Care and Support: Executive Summary*, Report No. 54, July 2011, p 5.

establishment of a Select Council of Treasurers and Disability Services Ministers to consider the recommendations of the Productivity Commission's report.

2.116 At the first meeting of the Select Council on 20 October 2011, all Ministers agreed to lay the foundations for a NDIS by mid-2013.¹³⁰

2.117 Design of the NDIS is still in its infancy, however inquiry participants expressed optimism that it would address many of the issue facing people with a disability and their families. For example, Ability Options stated:

It is hoped that a National Disability Insurance Scheme (NDIS) will address issues identified by this Inquiry around coordination and responsiveness between agencies (through memorandum of understanding), better resourcing and information to increase the adequacy and accessibility of appropriate supports from an early age and facilitating post school life in line with other community members.¹³¹

¹³⁰ National Disability Insurance Scheme, *NDIS Select Council*, accessed 30 January 2012, <<http://www.ndis.gov.au/ndis-select-council/>>

¹³¹ Submission 58, Ability Options, p 7.

Chapter 3 Access to and transfer of information

One of the key issues raised during the Inquiry is that information about transition funding and supports is difficult to find and difficult to understand. Another key issue is that there are inadequacies with the transfer of information about the strengths and needs of individual students, with the result being that families have to re-tell their story every time they apply for support or go through a transition.

These issues will be considered in this chapter, along with suggestions for improving access to information and improving information sharing between education and service providers.

Issues with access to information

- 3.1 As outlined in the last chapter, the transition support service system in New South Wales is confusing and complex, and many families struggle to navigate their way around the system.
- 3.2 Easy access to clear and accurate information about transition support, services and funding is essential for families to make timely and informed decisions. Northcott Disability Services noted that without adequate information for students with additional or complex needs, families can be unaware of the need to start the transition process early, which in some instances can lead to transition activities happening after the beginning of school.¹³²
- 3.3 Access to clear and accurate information is equally important for educators and other service providers to enable them to provide sound advice to families and other service providers.¹³³
- 3.4 However, nearly all inquiry participants expressed the view that information about transition support is both difficult to find and hard to understand. The Committee heard that many families are unaware that transition funding and support even exists.¹³⁴
- 3.5 The NSW Government acknowledged that many families find it difficult to access information about services, noting that '[i]t is not always easy for families to navigate the service system, particularly if they do not have a strong social support network, an individual case worker, or an advocate.'¹³⁵
- 3.6 Issues with accessing information were also raised in a 2011 NSW Ombudsman report, *Consultations with families of children with disabilities on access to services and support* (the 'Ombudsman report') which found that families struggled to find basic information about the public school system and the available support for students with additional needs, including what they may

¹³² Submission 17, Northcott Disability Services, p 5.

¹³³ Submission 53 – Overview, NSW Government, p 7.

¹³⁴ Submission 19, NSW Secondary Principals' Council, p 2; Submission 47, UnitingCare Children, Young People and Families, p 16.

¹³⁵ Submission 53 – Overview, p 4.

be eligible for and how they could obtain necessary services.¹³⁶ The Ombudsman report stated:

Families said that it is often difficult to get clear and accurate information, even through direct contact with service providers. We hear repeatedly from families that services expect them to know what they want without providing them with sufficient information to know what exists, what is available, and what would be suitable.¹³⁷

- 3.7** Family Advocacy observed that many families tend to ‘stumble upon information in ad-hoc ways such as through a recommendation from a friend, an internet search or by happening upon a service or individual that could guide them in the right direction.’¹³⁸ It provided the following example illustrating the transition experience of one of their members:

We were not really supported at all. We were terrified. However we were able to independently find out about a transition to school program [a service] was running in Jan, so we took [my son] to this ... nobody had advised us about it we just found out by our own research. [The service] was wonderful, but I feel that any help we get is very piecemeal. Who knows what other programs are out there that may have helped?

Further on down the track when [my son] was in Year 10, I attended – without the intervention or suggestion from the school – a 2-day Positive Partnerships workshop run by [a service] and supported by the Department of Education. This was absolutely key for me because I connected with a wonderful person from the Catholic Education Office who put me onto a Transitions worker who could work with [my son] in the school. It is incredible to me still to this day that the school never put him forward for her caseload, and I had to go to this workshop to actually find out about her. This is something that the school should have been helping us with.¹³⁹

- 3.8** One witness, a student with a disability, told the Committee that the way she has found out information has been through informal support networks, as in ‘the people you know, the people you trust’.¹⁴⁰ She stated:

I happened to know disability services existed at my university only because I happen to have a father who is a lecturer. I happened to know about a lot of the stuff that the Department of Education offered only because I happen to have a mother who was a school counsellor. Other than that I would ask. There is no one place or one person, at least for people with a moderate disability and who do not have caseworkers or ongoing support through organisations.¹⁴¹

- 3.9** The Ombudsman report found that families rely heavily on other families and the internet to obtain information about services and support, and that they also rely heavily on schools to

¹³⁶ Ombudsman, *Consultations with families of children with disabilities on access to service and support*, Final report, 2011, p 3.

¹³⁷ Ombudsman, *Consultations with families of children with disabilities on access to service and support*, Final report, 2011, p 3.

¹³⁸ Submission 34, Family Advocacy, p 2.

¹³⁹ Submission 34, p 2.

¹⁴⁰ Witness M, Evidence, 13 December 2011, p 39.

¹⁴¹ Witness M, Evidence, 13 December 2011, p 39.

provide the right information.¹⁴² The NSW Secondary Principals' Council similarly noted the reliance that families place on schools to provide information and support.¹⁴³

- 3.10** However concerns were raised regarding the consistency of information distributed by schools. For example, Northcott Disability Services observed that 'the level of information and communication differs greatly across the different areas depending on the type of school and the ... staff involved.'¹⁴⁴ It said that while the Department of Education and Communities (DEC) and Catholic Education Office have held some joint information sessions in primary schools, these sessions are not widespread or available across New South Wales.¹⁴⁵
- 3.11** The Committee also heard that the manner in which information is made available prior to school transitions is inconsistent. In some cases parents must visit schools to obtain information, whereas in other cases information is provided on school websites.¹⁴⁶
- 3.12** Another issue is that families who are not using any formal services (such as families that have not entered their child into early childhood services) are often unaware of school transition programs and therefore miss out on transition or orientation activities run by schools. This was raised by UnitingCare Children, Young People and Families, which said that '[v]ulnerable families often don't start thinking about their child starting school until after Christmas, and by then have missed out on transition activities.'¹⁴⁷
- 3.13** It was further suggested that not only do parents and families struggle to understand transition services and supports, but so do a number of schools.¹⁴⁸ Northcott Disability Services contended that many school staff may not be aware of the support services available to students with additional needs, or how to refer families to these services.¹⁴⁹

Improving access to information

- 3.14** Inquiry participants made a number of suggestions for improving access to information, such as creating a 'one-stop shop' to information, enabling families to share their stories, and increasing guidance and support to assist families understand the various support services and make informed decisions.

A 'one-stop shop'

- 3.15** One of the key suggestions raised during the Inquiry was to create a central access point for information, or a 'one-stop shop'. For example, Family Advocacy recommended that DEC develop 'a central place where regularly updated clear information and resources can be

¹⁴² Submission 25, NSW Ombudsman, p 2.

¹⁴³ Submission 19, p 2.

¹⁴⁴ Submission 17, p 5.

¹⁴⁵ Submission 17, p 5.

¹⁴⁶ Submission 52, NSW Commission for Children and Young People, p 10.

¹⁴⁷ Submission 47, p 16.

¹⁴⁸ Submission 57, NSW Parents' Council, p 6.

¹⁴⁹ Submission 17, pp 3-4.

accessed by families',¹⁵⁰ and that the Department collaborate with service providers to ensure families are connected to it as early as possible.¹⁵¹

- 3.16** The concept of a one-stop shop was supported by families consulted for the 2011 Ombudsman report,¹⁵² as well as by numerous inquiry participants, such as Ms Liz Forsyth, Sector and Business Development Manager, Northcott Disability Services:

...we would support a system really that provided consistent information across the board whether that is someone approaching the local State school, whether they are approaching their Catholic school, whether it is their independent high school, that there is some way of having a central access to information and that everyone gets the same information.¹⁵³

- 3.17** The Committee heard that the NSW disability sector is hoping to create a one-stop shop for disability services in general. Mr Patrick Maher, Chief Operating Officer, National Disability Services said that this was the ultimate goal of the NSW Government's Industry Development Fund (outlined at 2.90 – 2.91), which provides funding for projects with the aim of better aligning the state's disability services:

Referred to in a lot of ways: no wrong door, single gateway, one-stop shop, whatever. But it is that the person has one point of contact with government and that point of contact, whether that be an external individual agency of whatever, is the only point that the person goes back to.¹⁵⁴

- 3.18** However in evidence Mr Jim Moore, Chief Executive, Ageing, Disability and Home Care Agency and Acting Director General,¹⁵⁵ Department of Family and Community Services (FACS) cautioned that a one-stop-shop has its limits. Although he agreed that it also has merits, he expressed the view that there is no 'single magic solution to the information needs of people'¹⁵⁶ due to the wide range of people with differing needs and circumstances:

There will be a response that will fit a certain part of the spectrum but there will be a broader range of people who will need help and I do not think the one-stop shop concepts will cover the whole spectrum so you will have to think of other things...¹⁵⁷

- 3.19** If there were to be a one-stop shop, one option could be for it to be online. While the Committee was not made aware of a comprehensive online information portal existing in any other jurisdiction, it did receive evidence about the 'Ultranet' in Victoria, which is a new

¹⁵⁰ Submission 34, p 5.

¹⁵¹ Submission 34, p 5.

¹⁵² Ombudsman, *Consultations with families of children with disabilities on access to service and support*, Final report, June 2011, p 3.

¹⁵³ Ms Liz Forsyth, Sector and Business Development Manager, Northcott Disability Services, Evidence, 12 September 2011, p 49.

¹⁵⁴ Mr Patrick Maher, Chief Operating Officer, National Disability Services, Evidence, 10 October 2011, p 49.

¹⁵⁵ Mr Moore was appointed Director General of FACS on 22 December 2011.

¹⁵⁶ Mr Jim Moore, Chief Executive, Ageing, Disability and Home Care Agency, and Acting Director General, Department of Family and Community Services, Evidence, 10 October 2011, p 33.

¹⁵⁷ Mr Moore, Evidence, 10 October 2011, p 34.

internet site set up by the Victorian Department of Education and Early Childhood Development (DEECD). The Committee was informed that the Ultranet will soon connect 50,000 teachers, 500,000 students and one million parents for the purpose of online learning and information sharing.¹⁵⁸

- 3.20** Mr Alan Wilson, Acting Manager, Disabilities and Educational Support Program, Victorian DEECD advised that the Ultranet enables schools to provide information about their transition programs and opportunities for students to engage with secondary schools prior to attending via the site's 'community spaces'.¹⁵⁹ However he noted that an issue with this is that parents can only access the Ultranet once their child is enrolled (although transition information is available on the Department's public website).¹⁶⁰
- 3.21** The use of the Ultranet to share and transfer information about students will be considered later in this chapter.

Committee comment

- 3.22** It is clear that students with additional or complex needs and their families, and even some schools and service providers, struggle to find information about transition supports, services and funding. We note the evidence that the provision of this essential information is ad hoc and inconsistent, and are extremely concerned by the suggestion that some families are not even aware that transition support exists at all.
- 3.23** The Committee believes that a central access point for information is a logical solution to this issue. We also believe that the best way to facilitate this is via an online portal, which can provide up-to-date information and links to relevant services. We recommend that such a portal be developed.

Recommendation 1

That the NSW Government create a central online access point for information about transition support for students with additional or complex needs.

The value of sharing stories

- 3.24** Families commented on the value of hearing the stories and experiences of other families with children with additional needs that had been through transitions. As put by one member of Family Advocacy: 'The best information I received was hearing the experience of a former student through his parent.'¹⁶¹

¹⁵⁸ Mr Alan Wilson, Acting Manager, Disabilities and Educational Support Program, Victorian Department of Education and Early Childhood Development, Evidence, 10 October 2011, p 18.

¹⁵⁹ Mr Wilson, Evidence, 10 October 2011, p 22.

¹⁶⁰ Mr Wilson, Evidence, 10 October 2011, p 24.

¹⁶¹ Submission 34, p 3.

- 3.25** Ms Leesa Cluff, a parent member of the Parent Council for Deaf Education said that learning about the experiences of other parents is valuable in that it helps to raise awareness about issues that may arise:

We get a very rosy picture painted for us showing that our child is going to do well, but no-one wants to say that we will have to keep an eye out for things that might go wrong along the way.¹⁶²

- 3.26** This was acknowledged by Mr Moore:

... I think some of the things that you know when it comes to getting the best for your child are things that will not be written down readily; they are things that come from one peer being able to talk to another and tell them what they wish they had done differently. You will not readily get that sort of advice in the written literature that might be provided to support people.¹⁶³

- 3.27** Mr Moore agreed that families that have been through transition experiences are often best placed to assist others in similar circumstances, and suggested that there should be more peer networks and community support groups to 'assist people to learn what not to do as well as what to do.'¹⁶⁴

- 3.28** Inquiry participants expressed support for a mechanism for families to share their stories and experiences.¹⁶⁵ The Council of Catholic School Parents suggested that one way to achieve this could be through online forums, which would be of particular benefit to socially and geographically isolated parents.¹⁶⁶ Another suggestion, from Ms Hilary Smith, Acting Area Manager, Nepean, Northcott Disability Services, is for community health care and other similar primary health care providers to coordinate information sharing.¹⁶⁷ The Committee was informed that Pathways Early Childhood Intervention already does this, running a special evening workshop each year where parents whose children are already at school come and share their transition experiences with other families.¹⁶⁸

Committee comment

- 3.29** The Committee notes the value of hearing the stories and experiences of other families of children with additional or complex needs that have been through transition processes. In addition to learning important tips, we note that this also provides an opportunity for families to hear about what can go wrong, which in our view can sometimes better prepare families for transitions.

¹⁶² Ms Leesa Cluff, Parent Member, Parent Council for Deaf Education, Evidence, 10 October 2011, p 26.

¹⁶³ Mr Moore, Evidence, 10 October 2011, pp 33-34.

¹⁶⁴ Mr Moore, Evidence, 10 October 2011, p 34.

¹⁶⁵ Submission 27, Council of Catholic School Parents, p 2; Submission 34, p 3; Ms Hilary Smith, Acting Area Manager, Nepean, Northcott Disability Services, Evidence, 12 September 2011, p 50; Ms Sylvana Mahmic, Director, Pathways Early Childhood Intervention NSW Chapter, Evidence, 12 September 2011, p 41.

¹⁶⁶ Submission 27, p 2.

¹⁶⁷ Ms Smith, Evidence, 12 September 2011, p 50.

¹⁶⁸ Ms Mahmic, Evidence, 12 September 2011, p 41.

- 3.30** The Committee therefore recommends that families be facilitated to share their transition stories with other families, both through online forums (which could link into the central online access point recommended earlier) and face-to-face workshops.

Recommendation 2

That the NSW Government establish statewide workshops and online forums for families of children with additional or complex needs to share their transition stories and experiences.

Increased guidance and support

- 3.31** As mentioned earlier, even if families are able to find information about transition support and services, many find it difficult to understand.¹⁶⁹ Further, a study by Dockett et al found that ‘even when written information was available, most parents expressed a preference for talking to someone about this information and asking questions specific to their child.’¹⁷⁰
- 3.32** Several inquiry participants commented on the value of having guidance and support to assist families understand the various support services and make decisions. The need for guidance in making the right decisions was highlighted by one parent from Family Advocacy who, in reference to choosing a school for their child, said:
- ... it is a daunting task and emotionally pretty scary to think your child is leaving where he/she has been sheltered and is so familiar with. I can easily see how many other parents, whether they be from non-English speaking backgrounds, or who have no flexibility with their own job, would have a very, very difficult time with all this. It can be quite complex to understand and navigate, but is a very, very important decision.¹⁷¹
- 3.33** One idea proposed by Family Advocacy is to have a ‘well-informed person to guide families through the process’.¹⁷² The association suggested that the guide would be ideally be situated within the community or local school, so that they can have the ability ‘to develop an intimate knowledge of the local landscape, foster networks and partnerships with members of the community, and work closely with families to facilitate access to individualised supports.’¹⁷³
- 3.34** The Ombudsman report similarly found that families wanted someone to ‘walk with them’ through the disability service system: ‘People said that it is not enough to get information; they need someone to help guide the process and facilitate the support.’¹⁷⁴
- 3.35** Mr Allan Young, Chief Executive Officer, Eloura Association (Inc) informed the Committee about a program in Western Australia where local area coordinators guide families through the

¹⁶⁹ Submission 17, p 5; Submission 62, National Independent Special Schools Association, p 3.

¹⁷⁰ Submission 52, p 10.

¹⁷¹ Submission 34, p 1.

¹⁷² Submission 34, p 3.

¹⁷³ Submission 34, p 3.

¹⁷⁴ Ombudsman, *Consultations with families of children with disabilities on access to service and support*, Final report, June 2011, p 3.

network of organisations and supports, and generally assist families with planning throughout their lives. Mr Young said:

I like the whole concept of the local area coordinators because organisations like mine can work with them and then ensure that they have the information to pass on to whichever families come to them. Having that central hub would make an enormous difference to families so that they know they have a phone number for a person they can contact and have an appointment with to try to get through the net.¹⁷⁵

- 3.36** While there are staff within NSW agencies, such as DEC, who can provide such information, there do not appear to be enough. This was reflected in evidence from the NSW Schools for Specific Purposes (SSPs) Principals' Network, which recommended that there needs to be '[a]dequate regional DEC support personnel to assist families to be aware of all options appropriate for their child.'¹⁷⁶

Committee comment

- 3.37** The Committee acknowledges the benefit of having a well-informed guide to assist families access and understand relevant information and connect families to relevant supports and resources during periods of transition.
- 3.38** We believe that a transition case manager would be able to fulfil this role. Case management will be considered in chapter 8 – Best practice.

Transfer of information

- 3.39** The following sections consider issues regarding the transfer of information about individual students with additional or complex needs during transitions, and suggestions for improving information sharing.

Issues with the transfer of information

- 3.40** The NSW Government noted that government and non government agencies hold a wealth of information about the strengths, abilities and supports required for individual students with additional or complex needs, and that transitions are more successful where this information has been shared between relevant education and service providers. It stated in its submission:

Transition could be strengthened if processes were established to enable the sharing of relevant information for all children and young people across educational settings, with the consent of parents.¹⁷⁷

- 3.41** However the Committee heard that while adequate information about a child may be collected, there are often issues with the transfer of that information. For example, while Early Childhood Intervention Australia (NSW Chapter) Inc. stated that informing teachers about a

¹⁷⁵ Mr Allan Young, Chief Executive Officer, Eloura Association (Inc), Evidence, 13 December 2011, p 32.

¹⁷⁶ Submission 5, NSW SSP Principals' Network, p 3.

¹⁷⁷ Submission 53 – Overview, p 7.

child's strengths and support needs prior to their commencement is 'essential', it noted that unfortunately this level of preparation is not always put in place. It observed that '[i]t is not uncommon for the classroom teacher not to have seen the reports that have been provided as part of the child's enrolment application.'¹⁷⁸

- 3.42** Another issue, highlighted by Down Syndrome NSW, is that relevant information about a student's achievements or needs is often not transferred between different years within the same school, due to poor communication between teachers. It contended that:

[Some teachers] do not even ask for previous information and begin teaching material that student has already mastered, delaying their progress unnecessarily. It is hardly credible that such unprofessional practices should persist, but every year we receive a number of calls early in term 1 from teachers who have no information from previous teachers, either because it was not offered, or because they have not asked for it.¹⁷⁹

- 3.43** Concern was also raised regarding the transfer of information between different services and education providers.¹⁸⁰ Carers NSW provided the following example from one carer discussing the lack of communication between schools in relation to their child:

What has lacked in the transition process is the communication between the people (teachers of both schools) to communicate the individual learning style, disability, quirks and ways of the individuals with a disability. I have on too many occasions said to the high school 'I give you consent to arrange a meeting with the two key workers from his primary school'. It will help the high school teachers and support workers to gain a better understanding of our son, rather than start from scratch. They can talk to people who had already put strategies in place to work with different triggers that stimulate behaviours, understand the mental illness of the child with a disability.¹⁸¹

- 3.44** Ms Christine Regan, Senior Policy Officer, Council of Social Services NSW (NCOSS) noted that some families have a well-organised package of information that they pass on to schools or services. However, as Ms Regan pointed out: "That does not guarantee that they actually read that information."¹⁸²

- 3.45** Ms Desley Morgan, Vice President, NSW Primary Principals' Association advised that the same issue extends to information packages held by schools:

... very often, sadly sometimes with high schools, but primary will have a whole package there waiting to go but nobody really want to hear about a particular child. They will wait until the child fails and then will say: Tell us a more about that child. Possibly a little bit of arrogance. I am not sure.¹⁸³

¹⁷⁸ Submission 50, Early Childhood Intervention Australia (NSW Chapter) Inc., p 7.

¹⁷⁹ Submission 39, Down Syndrome NSW, p 13.

¹⁸⁰ Submission 17, pp 3-4.

¹⁸¹ Submission 11, Carers NSW, p 8.

¹⁸² Ms Christine Regan, Senior Policy Officer, Council of Social Services NSW, Evidence, 12 September 2011, pp 34-35.

¹⁸³ Ms Desley Morgan, Vice President, Primary Principals Association, Evidence, 12 September 2011, p 63.

- 3.46** One reason why schools or teachers may not read information about a child is due to time constraints. This was reflected in evidence from Ms Pietty Greenwood, Family Support Coordinator, Liverpool Migrant Resource Centre in the context of transferring information from playgroups:

[When] children have been enrolled with us for a period of time we develop a history: we know about the child, we about their strengths and we know about their weaknesses, and we try to give that information to the school during that early education process even before they put their children into kindergarten, but they are too busy to actually get those observations that we have accumulated over a period of time and to get that history.¹⁸⁴

- 3.47** Likewise Professor Bob Perry, Murray School of Education, Charles Sturt University observed that while many preschools and childcare centres have extensive portfolios about young children, even if parents permit that information to be passed on to schools it is ‘likely that the first year of school teacher is not going to have time even to read them and certainly not digest what those portfolios mean.’¹⁸⁵

- 3.48** Mr John Betts, a parent and the President of Orange Autism Support Group, suggested that there needs to be a follow up to ensure that the receiving teacher has read and understood the transition information for each student.¹⁸⁶ This was supported by Ms Wendy English, Assistant Principal Outreach, DEC, who commented:

I think John’s point was very valuable, being able to go into the high school setting and follow up, make sure that every single classroom teacher who was having that student got a package, got the paperwork, and follow up saying, “When you read that package, this is what this part translates to”.¹⁸⁷

Families re-telling their stories

- 3.49** A common theme heard throughout the Inquiry was of families having to re-tell their stories every time they apply for support or every time their child experiences a transition.¹⁸⁸ As noted by one parent, Sharon, many families with children with high support needs require multiple services, and those services ‘often do not talk to each other’.¹⁸⁹

¹⁸⁴ Ms Pietty Greenwood, Family Support Coordinator, Liverpool Migrant Resource Centre, Evidence, 13 December 2011, p 9.

¹⁸⁵ Professor Bob Perry, Murray School of Education, Charles Sturt University, Evidence, 12 September 2011, pp 24-25.

¹⁸⁶ Mr John Betts, Parent and President of Orange Autism Support Group, Evidence, 5 December 2011, p 4.

¹⁸⁷ Ms Wendy English, Assistant Principal Outreach, NSW Department of Education and Communities, Evidence, 5 December 2011, p 7.

¹⁸⁸ Submission 62, p 3; Mr Young, Evidence, 13 December 2011, p 31; Ms Leihana Mahe, Parent Member, Parent Council for Deaf Education, Evidence, 10 October 2011, p 28; Ms Melissa McWilliam, Parent and member of Guiding Hands Autism Support Group, Evidence, 5 December 2011, p 9; Ms Mahmic, Evidence, 12 September 2011, p 35.

¹⁸⁹ Answers to supplementary questions on notice, 10 October 2011, NSW Parents’ Council Inc, Questions 1 and 3 for Sharon.

- 3.50** In regard to her daughter Amber's transitions between school years, Sharon told the Committee that every year her family had to brief the new teacher on Amber's needs: 'We would go through the same process over and over again every time. It was like starting over!'¹⁹⁰
- 3.51** Similar sentiments were echoed by another inquiry participant, Ms Justine Acar, who described the need to re-educate new staff each year on correct postural handling or feeding or medical or educational requirements for her son as 'insanity',¹⁹¹ and the process of changing schools as 'very tiresome, repetitive, cumbersome and antiquated'.¹⁹²
- 3.52** Another time when families have to re-tell their story is when they wish to enrol their child at a School for Specific Purposes ('SSP'). Families are unable to enrol directly at a SSP. They must first approach their local primary school which then forwards the child's information to a regional placement panel to determine the school placement.¹⁹³ The NSW SSP Principals' Network observed: '[T]here is an assumption that all information is passed to the incoming school however this is often not the case nor in the detail required.'¹⁹⁴ The impact of this was illustrated by the President of the NSW SSP Principals' Network, Ms Jill Dean:
- [Parents] go to their local primary school, they share their heart and tell the entire story to that school who then fills in the paperwork and submits it to the placement panel. So by the time they get to us they think we have got all the information because they have already told their story and they suddenly find, no, this information has not got to us. It is sitting in a counsellor's file. Then they need to repeat the whole thing again.¹⁹⁵
- 3.53** Ms Dean noted that this is especially upsetting for many parents who are still coming to terms with their child's disability.¹⁹⁶
- 3.54** Issues with enrolment processes are considered in more detail in chapter 4 – Placement and enrolment.

Methods for storing and transferring information

- 3.55** Ms Sylvana Mahmic, Director, Pathways Early Childhood Intervention NSW Chapter argued that a better system needs to be put in place, rather than relying on parents to tell their story 'over and over again'.¹⁹⁷

¹⁹⁰ Answers to supplementary questions on notice, 10 October 2011, NSW Parents' Council Inc, Question 3 for Sharon.

¹⁹¹ Submission 3, Ms Justine Acar, p 3.

¹⁹² Submission 3, p 5.

¹⁹³ Ms Jill Dean, President, NSW Schools for Specific Purposes Principals' Network, Holroyd School, Evidence, 12 September 2011, p 70.

¹⁹⁴ Ms Dean, Evidence, 12 September 2011, p 70.

¹⁹⁵ Ms Dean, Evidence, 12 September 2011, p 70.

¹⁹⁶ Ms Dean, Evidence, 12 September 2011, p 70.

¹⁹⁷ Ms Mahmic, Evidence, 12 September 2011, p 35.

- 3.56** Ms Nicole Ison, NDCO Program Coordinator from the University of Western Sydney agreed that having a coordinated method of storing a student's information that can be accessed by all relevant providers would be 'fantastic', however said: 'I do not know how it would happen in practice. I think it would be a huge challenge'.¹⁹⁸
- 3.57** Further to Ms Ison's comment, Dr Sev Ozdowski, Director, Equity and Diversity, University of Western Sydney cautioned: 'There are very significant privacy issues involved with it and quite often people with disabilities are not willing to disclose their disability, sometimes for a very good reason.'¹⁹⁹
- 3.58** A number of suggestions for a way of storing information were nonetheless discussed by inquiry participants. For example, Ms Mahmic advised that there has been some consideration given to creating an ongoing record, such as the potential expansion of the NSW Health 'Blue Book'²⁰⁰ to support information about a child's disability.²⁰¹
- 3.59** Support was also expressed for case management programs offered by non government organisations, which provide a single point of contact for families and coordinate the transfer and sharing of information between services.²⁰² A key issue with these however (aside from the fact that access to these programs is limited), is that organisations only service families for limited periods of time (as noted at 2.107 – 2.109). This was highlighted by Ms Cathy Lambert, Manager, Child and Family Team, UnitingCare Burnside:
- We are looking after families for perhaps a few years and then they get passed onto whoever they fit next. So the ongoing longevity of following a child from when they start in an early childhood service right through their school career, we do not have the capacity to do that anywhere – whether it is through a non-government organisation or through the education department.²⁰³
- 3.60** A case management approach was also espoused by Ms Deonne Smith, General Manager, Access and Equity, DEC who discussed the benefits of conducting meetings with all the key stakeholders, including the family, child (where appropriate) and service providers, in order to share information regarding what does and doesn't work for the child.²⁰⁴ The importance of case management will be discussed in chapter 8.
- 3.61** Another tool for sharing information discussed during the Inquiry is a Victorian 'Transition Learning and Development Statement', which is part of the Victorian DEECD's initiative *Transition: A Positive Start for School*. The Transition Statement facilitates the sharing of

¹⁹⁸ Ms Nicole Ison, Program Coordinator, National Disability Coordination Office Program, University of Western Sydney, Evidence, 10 October 2011, p 42.

¹⁹⁹ Dr Sev Ozdowski, Director, Equity and Diversity, University of Western Sydney, Evidence, 10 October 2011, p 41.

²⁰⁰ The Blue Book is a patient-held health record given to the parents of every child to assist in their early childhood.

²⁰¹ Ms Mahmic, Evidence, 12 September 2011, p 43.

²⁰² See for example Ms Dale Towns, Service Manager, Mission Australia and Mr Dave Ryan, Operations Manager, Orana Far West, UnitingCare Burnside, Evidence, 5 December 2011, p 24.

²⁰³ Ms Cathy Lambert, Manager, Child and Family Team, UnitingCare Burnside, Evidence, 5 December 2011, p 24.

²⁰⁴ Ms Smith, Evidence, 12 September 2011, p 15.

information about a child's learning and development with schools and families.²⁰⁵ In its submission, the NSW Government suggested that transition processes in New South Wales could be strengthened by adopting a process similar to the Victorian model.²⁰⁶

Online methods

3.62 A number of existing or proposed online methods for storing and transferring information were raised to the Committee.

3.63 For example, the Catholic Education Commission NSW advised that their schools use an online individual planning system which allows teachers to access the planning that has taken place for students with additional support needs on an annual basis. The Commission maintained that this has assisted with the issue of families having to re-tell their stories each year.²⁰⁷

3.64 Another suggestion, raised by Ms Acar, is to create a '[u]niversal electronic education card' which records a child's needs, supports and case history, or links into NSW Health records for diagnosis and intervention service history.²⁰⁸ Ms Acar proposed that relevant information:

... could go onto a card and [be] reviewed annually like an IEP [Individual Education Plan] in conjunction with the education/support team and parents and ensure everyone has access to the information. Just think - what a potential time saver.²⁰⁹

3.65 There are moves within Australia toward electronic management of health records through a system called 'eHealth'.²¹⁰ However, such a system raises privacy concerns, as highlighted by Ms Regan from NCOSS:

... for some people with disability that [eHealth] is an intrusion and they will decide that there are certain parts of their health history that do not need to be shared. As with anybody, there are parts that you would choose not to tell 15,000 times and there are some parts that you would choose never to share again.²¹¹

3.66 Ms Regan nonetheless acknowledged that there are benefits to an electronic health record management system, using the example of her 34 year old daughter who has a 'very long and difficult medical history that continues to become longer and more difficult in some ways.'²¹² Ms Regan agreed that it would be good not to have to 'start from scratch' with every new health provider that her family came across.²¹³

²⁰⁵ Department of Education and Early Childhood Development (Vic), *Transition Learning and Development Statement*, accessed 23 February 2012, < <http://www.education.vic.gov.au/earlylearning/transitionschool/about.htm>>

²⁰⁶ Submission 53 - Overview, p 10.

²⁰⁷ Answers to supplementary questions on notice, 5 December 2011, Catholic Education Commission NSW, Question 2.

²⁰⁸ Submission 3, pp 3-5.

²⁰⁹ Submission 3, pp 3-4.

²¹⁰ For further information see <<http://www.ehealthinfo.gov.au/>>.

²¹¹ Ms Regan, Evidence, 12 September 2011, p 43.

²¹² Ms Regan, Evidence, 12 September 2011, p 43.

²¹³ Ms Regan, Evidence, 12 September 2011, p 43.

- 3.67** The Victorian ‘Ultraneet’ (referred to at 3.19 – 3.21) is another online tool that can be used for sharing information about students. However Mr Wilson advised that there are limits to the Ultraneet. While it contains information about a student’s learning against the Victorian Essential Learning Standards and Abilities Based Learning and Education Support, it does not contain disability or health information about a student.²¹⁴ However, the Committee notes that it could.
- 3.68** In response to questioning about introducing an online information sharing system in New South Wales, Ms Smith replied:

I do not think an electronic system in a sense is the only answer, but it is certainly a way of capturing information at key points and it is way of alerting people to who they need to be seeking information from. It would be interesting for us I think to explore that as a way forward.²¹⁵

Committee comment

- 3.69** Adequate transfers of information about students with additional or complex needs are essential for successful transitions. The Committee is concerned by the evidence regarding the inadequate transfer of important information, either as a result of it not being transferred from the previous setting or not being read in the new setting.
- 3.70** We note that one reason for this may be time constraints. Teachers need more time to plan and prepare for transitions. This will be considered in more detail in chapter 7 – Funding, staff and invisible disabilities. .
- 3.71** In regard to there being no follow up to ensure that the information about individual students is being read (and understood) in the new setting, we believe that transition case managers (discussed in chapter 8) will be able to assist in overcoming this issue.
- 3.72** The Committee is significantly concerned about families having to re-tell their stories over and over to new teachers and schools and service providers. We agree that there needs to be a coordinated method of storing a student’s information that can be accessed by relevant providers, to facilitate ease of transfer of information, and believe that an electronic record is the most efficient way to do this.
- 3.73** We note that privacy concerns arise from this, however suggest that this could be easily resolved by requiring providers to obtain the consent of students (or their parents/guardians if under 18 years) to access the information, and by strictly controlling how and with whom the information is shared.

²¹⁴ Mr Wilson, Evidence, 10 October 2011, p 22.

²¹⁵ Ms Smith, Evidence, 12 September 2011, p 16.

Recommendation 3

That the NSW Government create an ongoing electronic record of the strengths, abilities and supports required for individual students with additional or complex needs that can be accessed by relevant providers with the consent of the student (or their parent/guardian if under 18 years of age).

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- 3.74** The Committee also notes the use of Transition Statements in Victoria which facilitate information sharing about a child's learning and development. We note that in its submission the NSW Government suggested that transition processes in New South Wales could be strengthened by adopting a similar tool, and recommend that DEC consider doing so.

Recommendation 4

That the NSW Department of Education and Communities consider adopting a tool similar to the Victorian Transition Learning and Development Statement, to facilitate the sharing of information about a student's learning and development.

Chapter 4 Placement and enrolment

There are several mainstream and supported schooling options available for students with additional or complex needs. This chapter considers the different options available and examines issues with school enrolment processes. The obligations of education providers under the Commonwealth Disability Standards for Education are also discussed, with a particular focus on the requirements to make ‘reasonable adjustments’ for students with a disability.

Schooling options

- 4.1** Under the *Education Act 1990* (NSW), every child in New South Wales is entitled to enrol in the government school that is designated for the area where their home is situated and that they are eligible to attend.²¹⁶ The Committee was informed that the majority of students with complex or additional needs, including disability, are enrolled in their local school and attend mainstream classes²¹⁷ (as discussed in chapter 2).
- 4.2** Support for eligible students with a disability is also offered through special support classes in mainstream schools and in classes at Schools for Specific Purposes (‘SSPs’, also referred to as ‘special schools’).²¹⁸
- 4.3** Choosing the right school or educational setting can be challenging for any family, but especially for a family with a child with additional or complex needs. Factors to consider include the school’s location, how well it can support a child’s needs, and which setting is the most appropriate.
- 4.4** There has been a general shift toward the inclusion of children with a disability in mainstream schools.²¹⁹ This was supported by the NSW Commission for Children and Young People, which explained that the reason for the shift is linked with broader educational and social policies that support the rights and inclusion of people with a disability, as well as the *Disability Discrimination Act 1992*, Disability Standards for Education 1995 and United Nations Convention on the Rights of Persons with Disabilities.²²⁰
- 4.5** Mr Jim Moore, Chief Executive, Ageing, Disability and Home Care Agency, and Acting Director General,²²¹ Department of Family and Community Services, also supported the shift toward mainstream inclusion:

... one would consider that significant benefits have flowed from being able to involve children who will have lifelong disabilities as early as possible in the education

²¹⁶ *Education Act 1990* (NSW), s 34.

²¹⁷ Mr Graham Kahabka, School Education Director, Department of Education and Communities, Illawarra and South East region, Evidence, 10 October 2011, p 53.

²¹⁸ Answers to supplementary questions on notice, 12 September 2011, NSW Department of Education and Communities, Question 2.

²¹⁹ Mr Jim Moore, Chief Executive, Ageing, Disability and Home Care Agency, and Acting Director General, Department of Family and Community Services, Evidence, 10 October 2011, p 32.

²²⁰ Submission 52, NSW Commission for Children and Young People, p 4.

²²¹ Mr Moore was appointed Director General of FACS on 22 December 2011.

system as part of being able to bring them into the mainstream, and also as part of sensitising the mainstream to being able to support people with a disability.²²²

- 4.6** However mainstream education is not suitable for every child with a disability, and families often need assistance deciding which school and educational setting will be best for their child's needs, as noted by the Catholic Education Commission NSW:

When beginning school, key considerations for families include choosing the appropriate school for their child whilst managing the related anxiety as to whether the school community will recognise, and as necessary accommodate, their child's unique qualities. The search for an appropriate school often involves decision making about the most appropriate setting (such as a special school rather than the local parish school.) Parents need assistance with this decision making process and, for their decision making to be meaningful, they require a choice of services.²²³

- 4.7** A similar point was raised in the 2011 NSW Ombudsman report, *Consultations with families of children with disabilities on access to services and support* (the 'Ombudsman report') which said that parents find choosing a school suited to their child's needs to be a daunting task, that is often undertaken without professional guidance.²²⁴

- 4.8** Ms Geraldine Gray, State Coordinator, Special Learning Needs, Catholic Education Commission told the Committee that support in making decisions is provided by all three education sectors (i.e. public, Catholic and independent), and that they all collaboratively attend meetings organised locally by non government services to talk to parents about choices and facilitate visits to their schools to assist the parents decide which one is the most appropriate for their child.²²⁵

- 4.9** However, the Committee heard that families still experience difficulties accessing support or information from schools to assist in making their decision. Further, Down Syndrome NSW claimed that 'some families have been told that they cannot visit some schools.'²²⁶

- 4.10** Similarly, in regard to SSPs, the NSW Commission for Children and Young People noted that one study found that parents 'reported difficulty accessing staff at special schools directly and in some cases found that staff would only speak to them if a professional made an appointment.'²²⁷

- 4.11** In regard to public schools, Ms Belinda Epstein-Frisch, Systems Advocate, Family Advocacy claimed that many families 'have not ever heard that they had a right for their child to be enrolled in a regular class at the local school.' Ms Epstein-Frisch noted that DEC has a policy about a family's right to choose a school, however she suggested that information about

²²² Mr Moore, Evidence, 10 October 2011, p 32.

²²³ Submission 51, Catholic Education Commission, p 3.

²²⁴ Ombudsman, *Consultations with families of children with disabilities on access to service and support*, Final report, June 2011, p 13.

²²⁵ Ms Geraldine Gray, State Coordinator, Special Learning Needs, Catholic Education Commission NSW, Evidence, 13 December 2011, p 53.

²²⁶ Submission 39, Down Syndrome NSW, p 5.

²²⁷ Submission 52, p 10.

DEC's policy is not distributed adequately or consistently.²²⁸ Issues with the distribution of information were considered in chapter 3 (see Recommendation 1).

- 4.12** Northcott Disability Services stated that while support in choosing school options (including assistance to visit schools and discuss the support available at each school) can be provided by DEC Itinerant Support Teachers, these teachers are not widely available, and support is therefore usually provided by non government organisations:

Support for families to help them choose the most appropriate secondary school is a crucial aspect of transition support for children with a disability and should be more widely available to families.²²⁹

- 4.13** Another point, raised by Down Syndrome NSW, is that a family's enrolment choice should be respected by school and departmental personnel, even if they disagree with the decision:

Families do not make enrolment decisions lightly and can generally be assumed to be acting in their child's best interests as their knowledge, experience and values guide them. Additional pressure from others, including professionals, does not help to smooth the transition into new educational settings and stages, but adds stress. Families are now generally well informed about the range of views amongst both families and professionals about inclusive and segregated educational settings, and do not welcome the judgement of their individual decisions by those with differing views.²³⁰

- 4.14** A similar view was echoed by the Council of Catholic School Parents, which insisted that 'it is imperative that choice in schooling is respected and valued.'²³¹

- 4.15** However according to Ms Epstein-Frisch, some families are not given a choice, and are instead 'channelled' down a particular path:

Children such as Mac [a child with a disability] are automatically channelled into special schools and unless their parents have been in contact with other people they do not even know that it is an option and that there are support mechanisms to enable them to be in other places.²³²

- 4.16** This was reiterated by several inquiry participants. For example, Early Childhood Intervention Australia (NSW Chapter) Inc. stated that there have been 'quite frequent examples of subtle (or not so subtle) pressures placed on families in an attempt to 'encourage' them to opt for a school option that is not of their choice.'²³³

²²⁸ Ms Belinda Epstein-Frisch, Systems Advocate, Family Advocacy, Evidence, 13 December 2011, p 46.

²²⁹ Submission 17, Northcott Disability Services, p 7.

²³⁰ Submission 39, p 5.

²³¹ Submission 27, Council of Catholic School Parents, p 2.

²³² Ms Epstein-Frisch, Evidence, 13 December 2011, p 46.

²³³ Submission 50, Early Childhood Intervention Australia (NSW Chapter) Inc., p 5.

4.17 Similarly, Ms Terri Mears, Manager, Community Research Partnerships, Northcott Disability Services told the Committee:

I have heard of families who have said that they have gone to the school and the school has said: I think the school down the road is much better for your child. Or even children who have been in kindergarten or in Year 1 and at the end of Year 1 as the child is getting older and issues may be becoming more apparent, families have been told: You need to take your child somewhere else.²³⁴

4.18 According to Family Advocacy, they have received recurrent feedback from families that suggest that schools and DEC often advise families to send their child with disability to a special class or SSP even if the family's preference is inclusion in a regular class in a mainstream school. Families reported that finding a welcoming school is fragmented and inconsistent and relies heavily on the attitude of the principal and executive of the school.²³⁵

4.19 Northcott Disability Services also observed that whether a family's choice of school is granted can be dependent upon the school's willingness (and capacity) to provide the support required to meet that child's needs.²³⁶ The Committee heard that while decisions should be based upon funding and resources, it often comes down to a school's attitude.

4.20 The impact of attitudes of schools and principals on student transitions is considered in chapter 7 – Funding, staff and invisible disabilities.

Case study: Mac*

Mac is a profoundly disabled 8 year old boy. He has severe cerebral palsy, is completely immobile, cannot talk and has cortical vision impairment. Mac can eat puree if fed, drinks via a feeding tube and needs assistance for everything.

Mac attended preschool, and although he could barely communicate with the teachers or other children, he loved it. His mother said: "This was an environment he could grow in, and he thrived in it".

His family wanted him to have a similar experience at school. They began conducting extensive research, attending information seminars and asking numerous questions to find out what their options were. They discovered that their choice to enrol Mac at their local mainstream school was not only valid and viable, but under DEC policy the school could not actually refuse to take him

They set out to build capacity in their community for Mac by creating relationships and partnerships. Mac's mother explained that they wanted to demonstrate that "we do not need the special, weird or expensive; we just need appropriate supports."

Mac's family built up his days at long day care and started sending him one day a week to the preschool near the school that he would be going to, intending to "demystify" Mac and build familiarity within the community. They also commenced transition planning meetings, and felt very lucky as they were friends with the regional DEC officer responsible for the transition. Mac's mother said:

²³⁴ Ms Terri Mears, Manager, Community Research Partnerships, Northcott Disability Services, Evidence, 12 September 2011, p 57.

²³⁵ Submission 34, Family Advocacy, pp 8-9.

²³⁶ Submission 17, p 7.

[This was] a huge help when the department did not seem too worried about timeframes for access issues and capital works needed. She had known Mac since he was two, and she got things moving.

Mac's family also knew his school teacher, and her familiarity with Mac gave her the confidence to put her hand up for the job and made for a smooth and welcoming transition. Further, by the time Mac started school, 14 of the 40 kindergarten children had been to either preschool or day care with him.

The school has continued to be very supportive of Mac, agreeing to employ a full-time aide, which they allowed Mac's teacher and mother to select. Mac thoroughly enjoys his experience at school, which his family attribute to the positive attitudes of the teachers and principal. According to DEC, Mac is the most disabled child ever to be mainstreamed.

Mac's mother commented:

A valued member of his class, school and community, Mac is living a good life, an ordinary life and one in line with our vision. Without appropriate transitional supports available for all families, Mac's story could be seen as the exception, when it should be the norm.

* Ms Gina Wilson-Burns, Member, Family Advocacy, Evidence, 13 December 2011, pp 44-45.

Committee comment

- 4.21** The Committee recognises that the right education setting for a child with additional or complex needs can have an enormous impact on the success of a child's education, and that choosing the right setting can be a daunting task for families. We acknowledge that there is some support available to assist families with this task, however note the evidence that families have experienced difficulties accessing this support or information. This is consistent with the general concerns raised in chapter 3 regarding access to information.
- 4.22** We are also significantly concerned by the evidence that families' preferences regarding schools are not being respected or valued, and that there have been attempts to 'channel' families down a different path.
- 4.23** The Committee understands that decisions regarding a child's placement are dependent upon determinations by placement panels (discussed later in this chapter), as well as eligibility and availability. Nonetheless we encourage schools to consider and respect families' preferences for a school setting for their child.
- 4.24** Case managers can also assist families by providing information and guidance regarding schooling options, and advocating for families in regard to their preference. Case managers are considered in chapter 8 – Best practice.

Schools rejecting children with additional needs

- 4.25** Some concerns were also raised about schools rejecting children with additional or complex needs. In particular, it was suggested that private schools are more likely than public schools to refuse students with a disability. This was supported in evidence from Ms Desley Morgan,

Vice President, Primary Principals Association who said '[w]e probably get a bit stropky from the public sector because we do see that happening.'²³⁷

4.26 Ms Morgan said that her school has been increasingly taking enrolments from children that have been denied a place at nearby private schools, and emphasised that public schools do not refuse any eligible child within the school's boundaries.²³⁸ This was endorsed by Mr Graeme McLeod, Convenor, Primary Principals Association who said: 'I cannot tell you the last time I heard one of my colleagues knocking a child back ... We have got extremely difficult children that we have to put extensive planning in to make it work, but we do that.'²³⁹

4.27 However evidence from one inquiry participant, Ms Marianne Rajkovic, refuted these claims in reporting the following finding from a study on mothers supporting children with Autism Spectrum Disorder:

One mother was told by her local [public] school that the school already had its quota of children with a disability and that the mother should look elsewhere. It was only after attending a disability conference in Sydney that the mother found out that the school had a legal obligation to take her child.²⁴⁰

4.28 Ms Melissa McWilliam, a parent and member of the Guiding Hands Autism Support Group, commented to the Committee: 'On paper all schools will have a philosophy that is empowering and really promotes inclusion and that sort of thing for any person with a disability, but often this just does not translate into the real world.'²⁴¹

4.29 Ms Mahmic from Pathways Early Childhood Intervention agreed that some schools have not accepted children with a disability when they should, however suggested that schools were managing to avoid breaching their legal obligations by declining students in subtle way:

It is about suggesting that the school has not got the resources. Or the school down the road is better resourced and they have more experience and they have lots of children with disabilities in their school. Or they have a lift. So the exclusion is happening on a more subtle basis rather than not adhering to legal obligations.²⁴²

4.30 In regard to private schools, Vision Australia contended that the reason these schools have been refusing children is because funding support for students with disabilities in private or

²³⁷ Ms Desley Morgan, Vice President, Primary Principals Association, Evidence, 12 September 2011, p 63.

²³⁸ Ms Morgan, Evidence, 12 September 2011, p 63.

²³⁹ Mr Graeme McLeod, Convenor, Primary Principals Association, Evidence, 12 September 2011, p 63.

²⁴⁰ Submission 64, Ms Marianne Rajkovic, p 2.

²⁴¹ Ms Melissa McWilliam, parent and member of Guiding Hands Autism Support Group, Evidence, 5 December 2011, p 5.

²⁴² Ms Sylvana Mahmic, Director, Pathways Early Childhood Intervention NSW Chapter, Evidence, 12 September 2011, p 38.

independent schools is not equal to the funding given to public schools:

This acts as a disincentive for the school to accept these students due to potential costs, and deprives families of children with blindness or low vision the same choices as are available for their sighted children.²⁴³

- 4.31** The Country Women's Association of NSW similarly claimed that '[m]any private schools refuse to enrol children with autism because of lack of funding available.'²⁴⁴
- 4.32** However this was denied by Ms Robyn Yates, Director, Government Education Policy, NSW Association of Independent Schools, who insisted that every school applies the Commonwealth Disability Standards for Education 2005, and that they would only turn away a child if it would cause unjustifiable hardship to the school²⁴⁵ (the Disability Standards and unjustifiable hardship provision are discussed at the end of this chapter).

School placements

- 4.33** In New South Wales, decisions about where placements for students with a disability or additional learning needs will be offered, such as specialist or support classes in regular schools or SSPs, are made by regional placement panels. Placement panels also determine access to specialist support provisions such as itinerant teachers and additional funding support.²⁴⁶ Mr Graham Kahabka, School Education Director, DEC, Illawarra and South East region described the role of placement panels:

Special classes and schools are established according to local and regional demand and are not available in every school community or geographical location across the State. For this reason access to placement in special schools and support classes needs equitable management and is organised by a representative panel or committee ...²⁴⁷

- 4.34** DEC advised that placement panels 'operate an open and transparent process to match specialist services to parent preferences for students with a confirmed disability and to allocate specialist services taking into account availability and suitability of specialist service options.'²⁴⁸
- 4.35** Families are required to apply for special education requirements at their local primary school, which fills out an access request form with details about the child and their needs and submits it to the regional placement panel. The panel then meets as a group to discuss each child before making a decision.²⁴⁹

²⁴³ Submission 44, Vision Australia, pp 9-10.

²⁴⁴ Submission 8, Country Women's Association of NSW, p 3.

²⁴⁵ Ms Robyn Yates, Director, Government Education Policy, NSW Association of Independent Schools, Evidence, 13 December 2011, p 52.

²⁴⁶ Answers to supplementary questions on notice, 12 September 2011, NSW Department of Education and Communities, Question 6.

²⁴⁷ Mr Kahabka, Evidence, 10 October 2011, p 53.

²⁴⁸ Answers to supplementary questions on notice, 12 September 2011, NSW Department of Education and Communities, Question 2.

²⁴⁹ Dr Ros Coleborne, Student Support Coordinator, Illawarra and South East region, Evidence, 10 October 2011, p 59; Ms Vicki Muscat, Principal, Queanbeyan West Public School and Primary

- 4.36** Mr Kahabka informed the Committee that if a family's preference for a particular placement or support provision is not immediately available, the student's application remains active and will be reconsidered if the situation changes. Until then the student is supported by alternative resources, such as funding for school learning support officers or teacher's aides, training for teachers, and time for planning for teachers.²⁵⁰ They may also be offered second or third preference if they have indicated any.²⁵¹
- 4.37** However the Committee heard that not all students receive appropriate support, as demonstrated in the following case study.

Case study: Isaiah*

Isaiah is a 12 year old boy with Down syndrome who also has moderate to severe hearing loss. While he can hear with the aid of an FM unit, he cannot speak and can only communicate through gestures, Auslan and visual cues. Isaiah is currently enrolled in a moderate intellectual disability support class in a primary school where he has been receiving outstanding support from teachers who have integrated sign language into the whole class curriculum.

Isaiah is due to start high school in a few months. He was assessed by a psychologist who recommended that he be placed in a hearing support unit within a mainstream school. An SSP was the family's second preference as they considered Isaiah's need to improve his signing and communication skills to be his greatest priority.

His family applied for a placement in a hearing support unit, however due to a lack of places, DEC have only been able to offer Isaiah a place in a moderate intellectual disability class in a local high school. Unfortunately no one in the high school signs and therefore no one has any means of communicating with him. Isaiah's mother said:

This school is a lovely school but has no support for any children that have a hearing impairment ... he will be in a place where he will not have any communication partners, where he will not be able to access the curriculum and where he will not be able to have normal social interactions.

While Isaiah may be eligible to receive itinerant hearing support, this will still only be for a maximum of five hours per week, and for the other 25+ hours a week he will be left to his own devices in a school of 1,000 students with no ability to communicate. Isaiah's mother said: "Five hours a week within a school program is crazy; that is one hour a day."

Isaiah's family tried to apply for a full time interpreter, however were told that he does not qualify for any further funding as he will be in a fully supported unit.

Isaiah's mother is significantly concerned as to how he will be able to learn anything as DEC have not provided the supports necessary to enable Isaiah to understand or communicate with anyone in his new school.

* Ms Leihana Mahe, parent member, Parent Council for Deaf Education, Evidence, 10 October 2011, pp 25-27.

Principals Association representative on the Queanbeyan community of schools placement panel, Evidence, 10 October 2011, p 59.

²⁵⁰ Mr Kahabka, Evidence, 10 October 2011, pp 53-54.

²⁵¹ Mr Kahabka, Evidence, 10 October 2011, p 53.

Issues with enrolment process

- 4.38** One concern raised about the enrolment process is that families are required to lodge enrolment applications at their local school, even if their child is likely to be placed at a SSP. This was raised in chapter 3 in regard to issues with the transfer of information. As noted at 3.52, the Committee heard about families lodging applications at their local school, pouring their heart out to that school, then re-telling their story all over again to the SSP.
- 4.39** The enrolment process for SSP students was explained by the NSW SSP Principals' Network:
- Requests for Placements in SSPs come from Learning Support Teams in local mainstream schools. Parents of a student with a disability provide all the information then have no more contact with this school. The quality of the information presented is variable, depending on the knowledge and understanding of the child's disability. When the student is placed in the SSP, the new school is required to hold another Learning Support Team meeting and repeat above process.²⁵²
- 4.40** In response to questioning from the Committee regarding this issue, DEC witnesses said they could not think of any reason why the information would not be transferred between the schools.²⁵³ Dr Ros Coleborne, Student Support Coordinator, Illawarra and South East region, DEC said:
- It really should not feel like that to a parent ... The transferring of that story to the initial enrolment point and then into, say, the [special school] should be more seamless than that and they should never feel that they have to tell their story again. We would expect that information to be moved from one centre to the next without the parent feeling as though they are telling the story again. I am quite distressed to hear you say that because we do not want that to happen.²⁵⁴
- 4.41** The NSW SSP Principals' Network suggested that SSPs have greater capacity to understand the issues and implications of a student's disability and to be welcoming to these families than mainstream schools. It recommended that SSPs be given the same authority as local schools to support families complete the applications to regional placement panels, to reduce the number of meetings parents are required to attend and improve the provision of information about students to schools.²⁵⁵
- 4.42** According to Mr Kahabka however, the reason why families are unable to lodge placement panel applications directly at SSPs is because DEC cannot guarantee a place for every student in those schools. He expressed the view that allowing families to approach SSPs directly may raise 'false hope' that they will get a place in that school. Mr Kahabka emphasised that it is up to the placement panel to determine the most appropriate setting that is available for that child, which may not be the one that the parents choose.²⁵⁶

²⁵² Answers to supplementary questions on notice, 12 September 2011, NSW Schools for Specific Purposes Principals' Network, Question 1.

²⁵³ Dr Coleborne and Ms Muscat, Evidence, 10 October 2011, p 60.

²⁵⁴ Dr Coleborne, Evidence, 10 October 2011, p 60.

²⁵⁵ Answers to supplementary questions on notice, 12 September 2011, NSW Schools for Specific Purposes Principals' Network, Question 1.

²⁵⁶ Mr Kahabka, Evidence, 10 October 2011, p 60.

- 4.43 However the Committee was informed that families in Victoria are able to submit enrolment applications at special schools, even though they may not gain a place in that school.²⁵⁷

Committee comment

- 4.44 As noted in the last chapter, the Committee is significantly concerned about families having to re-tell their stories over and over. This issue is exacerbated when families lodge placement panel applications at local schools and tell their story to that school when their child is to be ultimately enrolled at a SSP.
- 4.45 The Committee acknowledges the reason cited by Mr Kahabka as to why families are not permitted to lodge applications at SSPs (i.e. because they are not guaranteed a place at those schools), however we note that it is standard practice in Victoria to allow families to do so, even without that guarantee. Further, we note that the NSW SSP Principals' Network supports allowing families to submit placement panel applications directly at SSPs.
- 4.46 We believe that these are compelling reasons in favour of allowing families to lodge applications at SSPs, and recommend that DEC allow this to occur. The Committee is confident in the ability of SSPs to adequately inform families about the placement process in order to avoid raising 'false hope' that their child will be guaranteed a place at their school.

Recommendation 5

That the NSW Department of Education and Communities allow families to submit placement panel applications at either their local school or a School for Specific Purposes.

Placement panel decisions

- 4.47 An issue was raised to the Committee involving the access request form that placement panels base their decisions upon. The President of the NSW SSP Principals' Network and Principal at Holroyd School, Ms Jill Dean, described the information captured by the form as 'wishy washy',²⁵⁸ commenting:

I think some of that is around mainstream schools' inability to ask the next level of question of a parent. You know: Does your child play? They love to play. The next question is: How do they play? They sit in the sandpit and flick sand on their own. So that second question in a level of questioning gives a lot more insight from our perspective, but if they have never had the children there at that level sometimes those questions do not come out.²⁵⁹

- 4.48 Ms Dean contended that the form does not give SSPs the information they need. She further noted that the access form is quite lengthy and expressed concern that placement panels may

²⁵⁷ Mr Alan Wilson, Acting Manager, Disabilities and Educational Support Program, Victorian Department of Education and Early Childhood Development, Evidence, 10 October 2011, p 24.

²⁵⁸ Ms Jill Dean, President, NSW Schools for Specific Purposes Principals' Network, Holroyd School, Evidence, 12 September 2011, pp 73-74.

²⁵⁹ Ms Dean, Evidence, 12 September 2011, pp 73-74.

not have time to read the entire document. Ms Dean suggested that panels often only have time to glance at the first page to see what is being requested before considering whether there are there any vacancies in that particular school or service:

In the end there is just this alignment of vacancies and people and trying to get best fit that way. It is not an in depth process when you are sitting around the table and you have bundle this big you have to get through in so many hours.²⁶⁰

- 4.49** Autism Aspergers Advocacy Australia also felt that enrolment decisions are made without adequate information about the child's education support needs, and suggested that decisions 'are based more on the resource limitations than on the student's individualised need for educational support and disability-related services.'²⁶¹

Timeliness of placement decisions

- 4.50** Concerns were also raised about the timeliness of placement panel decisions. Many families complained that they are not advised about school placements until the last moment, making it difficult for families to prepare for their child's transition.²⁶² This was highlighted by KU Children's Services:

Parents are told they will need to wait until all the enrolments are complete and reviewed by a regional committee to allocate places throughout the region. When parents ask for a review of the placement, they may not receive notification until late December, therefore missing out on an opportunity for their child to participate in a transition to school program specifically for the school they will be attending.²⁶³

- 4.51** Ms Hilary Smith, Acting Area Manager, Nepean, Northcott Disability Services argued that finding out three or four months in advance which school a child would be attending 'is just inadequate', as children with additional or complex needs – particularly children with autism – can need a very long period 'to get used to where they are going to go and get used to the change that is coming.'²⁶⁴
- 4.52** Down Syndrome NSW claimed that some families are not even informed about where their child will be enrolled before the beginning of Term 1 of that school year. They declared: 'Such late notifications are simply unacceptable, and would not be considered adequate for students

²⁶⁰ Ms Dean, Evidence, 12 September 2011, pp 73-74.

²⁶¹ Submission 38, Autism Aspergers Advocacy Australia, p 5.

²⁶² Submissions 39; Submission 19, New South Wales Secondary Principals' Council; Submission 37, Dr Coral Kemp and Dawn Chawick; Submission 47, UnitingCare Children, Young People and Families; Submission 55, KU Children's Services; Ms Anne Flint, Vice President, NSW Schools for Specific Purposes Principals' Network, Holroyd School, Evidence, 12 September 2011, p 73; Ombudsman, *Consultations with families of children with disabilities on access to service and support*, Final report, June 2011, p 13; Answers to supplementary questions on notice, 12 September 2011, NSW Schools for Specific Purposes Principals' Network, Question 1.

²⁶³ Submission 55, p 2.

²⁶⁴ Ms Hilary Smith, Acting Area Manager, Nepean, Northcott Disability Services, Evidence, 12 September 2011, p 51.

without disabilities. Late notification is disrespectful of the student and the family, and of the school.²⁶⁵

- 4.53** Delays in enrolment processes are unsettling for families with children with additional or complex needs as it places them under additional stress.²⁶⁶ Down Syndrome NSW noted that there are practical considerations to take into account, such as uniforms and transport arrangements, as well as after school care and parents' work arrangements that need early notification.²⁶⁷ This was illustrated by one parent, Sharon, in regard to her daughter Amber's upcoming transition to high school:

We are starting to try and pressure the school because we have not heard anything yet. It is getting to Term 4 and we are worried about transition planning. Amber's biggest fear is getting lost within the school. My husband's and my fear is about the academic situation and [mine is about road safety]. That is one of my hugest fears. Amber has to catch a train and a bus to school and I am petrified.²⁶⁸

Case study: Client A*

Client A is a 12 year old boy in out-of-home care who has an intellectual disability and a pattern of difficult behaviour. He is in Year 6 and will be commencing high school next year. He has great difficulties handling changes to his routine or environment and there is concern that this will be a difficult transition for him.

UnitingCare Burnside's out-of-home care service in Western NSW has been working with several other agencies to develop a collaborative transition support plan for the boy. The Burnside case worker has had regular meetings with the primary school teacher, out-of-home care teacher, psychologist and a NSW Ageing, Disability and Home Care behaviour specialist.

However, the placement panel that places students with special needs will not be advising which high school the boy will be attending until sometime in Term 3. As a result, Client A's family, case worker, teachers and support staff are limited in their ability to begin implementing his transition. Likewise, the high school is also unable to begin planning for the transition.

Ideally Client A would gradually adjust to his new school through a number of orientation visits, until he finds out his next placement he will be unable to do so.

* Submission 47, UnitingCare Children, Young People and Families, p 21.

- 4.54** Delays in enrolment processes also impact on the ability of families to obtain adequate support, as noted by UnitingCare Children, Young People and Families:

For example, a family may have applied for the child to go to an autism class, but is not informed until late January that the school cannot take the child. The child may

²⁶⁵ Submission 39, p 7.

²⁶⁶ Submission 47, p 6 and p 17.

²⁶⁷ Submission 39, p 1.

²⁶⁸ Sharon, Parent, Evidence, 10 October 2011, p 10.

need to go to the local primary school, however, the family has not put in an application for additional classroom support.²⁶⁹

4.55 Early notification enables families to maximise their participation in the transition to school, and allows families and members of the school community to develop a relationship and support networks. KU Children's Service observed that '[p]arents are more relaxed and children are considerably more settled in their transition to school when they have had the opportunity to get to know the processes and expectation of the school through an informative and extensive transition process.'²⁷⁰

4.56 Early notification is also preferred by schools, as highlighted by Ms Anne Flint, Vice President, NSW SSP Principals' Network, Holroyd School:

For some years I have had my information about my kindergarten students coming in term 3. That is terrific, gives me all of term 4 to make contact with families, organising orientation days where we can have the children in, have a bit of a look at them, start to figure out which children would be best placed in which classes.²⁷¹

4.57 Ms Flint compared this to other years when she had not received information about kindergarten students coming into special schools until November or December, making it difficult to plan for the incoming students. She acknowledged however that this may not necessarily be the fault of the placement panel:

They cannot act on information that they do not have either. So if they do not have the access requests in from other schools or other agencies early enough then they cannot determine places either. Sometimes it is around the lack of placements available. Sometimes regions are still trying to start new special classes up depending on demand. Until that has gone through and been funded and classes are started in various schools, you cannot place kids. So there are a number of factors that determines the timeliness of the advice we get.²⁷²

4.58 The Committee was informed that placement panels in all regions meet at least once a term to consider applications. Dr Ros Coleborne, Student Support Coordinator, Illawarra and South East region, DEC advised that the placement panel in her region considers primary to secondary school applications in Term 2, then concentrates on kindergarten to school applications in Term 3.²⁷³

4.59 Mr Kahabka added that there is flexibility with those timeframes to deal with unexpected students²⁷⁴ (such as students who transfer from interstate), however noted that due to the ongoing nature of the process, some placements may not be offered until Term 4.²⁷⁵

²⁶⁹ Submission 47, p 17.

²⁷⁰ Submission 55, p 2.

²⁷¹ Ms Flint, Evidence, 12 September 2011, p 73.

²⁷² Ms Flint, Evidence, 12 September 2011, p 73.

²⁷³ Dr Coleborne, Evidence, 10 October 2011, p 56.

²⁷⁴ Mr Kahabka, Evidence, 10 October 2011, p 56.

²⁷⁵ Answers to supplementary questions on notice, 12 September 2011, NSW Department of Education and Communities, Question 6.

- 4.60** Another issue is that it may take several months before parents are advised of placement decisions,²⁷⁶ and there is often a lack of communication to families during this time.
- 4.61** The Committee was also advised that the date for submitting applications varies between regions.²⁷⁷ This is a potential issue for families who are transferring from a private school or different region as they may not be aware that there are different dates, and may therefore miss out on placement opportunities.²⁷⁸
- 4.62** Mr Kahabka told the Committee that the reason why placement panel dates vary across regions is mainly due to differences in demographic and geographic factors:

In smaller regions one placement panel may be all that is required to consider all applications while in larger regions these panels can be based on disability type or location and be more or less frequent depending on demand.²⁷⁹

Committee comment

- 4.63** The Committee acknowledges the concerns raised by inquiry participants regarding placement panels. In particular, we note that late notifications regarding placement decisions cause added stress to students with additional or complex needs and their families, and impede the ability of families and schools to adequately plan and prepare for transitions.
- 4.64** To overcome this issue the Committee recommends that standard placement panel decisions be made by the beginning of Term 3 of the year prior to school entry, if not earlier. The reference to 'standard' placement decisions acknowledges that there would need to be some flexibility with this deadline to accommodate unexpected students.
- 4.65** We recommend that the date that families will be notified of placement decisions should also be well publicised, to assist families, schools and service providers in their transition planning. This should be publicised throughout the community as well as on the central online access point for information recommended in chapter 3 (Recommendation 1).

Recommendation 6

That the NSW Department of Education and Communities introduce a policy that standard placement panel decisions should be made by the beginning of Term 3 of the year prior to school entry, and that it publicise the date that placement outcomes will be notified throughout the community and on the central online access point for information.

- 4.66** Further, the Committee is of the view that the enrolment application dates should be standard across the state, and that these dates should also be well publicised. We believe that the benefits of this for families in terms of transition planning outweigh any demographic or

²⁷⁶ Ms Flint, Evidence, 12 September 2011, p 71.

²⁷⁷ Answers to supplementary questions on notice, 10 October 2011, Mr Graham Kahabka, School Education Director, Illawarra and South East Region, NSW Department of Education & Communities, Question 1.

²⁷⁸ Ms Dean, Evidence, 12 September 2011, pp 77-78.

²⁷⁹ Answers to supplementary questions on notice, 10 October 2011, Mr Kahabka, Question 1.

geographic factors. It also addresses concerns about complexity and access to information about enrolment processes.

Recommendation 7

That the NSW Department of Education and Communities standardise application dates across all regional placement panels, and publicise these dates throughout the community and on the central online access point for information.

Disability Standards for Education

- 4.67** The Commonwealth Disability Standards for Education 2005 clarify the obligations of education and training service providers under the Disability Discrimination Act 1992 (Cth) and articulate the educational rights of people with disabilities.²⁸⁰
- 4.68** Under the Disability Standards all education providers are required to ensure that students with disability are supported to access and participate in education activities on the same basis as students without disability. They include obligations to make ‘reasonable adjustments’ for individual educational needs in consultation with the student and/or their parent or carer.²⁸¹
- 4.69** Autism Spectrum Australia observed that while the Standards have raised awareness and increased some understanding of people with disabilities and their rights with respect to education providers, many families still remain unaware of their rights. It said for example:
- Families of students attending non Aspect schools report to us that many students with an autism spectrum disorder, due to a lack of adjustments by schools, are currently on long term suspensions, school excluded or on partial enrolments only.²⁸²
- 4.70** The submission from the Western Sydney National Disability Coordination Officer (NDCO) Program noted a recent survey of 397 people across Australia (with almost half being from New South Wales) which found that only 57 per cent of respondents with disability were aware of the Disability Standards, commenting: ‘This is of concern and has implications for the ability of people with disabilities to advocate for the support they are entitled to.’²⁸³

²⁸⁰ Submission 30, Speech Pathology Australia, p 2.

²⁸¹ Answers to supplementary questions on notice, 12 September 2011, NSW Department of Education and Communities, Question 1.

²⁸² Submission 7, Autism Spectrum Australia, p 3.

²⁸³ Submission 23, Western Sydney National Disability Coordination Officer Program, p 3.

- 4.71 In addition to families being unaware of the Disability Standards for Education, Ms Nicole Ison, Program Coordinator from the NDCO Program, University of Western Sydney expressed concern about a lack of awareness from smaller private training organisations in regard to their responsibilities under the Standards:

We have heard about students with disabilities contacting a private training organisation wanting to enrol and asking about support but being told, “You would be better off going to TAFE; we don't know anything about that.”²⁸⁴

- 4.72 Mr Patrick Maher, Chief Operating Officer, National Disability Services similarly observed that the applicability of the Disability Standards in practice is at best, mixed.²⁸⁵

- 4.73 Ms Ison advised that work is being undertaken in this area by NDCOs to inform people of their rights to access support in education under the Standards.²⁸⁶ She also advised that the Australian Council of Private Education and Training has issued a handbook for registered training organisations to help them understand their responsibilities and provide reasonable adjustments. However Ms Ison noted that the handbook is only available to members of the Council, and many registered training organisations do not belong, and that:

It is generally left to teachers or people working in administration in those RTOs to get involved in adjustments. Often they do not have the awareness or the background knowledge, experience and skills to do that effectively. It is definitely an issue.²⁸⁷

- 4.74 The Commonwealth is currently reviewing the Disability Standards, which may result in improvements to the understanding of parents and educators of their respective rights and obligations.²⁸⁸

Unjustifiable hardship

- 4.75 Under the Disability Standards for Education, a provider is not required to make a ‘reasonable adjustment’ if it would cause ‘unjustifiable hardship’ to the provider.²⁸⁹ Examples of adjustments that a school might deem unjustifiable include installation of lifts or ramps due to financial costs, as demonstrated by Ms Liz Forsyth, Sector and Business Development Manager, Northcott Disability Services:

Sometimes schools might say to us: We need a lift put into that school so this student can access it. That is a reasonable adjustment but that school could justifiably say that is too much money and we cannot afford that.²⁹⁰

²⁸⁴ Ms Nicole Ison, Program Coordinator, National Disability Coordination Office Program, University of Western Sydney, Evidence, 10 October 2011, p 43.

²⁸⁵ Mr Patrick Maher, Chief Operating Officer, National Disability Services, Evidence, 10 October 2011, p 46.

²⁸⁶ Ms Ison, Evidence, 10 October 2011, p 41.

²⁸⁷ Ms Ison, Evidence, 10 October 2011, p 43.

²⁸⁸ Submission 53 - Overview, p 4.

²⁸⁹ Attorney-General's Department (Cth), *Disability Standards for Education 2005*, pp 37-38.

²⁹⁰ Ms Liz Forsyth, Sector and Business Development Manager, Northcott Disability Services, Evidence, 12 September 2011, p 53.

4.76 The Disability Standards do not define ‘unjustifiable hardship’, and some concerns have been raised regarding the use of the provision by education providers. Northcott Disability Services commented:

The rationale and justification for making some adjustments and not others, and the varying responses between schools, is not always clear or transparent under the “unjustifiable hardship” provision.²⁹¹

4.77 Ms Forsyth said: ‘The problem we have with that is that there is no clarity as to that provision. It is just what the school says as to what is unjustifiable.’²⁹² She added that she was not accusing schools of lying, but merely that there should be further definition around the term, ‘so that we know what that actually means, so that families know what that means and so that we can see that it is justified in those situations.’²⁹³

4.78 Northcott Disability Services recommended that clearer guidelines be developed around defining and determining ‘unjustifiable hardship’, including in particular what level of financial cost of making a reasonable adjustment becomes ‘unjustifiable’.²⁹⁴ Ms Forsyth expressed hope that the Commonwealth review of the Standards would result in clearer guidelines around the provision.²⁹⁵

Committee comment

4.79 The Committee acknowledges the importance of the Disability Standards for Education in helping people to understand that students with a disability have the right to study on the same basis as students without a disability. We are concerned by the evidence that many people are unaware of these Standards, and that applicability of the Standards is mixed.

4.80 We also note the concerns of inquiry participants regarding the use of the unjustifiable hardship provision, and agree that there should be guidelines to better define the provision.

4.81 We note that the Commonwealth is currently reviewing the Disability Standards. We look forward to the outcome of that review, and are hopeful that it will lead to clarification of term ‘unjustifiable hardship’.

²⁹¹ Submission 17, p 6.

²⁹² Ms Forsyth, Evidence, 12 September 2011, p 53.

²⁹³ Ms Forsyth, Evidence, 12 September 2011, pp 56-57.

²⁹⁴ Submission 17, p 14.

²⁹⁵ Ms Forsyth, Evidence, 12 September 2011, pp 56-57.

Chapter 5 Specific transition points

In addition to the general issues raised throughout this report, a number of other issues were raised that apply specifically to certain transition points. This chapter considers issues raised during the Inquiry relating to the transitions from: home to early childhood education, early childhood education to school, primary school to secondary school, school to post-school and between different educational settings.

Home to early childhood services

- 5.1** The transition from home to early childhood services, such as child care or preschool, is where many families first engage with the education system and can be a stressful time for families of children with additional or complex needs, as illustrated in the submission from Dr Coral Kemp, part-time academic and special education consultant and Ms Dawn Chadwick, manager of the STaR Childcare Support Program:

Children are moving to new and unfamiliar environments where there are different expectations and demands than those previously experienced. Families need to hand over some of the responsibility for their child to others and to trust in the ability of others to support and nurture their child. For many parents/carers this will be the first time that they have been separated from their child, which can be very stressful if the child is vulnerable and has significant health problems...²⁹⁶

- 5.2** One issue raised by Dr Kemp and Ms Chadwick is that families of children with high support needs can experience difficulties finding appropriate placements.²⁹⁷ This point was also raised by Northcott Disability Services, which added that not only can families find it difficult to find a child care centre that can appropriately support their child's needs, they also experience difficulties finding a centre that will even accept their child, as children with additional needs can involve a substantial cost to the centre.²⁹⁸

- 5.3** Another issue faced by families at this transition stage is the long waiting lists for child care and preschool places. While this is an issue for all families, Northcott noted that it is an even bigger issue for families of children with additional needs:

... long waiting lists can add a different level of complexity and ambiguity to transitioning into these services; if the time-frame for placement availability is not clearly known, planning for transition and preparing both the child and the centre for the transition is much more difficult.²⁹⁹

- 5.4** Once placed in early child care however, children with additional needs appear to be well placed to receive support. Placement in child care is also beneficial for children with undiagnosed needs as early child care services can identify and monitor the needs of these

²⁹⁶ Submission 37, Dr Coral Kemp and Ms Dawn Chadwick, p 5.

²⁹⁷ Submission 37, p 2.

²⁹⁸ Submission 17, Northcott Disability Services, p 4.

²⁹⁹ Submission 17, p 4.

children. The importance of early childcare was highlighted by Ms Deonne Smith, General Manager, Access and Equity, Department of Education and Communities (DEC):

... when children access an early childhood setting it is often an opportunity then to identify issues early and to have things in place to support the child and the family before they even start school.³⁰⁰

5.5 Ms Smith noted that it is more difficult when a child with additional or complex needs transitions directly from home to school.³⁰¹ This will be considered in the following section.

5.6 UnitingCare Children, Young People and Families informed the Committee that there is a growing body of international evidence that children's participation in early childhood education significantly improves their experiences and achievements in primary and secondary school. However it noted that recently released figures show that as many as one in five children in New South Wales are not attending an early childhood service prior to starting school.³⁰²

5.7 Figures were also provided by Mr John Mason, Executive Director, Early Childhood Education and Care, DEC who stated that in New South Wales are approximately 15,000 children (out of 90,000) in every year that would not participate in formal early childhood services prior to school.³⁰³

5.8 This was also reflected in evidence from Ms Robyn Bale, Director, Student Achievement and Community Partnerships, DEC:

One of the other things we do know is increasingly we do have children present to school for the first time without moving outside of the family environment from the time they were born through to the kindergarten year.³⁰⁴

5.9 Mr Mason suggested that one reason for this is that not all families may wish to enter their child into early child care. He noted that early childhood services are not mandatory, and that '[t]here is always a group of families who for a whole range of reasonable reasons will not or do not want to participate in those services.'³⁰⁵

5.10 However UnitingCare contended that the reason why children in New South Wales are most likely to miss out on access to early childhood education is due to the high cost of preschool and long day care services.³⁰⁶

5.11 This was reiterated by the Country Women's Association of NSW:

³⁰⁰ Ms Deonne Smith, General Manager, Access and Equity, Department of Education and Communities, Evidence, 12 September 2011, p 7.

³⁰¹ Ms Smith, Evidence, 12 September 2011, p 7.

³⁰² Submission 47, UnitingCare Children, Young People and Families, p 17.

³⁰³ Mr John Mason, Executive Director, Early Childhood Education and Care, Department of Education and Communities, Evidence, 12 September 2011, p 7.

³⁰⁴ Ms Robyn Bale, Director, Student Achievement and Community Partnerships, Department of Education and Communities, Evidence, 12 September 2011, p 10.

³⁰⁵ Mr Mason, Evidence, 12 September 2011, p 7.

³⁰⁶ Submission 47, p 17.

... so many parents cannot afford pre-school fees and often their children arrive at kindergarten/infants school with speech delay, low literacy/numeracy, lacking social and anger management skills, and are then diagnosed much too late to be autistic/attention deficit etc.³⁰⁷

5.12 These financial barriers have been recognised by Australian governments, which have established a Council of Australian Governments (COAG) National Partnership Agreement on Early Childhood Education. The objective of the Agreement is to provide universal access to early childhood programs delivered by trained early childhood teachers for 15 hours per week, 40 weeks per year, by 2013.³⁰⁸

5.13 Witnesses from DEC commented that universal access will enable schools and services to reach out to large numbers of children in a fairly structured way, and pick up on the capacity to identify children that do have additional and complex needs well before school.³⁰⁹

5.14 Universal access to preschool was supported by numerous inquiry participants, such as Ms Christine Regan, Senior Policy Officer, Council of Social Services NSW, who commented:

... investment in early intervention and dealing with problems early is a good investment in the longer term rather than waiting till problems develop and then having to deal with problems that could have either been avoided or would be a higher cost in the longer term.³¹⁰

Committee comment

5.15 The Committee notes that the transition from home to early childhood services can be a daunting time for families of children with additional or complex needs, as it may be the first time that families are leaving their child in the care of others.

5.16 We acknowledge the importance of early childhood education, not only to set children up for better experiences in primary and secondary school, but also to provide an avenue for identifying children with undiagnosed needs which enables early intervention.

5.17 We note that many families cannot afford preschool or long daycare fees, and therefore support the COAG Agreement to provide universal access to early childhood programs by 2013. We look forward to the implementation of this Agreement.

Early childhood services to school

5.18 One of the main issues raised in relation to the transition from early childhood services to school is that some supports cease upon the commencement of school (as raised at 2.107 – 2.112). While this issue also occurs at other transition stages, it was raised as a prominent issue during this transition stage and will therefore be considered here.

³⁰⁷ Submission 8, Country Women's Association of NSW, p 4.

³⁰⁸ Answers to supplementary questions on notice, 12 September 2011, NSW Department of Education and Communities, Question 3.

³⁰⁹ Mr Mason and Ms Bale, Evidence, 12 September 2011, p 8 and p 10.

³¹⁰ Ms Christine Regan, Senior Policy Officer, Council of Social Services NSW, Evidence, 12 September 2011, p 31.

- 5.19** Concern that many of the supports that children with additional or complex needs have access to during early childhood cease once they begin school, even though children usually require significant support in their early years of formal schooling, was raised by numerous inquiry participants.³¹¹ For example, Ms Cathy Lambert, Manager, Child and Family Team, UnitingCare Burnside commented:

There is a whole raft of early childhood support that finishes when you start school. So while you are at home on early childhood support you get all sorts of free therapy, financial backups and special grants; the day you start school you are either not eligible any more or they cease.³¹²

- 5.20** Similarly, a study conducted with mothers supporting children with Autism Spectrum Disorder by another inquiry participant, Ms Marianne Rajkovic, found that:

Overwhelmingly, the mothers found that whilst the pre-school years were adequately catered for with additional support teachers and teachers with a reasonable knowledge of early intervention, once the child commenced school all therapies offered as part of the curriculum ceased.³¹³

- 5.21** The fact that children who have been deemed in need of funding support within the early childhood education sector may no longer qualify for such support when they transition to school was described by Intervention Australia (NSW Chapter) Inc. as ‘a major anomaly’.³¹⁴

- 5.22** Dr Kemp and Ms Chadwick suggested that the transition to school is perhaps the most challenging of the early transitions due to the significant changes in support for children and their families:

Children are moving to new and unfamiliar environments where there are different expectations and demands than those previously experienced. Families need to hand over some of the responsibility for their child to others and to trust in the ability of others to support and nurture their child. For many parents/carers this will be the first time that they have been separated from their child, which can be very stressful if the child is vulnerable and has significant health problems...³¹⁵

- 5.23** Families consulted for the 2011 NSW Ombudsman report, *Consultations with families of children with disabilities on access to services and support* (the ‘Ombudsman report’) also expressed concern over the marked decline of early childhood intervention services and support when children with disabilities start school. Families reported that these services are often not replaced with anything when the child starts school.³¹⁶

³¹¹ For example, Submissions 9, 25, 29, 37, 47, 50, 51, 52, 53 and 64.

³¹² Ms Cathy Lambert, Manager, Child and Family Team, UnitingCare Burnside, Evidence, 5 December 2011, p 32.

³¹³ Submission 64, Ms Marianne Rajkovic, p 1.

³¹⁴ Submission 50, Early Childhood Intervention Australia (NSW Chapter) Inc., p 7.

³¹⁵ Submission 37, p 5.

³¹⁶ Submission 25, NSW Ombudsman, p 2.

- 5.24** The Catholic Education Commission suggested to the Committee that some cases parents actually delay the commencement of their child's schooling to the mandatory age of six in order to extend preschool service provision.³¹⁷
- 5.25** In its submission the NSW Government acknowledged that supports and services for children with additional or complex needs changes when they turn six, even though their needs may not have changed. The Government noted that this can be difficult for families, which bring their experience and expectations of targeted or intensive family focused intervention support to school.³¹⁸
- 5.26** The NSW Commission for Children and Young People explained that the discontinuity in support at the time of transition to school is due to changes in the nature of support between prior-to-school and school settings, which involve different assessment criteria and different funding pools and programs. The Commission referred to research which found that in some cases, children no longer qualified for the same support after starting school, or were sometimes placed on to new waiting lists to receive support in the new setting.³¹⁹
- 5.27** Charles Sturt University found that the sudden withdrawal of support and change in eligibility criteria has led to significant confusion for families.³²⁰ The Catholic Education Commission noted that families have to 're-learn' how to access appropriate educational support once their early intervention programs cease.³²¹
- 5.28** The NSW Primary Principals' Association argued that if a child is receiving support prior to school, the support should transition to school with them.³²²

Committee comment

- 5.29** The transition from early childhood services to school can be a difficult change for families of children with additional or complex needs, and is not helped by the sudden withdrawal of important services.
- 5.30** The Committee notes that the support requirements of children with additional needs rarely change when they enter school, and believe that provision of support services should be based on need rather than age or time. We note that under *Stronger Together 2* (discussed at 2.58 – 2.60), ADHC is introducing reforms that will provide for certainty of support across the lifespan, especially at key transition points. The Committee is hopeful that these reforms will address the issues regarding withdrawal of support at key transition points such as this one.

³¹⁷ Submission 51, Catholic Education Commission, p 3.

³¹⁸ Submission 53, NSW Government, Overview - p 6.

³¹⁹ Submission 52, NSW Commission for Children and Young People, pp 9-10.

³²⁰ Submission 9, Charles Sturt University, p 8.

³²¹ Submission 51, Catholic Education Commission, p 2.

³²² Submission 15, NSW Primary Principals Association, p 4.

Primary to secondary school

- 5.31** The NSW Primary Principals' Association noted that the transition from primary school to high school represents a developmental shift from childhood into adolescence, as well as a shift to a more independent setting.³²³
- 5.32** UnitingCare Children, Young People and Families stated that this is a critical transition for children and their families, as research indicates that the 'middle years' (i.e. ages 9-14) is a time when there is increased disengagement from school and higher rates of suspension. UnitingCare stated: 'If students do not have a positive experience of learning in the middle years they are at risk of becoming disinterested in school and learning in general.'³²⁴
- 5.33** The Committee heard a range of concerns regarding this transition point. As with the transition from early childhood services to school, Down Syndrome NSW expressed concern about the change in support when a student enters secondary school. It noted that the level of support may be reduced at this stage, even though it may be a time when some students actually require additional support, or a different type of support, due to the more complex nature of secondary school:³²⁵

As students progress through the school years, there is often an unwarranted assumption that their need for support will reduce as they mature and develop, whereas the reality is much more likely to be that the nature of the support required for them to continue to learn and develop, and to be safe will change in nature but might not decrease.³²⁶

- 5.34** In regard to students with Down syndrome in particular, the organisation added: 'It is unrealistic to expect students with Down syndrome to 'grow out' of their disability.'³²⁷
- 5.35** Another concern raised by UnitingCare involves the level of communication between schools and parents during this transition. It observed that 'the transition to high school is a time when parents often have heightened concern about their children's lives and interest in how they are faring at school.'³²⁸ However, due to the much bigger and less personal environment at high school compared to primary schools, UnitingCare contended that there is much less communication with parents, and that:

Indeed, a key concern for UCCYPF is that when issues such as disruptive behaviour start to emerge, many schools do not communicate with the child's family. Consequently, families have no contact with schools until the issues have escalated to the point of school suspension.³²⁹

- 5.36** In regard to the concerns of students transitioning into secondary school, Professor Bob Perry, Murray School of Education, Charles Sturt University advised that consultations with

³²³ Submission 15, p 6.

³²⁴ Submission 47, p 19.

³²⁵ Submission 39, Down Syndrome NSW, p 10.

³²⁶ Submission 39, p 10.

³²⁷ Submission 39, p 10.

³²⁸ Submission 47, p 20.

³²⁹ Submission 47, p 20.

students revealed their main concerns to be about making friends (which was also the main concern of four year olds transitioning into school) and bullying:

They talked about exactly the same things as the four year olds talked about in terms of wanting to have friends and needing to know what was going on and needing to know what the rules were, and all those sorts of things.

But then they added something else, which I think was really quite startling, and that is they added a fear about how they were going to be treated in the secondary school. They talked about bullying. They talked about the fears that they had. That sort of discussion the four year olds do not talk about.³³⁰

5.37 Another concern raised to the Committee is that support for the transition to high school is minimal. One inquiry participant suggested that as a result a number of students whose needs were met in a support class in a regular school have great difficulty coping with high school and end up changing to a special school setting.³³¹

5.38 UnitingCare similarly asserted that in general, students with additional or complex needs and their families ‘receive little or no additional support from schools in the process of transition from primary to high school.’³³² It observed that support during the primary to secondary school transition is highly variable and depends on local decision making and whether the school considers transitions a priority. It also expressed the view that the success of this transition depends on the extent to which there is good relationship between the primary and secondary school.³³³

5.39 UnitingCare added that in order for a student with additional needs to get any extra support from the high school, they must be flagged by their primary school teacher or school counsellor or else they will miss out:

For example, children with Aspergers Syndrome often miss out on support when they start high school because things are going well by Year 6 of primary school and the child is settled. However, when a child moves into the new high school environment they will often not cope well with the changes involved. Their heightened anxiety may result in a range of challenging behaviours including physical aggression. In turn, this will often set in train a cycle of repeated suspension and exclusion from school.³³⁴

5.40 As noted in chapter 2, DEC offers a ‘Transition to Year 7’ Program, however the Program does not set out any specific requirements for the transition of students with disabilities (see paragraph 2.48). This was criticised by the NSW Teacher’s Federation in a 2008 inquiry into children and young people aged 9-14 years by the NSW Parliamentary Joint Committee on Children and Young People, which referred to this as a ‘glaring omission in the current policy’.³³⁵

³³⁰ Professor Bob Perry, Murray School of Education, Charles Sturt University, Evidence, 12 September 2011, p 23.

³³¹ Submission 6, Name suppressed, p 2.

³³² Submission 47, p 20.

³³³ Submission 47, p 20.

³³⁴ Submission 47, p 20.

³³⁵ NSW Parliament, Joint Committee on Children and Young People, *Children and Young People Aged 9-14 Years in NSW: The Missing Middle*, Report No. 5/54, September 2009, Volume Two, p 16.

Committee comment

- 5.41** The Committee notes the range of concerns raised in relation to the transition from primary to secondary school. We believe that many of the issues, particularly those concerning communication and support with the transition process, will be addressed by the recommendations we have made throughout this report, particularly the best practice recommendations in chapter 8.

School to post-school

- 5.42** The following sections focus on school to post-school transition support for students with a disability, as opposed to students with additional or complex needs, which reflects the significant bulk of evidence received by the Committee regarding this transition point.
- 5.43** The Committee received a substantial amount of evidence regarding this transition point, which was identified as a particularly vulnerable period for young people with additional or complex needs ‘as they move from a familiar environment into adulthood and what can be the ‘unknown’.³³⁶ The NSW Government noted that the decisions made during this period can impact on a young person’s life well into the future.³³⁷
- 5.44** There are a number of pathways that a young person with a disability may choose when leaving school, including going directly to TAFE, university or employment, accessing a Commonwealth supported employment program (such as the Disability Employment Services), or entering one of Ageing, Disability and Home Care’s (ADHC’s) post-school programs (i.e. Transition to Work or Community Participation).³³⁸
- 5.45** Students can also access other supported employment providers, such as the Westhaven Association, a not-for-profit organisation that provides supported employment for adults with intellectual disabilities. During its site visit to Dubbo, the Committee met with clients of the Westhaven Association who shared their stories with the Committee. Organisations such as Westhaven provide valuable post-school services to young people and adults.
- 5.46** The following sections examine the need to begin post-school planning as early as possible, issues with ADHC’s post-school programs, and the role of Support Teachers Transition in assisting students with post-school transitions.

Planning should commence as early as possible

- 5.47** The importance of post-school transition planning was highlighted by Autism Spectrum Australia, which emphasised the difference between school and post-school environments:

Not only is there a need for families and individuals to learn a new service system and what options are available, which in themselves operate within different parameters and relationships to those in support of children, but there is also a need to involve

³³⁶ Submission 53, Overview - p 6.

³³⁷ Submission 53, Overview - p 6.

³³⁸ Submission 53, Detailed - p 34.

the implications around adulthood itself and what these mean for families/carers and service providers.³³⁹

5.48 Numerous inquiry participants stressed the importance of beginning planning for post-school options as early as possible, and asserted that planning should commence in secondary school.

5.49 The NSW Government also acknowledged the importance of early transition planning, noting that:

Evidence from school leavers entering ADHC funded post school programs suggests that early transition planning results in reduced stress for young people and their families/carers, and more successful transitions to post school pathways.³⁴⁰

5.50 Family Advocacy suggested that families should be supported to undertake post-school planning in Years 9 and 10 in order to give families time to understand the options available, talk to other families who have transitioned out of school, and support their family member to develop networks, build their competencies and have as many experiences as possible such as visiting different types of businesses, volunteering and taking a part-time job.³⁴¹

5.51 One program, mentioned in chapter 2, which assists with transitions for people with disability to move from school or the community to post-school education, training and employment is the National Disability Coordination Officer (NDCO) Program, set up by the Commonwealth Department of Education, Employment and Workplace Relations. The NDCO Program Coordinator from the University of Western Sydney, Ms Nicole Ison, informed the Committee that the program is funded to support students in transition planning from age 15. Ms Ison expressed hope that this age would be reduced, noting that evidence shows that the best age to commence post-school transition planning is around 13 to 14 years.³⁴²

5.52 The NSW Parents' Council also suggested that transition planning should start as early as 13 years of age. It said that current transition planning is often too late, citing incidences where young people still have not had transition plans or services in place by the time they leave school.³⁴³

5.53 This was supported by another witness, Sharon, who commented:

... you can be 14 and nine months when you join a disability employment provider Best practice is to start post-school planning at 14. Most kids have decided what they want to do by then or they have an interest ... Many families leave it to the last minute and many schools do not help with post-school planning pathways.³⁴⁴

5.54 Northcott Disability Services advised that systems are in place in Queensland and the US that support transition planning starting at 14 years. Northcott noted that early planning 'allows

³³⁹ Submission 7, Autism Spectrum Australia, p 4.

³⁴⁰ Submission 53, Detailed – p 34.

³⁴¹ Submission 34, Family Advocacy, p 17.

³⁴² Ms Nicole Ison, Program Coordinator, National Disability Coordination Office Program, University of Western Sydney, Evidence, 10 October 2011, p 40.

³⁴³ Submission 57, NSW Parents' Council, p 6.

³⁴⁴ Sharon, Parent, Evidence, 10 October 2011, p 11.

sufficient time for school and families to plan effective transition processes, undertake work experience, engage in relevant skills training etc.³⁴⁵

- 5.55** One point raised by Down Syndrome NSW is that while most schools do a good job of informing students and families about post-school options and supporting them to make choices and commence planning processes, some families have nonetheless reported that they have not been given any information at all, and feel anxious and at a loss to know where to start:

One such family contacted us as recently as June this year. The young man with Down syndrome was in Year 12, enrolled in a support class (IO) and neither he nor his family had been given any indication of what was available after Year 12, or how to find out. The family lived in a regional area of NSW, but certainly not isolated. The mother was told by the school that it was not their job to 'look after' her son after he finished school. Such lack of support for this crucial transition period is simply unacceptable and unnecessary, and amounts to negligence by the school.³⁴⁶

- 5.56** Likewise the submission from Speech Pathology Australia said: 'Transition out of school ... is a process that should begin in early high school; however the communication of this with the student and family is poor and can occur very late in the transition process.'³⁴⁷

Committee comment

- 5.57** The Committee acknowledges the importance of starting post-school transition planning early for students with additional or complex needs. We note the recommendations from inquiry participants that this should occur from around the age of 13 or 14, and note that systems are in place in Queensland and the US requiring transition planning to start at 14.
- 5.58** The Committee believes that, to best prepare these students for post-school pathways, transition planning for students with additional or complex needs should begin at 14 years of age.

Recommendation 8

That the NSW Department of Education and Communities introduce a policy that post-school transition planning for students with additional or complex needs should commence at 14 years of age.

ADHC post-school programs

- 5.59** ADHC offers two post-school programs for students with a disability – Transition to Work and Community Participation. Transition to Work is a two year program that aims to help

³⁴⁵ Answers to supplementary questions on notice, 12 September 2011, Northcott Disability Services, Question 4, p 4.

³⁴⁶ Submission 39, p 8.

³⁴⁷ Submission 30, Speech Pathology Australia, p 5.

young people with a disability gain employment after leaving school.³⁴⁸ Community Participation provides an alternative to paid employment or further education, and helps young people with disabilities to increase their life skills.³⁴⁹

5.60 Issues regarding these programs are considered below.

Timing of assessments

5.61 Eligibility for ADHC post-school programs is determined in Year 12. Assessments, which look at the type and level of support that the student will need after leaving school, take place in Term 2 with students notified of outcomes in September.³⁵⁰

5.62 Concerns were raised about the timing of these assessments. Inquiry participants argued that outcomes are advised too late, leaving inadequate time for families to plan for and support the student's transition. One parent from the Parent Council for Deaf Education stated:

We did not know whether our child would be assessed as being able to participate in the Transition to Work Program or needing to go into Community Access Program until late September of their final year at school. This caused a lot of stress for our family due to this lack of certainty.³⁵¹

5.63 The late timing of ADHC assessments leaves inadequate time for schools to assist students plan for the transition, which is exacerbated by the fact that the end of school is such a busy time of year.³⁵² These issues tie into the Committee's earlier comments regarding the need to start post-school training planning early, and also tie into the discussion in chapter 8 regarding the need to commence general transition planning early.

5.64 Further, after receiving their notifications in September, students are required to choose their service provider by December before commencing their service at the beginning of the following year. Miss Emily Caska, State Policy Coordinator, National Disability Services (NDS) pointed out that this also leaves minimal time for service providers to plan, particularly given that many of them close in December.³⁵³

5.65 The Western Sydney NDCO Program insisted that earlier notification 'would enable a smoother transition and orientation to chosen post school settings especially for students with high support needs whose condition does not change.'³⁵⁴ It recommended that assessments be done in Year 11, so that results are available earlier to facilitate an effective transition.³⁵⁵

³⁴⁸ <http://www.adhc.nsw.gov.au/sp/delivering_disability_services/post_school_programs/transition_to_work> (accessed 31 January 2011)

³⁴⁹ <http://www.adhc.nsw.gov.au/sp/delivering_disability_services/post_school_programs/community_participation> (accessed 31 January 2011)

³⁵⁰ Submission 53, Detailed – p 34.

³⁵¹ Submission 16, Parent Council for Deaf Education, p 3.

³⁵² Submission 6, p 1; Submission 28, Little By Little, p 2.

³⁵³ Miss Emily Caska, State Policy Coordinator, National Disability Services, Evidence, 10 October 2011, p 50.

³⁵⁴ Submission 23, Western Sydney National Disability Coordination Officer Program, p 3.

³⁵⁵ Submission 23, p 4.

- 5.66** However Mr Jim Moore, Chief Executive, ADHC and Acting Director General,³⁵⁶ Department of Family and Community Services advised that the reason assessments are not held sooner is to prevent premature conclusions being made and locking people into expectations that may be inappropriate (such as locking someone into Community Participation when they may be able to do Transition to Work).³⁵⁷ Mr Moore expressed preference for obtaining an objective assessment close to the end of the person's schooling as to what their future should be.³⁵⁸
- 5.67** Miss Caska acknowledged Mr Moore's point, but nonetheless maintained that it is better to commence assessments earlier. Miss Caska advised that NDS and its members believe that assessments should in fact accumulate information over a two-year period, beginning in Year 10, explaining: 'I think getting two years worth of information also shows someone's progression over two years so that gives you a really good indication for post-school.'³⁵⁹ Miss Caska informed the Committee that NDS had begun dialogue with ADHC and DEC to consider this option.
- 5.68** A further suggestion made by NDS is that there be a 'blended service' in order to enable people with a disability to move freely between Community Participation, Transition to Work as well as federally funded employment opportunities.³⁶⁰ This would prevent people from being 'locked' into inappropriate expectations, as per Mr Moore's concern.

Inadequate transition process between school and post-school programs

- 5.69** A related issue is that there is no real transition process between school and post-school programs. Students simply finish Year 12 then commence their post-school program.
- 5.70** Ability Options suggested that there should be a transition process beginning at least two years before the end of school, to enable students to access Transition to Work or Community Participation say, for example, once a week over a six week period, in order to trial different options:

Having early access to information is critical to provide the opportunity for people with disabilities and their families to explore the options available and to make an informed decision for their future.³⁶¹

- 5.71** Northcott Disability Services agreed that students should be able to trial post-school programs, and that information about post-school programs should be provided earlier. It recommended that students should 'begin sampling these programs in their senior high school years, even for just a few hours a fortnight.'³⁶²

³⁵⁶ Mr Moore was appointed Director General of FACS on 22 December 2011.

³⁵⁷ Mr Moore, Chief Executive, Ageing, Disability and Home Care Agency, and Acting Director General, Department of Family and Community Services, Evidence, 10 October 2011, p 36.

³⁵⁸ Mr Moore, Evidence, 10 October 2011, p 36.

³⁵⁹ Miss Caska, Evidence, 10 October 2011, p 50.

³⁶⁰ Answers to questions on notice taken during evidence 10 October 2011, National Disability Services, Question 3, p 5.

³⁶¹ Submission 58, Ability Options, p 7.

³⁶² Answers to supplementary questions on notice, 12 September 2011, Northcott Disability Services, Question 4, p 4.

- 5.72** Little by Little also advocated extended transition opportunities, suggesting that students could be accompanied by familiar staff on visits to the new service provider until they establish relationships with the provider.³⁶³
- 5.73** Another proposal for a gradual transition was made by Mr Allan Young, Chief Executive Officer, Eloura Association (Inc), who informed the Committee about a successful transition program run at Eloura Association where students in Year 10 begin work experience for two hours per week, increasing in Year 11 to half a day in the first year then a full a day by the end of the year, ending in up to two days per week in Year 12 (with wages introduced in the latter half of the year to establish an employee-employer relationship).³⁶⁴ Mr Young noted that one of the benefits of Eloura's program is that any gaps in a student's skills can be addressed at school, and asserted: 'I believe transition to work should be offering something along those lines, not just straight out of school support.'³⁶⁵

Issues with program providers

- 5.74** Once deemed eligible for Community Participation or Transition to Work, young people are required to choose a service provider to access their program through.³⁶⁶
- 5.75** However concern was raised by the NSW Network of NDCOs that there is a lack of choice of ADHC post-school service providers, particularly in regional areas, and that people are unable to travel to other centres.³⁶⁷ Issues with the lack of suitable Community Participation settings in particular were raised in the Western Sydney NDCO Program submission, which stated: 'As students stay in this program indefinitely this is a planning issue which needs to be addressed to ensure adequate places are available for school leavers with complex disabilities'.³⁶⁸
- 5.76** The Chief Executive of ADHC, Mr Moore, disagreed. He argued that there is a sufficient supply of Community Participation providers to meet demands, advising that there is a panel of 112 service providers approved to provide the program across 513 outlets in New South Wales. The Department currently funds 106 of these to deliver the program across a range of models in 326 active outlets.³⁶⁹
- 5.77** Mr Moore added that ADHC plans to work in partnership with the non government sector to increase provider capacity through tailoring or customising their programs and sourcing new providers.³⁷⁰
- 5.78** Another issue raised to the Committee is that the type and quality of programs varies across Community Participation and Transition to Work providers.³⁷¹ The NSW Network of

³⁶³ Submission 28, Little By Little, p 3.

³⁶⁴ Mr Allan Young, Chief Executive Officer, Eloura Association (Inc), Evidence, 13 December 2011, p 28.

³⁶⁵ Mr Young, Evidence, 13 December 2011, p 30.

³⁶⁶ Submission 53, Detailed – p 34.

³⁶⁷ Submission 42, NSW Network of National Disability Coordination Officers, p 1.

³⁶⁸ Submission 23, p 4.

³⁶⁹ Answers to supplementary questions on notice, 10 October 2011, ADHC, Question 3.

³⁷⁰ Answers to supplementary questions on notice, 10 October 2011, ADHC, Question 3.

NDCOs suggested that there should be more monitoring of service quality, in order to ensure that service providers are developing adequate programs to engage and extend their clients.³⁷²

Gap between Year 12 and post-school programs

5.79 A further issue raised to the Committee is the gap in support between the end of Year 12 and the beginning of post-school programs.³⁷³ Down Syndrome NSW noted that some students can be left with up to a five month period ‘where they are no-one’s responsibility except their families’:

As mainstream students in Year 12 finish school in September/October in preparation for taking High School Certificate exams, a small (but growing) number of students with Down syndrome find themselves without a school program eight-ten weeks before the usual end of a school year. NSW post-school programs most commonly used as the next source of day-to-day support and learning do not start until February-March of the next year, so these students can be left without adequate social and/or learning support for unacceptably long periods.³⁷⁴

5.80 Down Syndrome NSW pointed out that most working families are unable to provide daily support over such a long period, and there is a lack of community programs or other options available for the interim period, which is an issue for students with Down syndrome who ‘often lack the skills necessary to make their own social arrangements, or to be safe without supervision.’³⁷⁵

5.81 The Western Sydney NDCO Program also commented on the financial and emotional impact of this gap on families, who often need to take time off work or make other arrangements to support the young person.³⁷⁶ It recommended that post-school programs be resourced to cover this gap.³⁷⁷

5.82 A similar suggestion was made by Northcott Disability Services, which proposed that funding should be made available earlier so that students can commence their post-school program as soon as they finish school, rather than waiting until the next calendar year.³⁷⁸ This would assist with a smoother, faster transition.

5.83 Alternatively, Down Syndrome NSW suggested that schools and/or other organisations could provide support until the official end of the school year via a ‘summer school’ type of program:

Activities could be any mix of leisure, recreation or learning agreed to by students and their families. Such programs offered in several locations could provide valuable

³⁷¹ Submission 31, Name suppressed, p 1.

³⁷² Submission 42, NSW Network of National Disability Coordination Officers, p 2.

³⁷³ Submissions 6, 23 and 39.

³⁷⁴ Submission 39, p 8.

³⁷⁵ Submission 39, p 8.

³⁷⁶ Submission 23, p 3.

³⁷⁷ Submission 23, p 4.

³⁷⁸ Answers to supplementary questions on notice, 12 September 2011, Northcott Disability Services, Question 4, p 4.

employment opportunities for support workers, volunteers, or tertiary students, and could make use of facilities such as school or community premises that are otherwise unused during the summer.³⁷⁹

Program-specific issues

5.84 A number of issues were raised specifically in regard to the Transition to Work and Community Participation programs.

5.85 For example, one inquiry participant expressed concern about the length of Transition to Work funding, which is currently two years. They suggested that funding should instead be for a one-year period, with a review for a second year, to accommodate students who complete TAFE courses at the end of the first year:

Each student receives two years under this programme and of course the services want to keep them for the full two years for the full funding. Staff have seen students who, while in the TTW programme, have completed a TAFE course which lasts one year. At the end of that one year these students are very ready, willing and able to be employed. But the services hold them back, this is not something they want to talk about of course but we know this does happen.³⁸⁰

5.86 A related issue is that Transition to Work is only available as a two-year program, and does not have a self-management option, unlike Community Participation. Ability Options suggested that this has led to some students choosing Community Participation over Transition to Work in order to have 'greater levels of control, more funding and funding for a longer period of time':

In this context it is interesting to note that in our self-managed Community Participation program we have individuals that attend university, have set up their own business and are employed- most of these outcomes are not seen as likely or even possible for people assessed as being eligible for the Community Participation program.³⁸¹

5.87 Concerns were also raised about the Community Participation program, including that it has inappropriate service provision, lacks training requirements and training opportunities for Community Participation workers, and has unrealistic expectations of school leavers.³⁸² Concern was also expressed that the program may not facilitate continued lifelong learning. Little by Little stated:

As educators, we believe that in order for Community Participation programs to be successful learning needs to be continued throughout life. There needs to be more emphasis put on what skills these young people in Community Participation programs are learning or maintaining. They should not just be there to be entertained or kept happy.³⁸³

³⁷⁹ Submission 39, p 9.

³⁸⁰ Submission 6, pp 1-2.

³⁸¹ Submission 58, pp 6-7.

³⁸² Submission 28, p 3.

³⁸³ Submission 28, p 3.

Committee comment

- 5.88** The Committee acknowledges the wide range of concerns raised by inquiry participants regarding ADHC's Transition to Work and Community Participation programs.
- 5.89** In regard to the timing of assessments for determining eligibility for these programs, we agree that assessments should be made earlier in order to allow adequate time for students, schools and service providers to prepare for transitions. This is consistent with our earlier comments and recommendation (Recommendation 8) regarding the importance of beginning post-school transition planning early, and is also consistent with our comments regarding the need to begin general transition planning early which are discussed in chapter 8.
- 5.90** We acknowledge Mr Moore's concerns about premature conclusions being reached about students and 'locking' them into inappropriate expectations, however we believe this issue would be overcome by introducing flexibility to move between the programs. We therefore support the suggestion from NDS that there should be a 'blended service' of post-school programs (at least between Transition to Work and Community Participation), and further recommend that ADHC post-school program assessments be made in Year 11.
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Recommendation 9

That the NSW Ageing, Disability and Home Care Agency undertake assessments for the Transition to Work and Community Participation programs in Year 11, and that students be notified of outcomes by the end of Year 11.

Recommendation 10

That the NSW Ageing, Disability and Home Care Agency consider developing a blended service that would allow people to transfer between the Transition to Work and Community Participation programs if a participant's needs change.

- 5.91** The Committee also agrees with inquiry participants that there needs to be a longer transition process between school and post-school programs. We support the suggestions to allow students to trial these programs, which will assist them to make informed decisions regarding the most appropriate program for their future. The Committee believes that students should be given the opportunity to begin trialling these programs in Year 10, to give adequate trialling opportunities before assessments are made in Year 11.
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Recommendation 11

That the NSW Department of Family and Community Services' Ageing, Disability and Home Care enable students with a disability to trial the Transition to Work and Community Participation programs from Year 10.

- 5.92** We also acknowledge the issue regarding the gap between Year 12 and post-school programs, and note with concern the enormous pressure this gap places on families – particularly those families who are required to support students for up to five months. However, we consider this issue to be beyond the terms of reference for this Inquiry.
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Support Teachers Transition

- 5.93** As mentioned in chapter 2, DEC provide Support Teachers Transition who can provide additional assistance to students with disabilities in secondary school, their parents/carers and schools through transition planning. There are currently 46 of these specialist itinerant teachers in 30 full time equivalent positions across New South Wales.³⁸⁴
- 5.94** The role of Support Teachers Transition varies between regions, however can include assisting students by:
- providing advice on curriculum, vocational education and training, employment and further education options
 - assisting with transportation and mobility, recreation and leisure issues
 - liaising with government agencies, and
 - assisting students with entry to disability programs funded by ADHC.³⁸⁵
- 5.95** Officers from the NDCO Program praised the work of Support Teachers Transition. The Western Sydney NDCO Program submission stated: ‘Support Teachers Transition (STT) are critical to a successful transition for school leavers with disability to post school education, training or employment.’³⁸⁶ However it expressed concern about inadequate numbers of Support Teachers Transition, particularly in regional areas,³⁸⁷ as did the NSW Network of NDCOs, which stated: ‘The STT model in NSW is a crucial support for students with disabilities but they are underresourced.’³⁸⁸
- 5.96** Northcott Disability Services also commended the role of these teachers and other Itinerant Support Teachers and the essential role they play in sharing information across educational settings.³⁸⁹ It also expressed concern over the number and availability of these teachers:

As access into post-school programs is driven by Itinerant Support Teachers (Transition), and as they provide an invaluable support to families around post-school options, there needs to be more of these roles available to adequately support all students through this transition.³⁹⁰

³⁸⁴ Submission 53, Detailed - p 16.

³⁸⁵ Submission 32, NSW Teachers Federation, p 9; Submission 53, Detailed - p 16; Answers to supplementary questions 12 September 2011, NSW Department of Education and Communities, Question 9, p 8.

³⁸⁶ Submission 23, p 2.

³⁸⁷ Submission 23, p 2.

³⁸⁸ Submission 42, p 2.

³⁸⁹ Answers to supplementary questions on notice, 12 September 2011, Northcott Disability Services, Question 1.

³⁹⁰ Answers to supplementary questions on notice, 12 September 2011, Northcott Disability Services, Question 4, p 4.

- 5.97** Ms Liz Forsyth, Sector and Business Development Manager, Northcott Disability Services, asserted that all schools should have access to Support Teachers Transition ‘so those resources are not rationed and spread out so thin so that they are not meaningful.’³⁹¹
- 5.98** Likewise the NSW Teachers Federation suggested that the existence of teachers with specific responsibility and knowledge to manage transitions is critical for successful transitions, and agreed that more transition support teachers are required, particularly given the increasing number of students with additional or complex needs.³⁹²
- 5.99** National Disability Services advised that it had received anecdotal evidence from disability service providers about frustrations felt by families due to a lack of access to transition teachers.³⁹³
- 5.100** Other concerns regarding access to Support Teachers Transition, raised by witnesses from the NDCO Program, are that the teachers have to be invited into schools and there is no mandate for schools to make use of these resources. The NDCO witnesses added that there is also a lack of understanding of the role of these teachers, which can make it difficult to raise awareness of the importance of their involvement.³⁹⁴

Committee comment

- 5.101** Support Teachers Transition clearly fulfil a valuable role, providing critical support to students with disabilities during important transitions. We note the evidence regarding inadequate staffing of these positions and recommend that the NSW Government fund additional positions to better support these students.

Recommendation 12

That the NSW Department of Education and Communities fund additional Support Teachers Transition to ensure that all schools have adequate access to their services, particularly in rural and regional New South Wales.

Transition between different educational settings

- 5.102** Issues were also raised regarding the transition between different educational settings i.e. between public, Catholic and independent schools, or between special schools or classes to mainstream.
- 5.103** The main issue concerns communication across the sectors. For example, some members of the NSW SSP Principals’ Network stated:

³⁹¹ Ms Liz Forsyth, Sector and Business Development Manager, Northcott Disability Services, Evidence, 12 September 2011, pp 53-54.

³⁹² Submission 32, NSW Teachers Federation, p 9.

³⁹³ Answers to questions taken on notice during evidence 10 October 2011, National Disability Services, Question 2, p 5.

³⁹⁴ Correspondence from Dr Sev Ozdowski OAM, Director, Equity and Diversity, University of Western Sydney, to Principal Council Officer, 28 October 2011.

[We] are concerned about transition for our students in and out of private school settings to DEC schools as there often is not a corresponding transmission of vital information or reports which hampers our ability to design an appropriate behaviour/communication and learning program.³⁹⁵

- 5.104** Northcott Disability Services noted that educational providers across different educational settings have varied processes and requirements for transitioning students, which creates a barrier to information sharing:

The different information requirements at the point of transfer from one type of education provider to another (for example, from a public school to a catholic school), are a barrier to sharing information and supporting well-informed and well-planned transitions.³⁹⁶

- 5.105** Problems with information sharing were acknowledged by Mr Vince Connor, Director, Diocese of Wilcannia Forbes, Catholic Education Commission NSW who noted that limited discussions may occur between Catholic and government schools regarding a student's transition. Mr Connor said sadly this can often come down to personalities.³⁹⁷

- 5.106** The NSW Parents' Council further suggested that issues with the sharing of information were exacerbated by cultural issues of different school sectors not talking to each other:

Many schools see that they are competing with each other for student numbers. As principals are paid per student head and it is a number crunching exercise, there appears to be a general reluctance for schools to share information. Many schools principals will not talk to the school principal of another school that they are in competition with.³⁹⁸

- 5.107** To overcome issues with information sharing the Parents' Council suggested that there needs to be a change in culture, while Northcott asserted that there should be consistent information requirements across all educational settings and providers.³⁹⁹ Mr Connor similarly expressed support for some form of protocol to assist in the ease of transition between school sectors.⁴⁰⁰

- 5.108** Concerns were also raised about the transition from a special school or special class to a mainstream setting. The NSW Secondary Principals' Council noted that problems may arise if adequate support is not available or conditions are not in place at the receiving school.⁴⁰¹

- 5.109** Northcott Disability Services observed that while there is well-coordinated transition support for students transitioning from a DEC Primary School Support Unit to a DEC Secondary

³⁹⁵ Submission 6, p 2.

³⁹⁶ Answers to supplementary questions on notice, 12 September 2011, Northcott Disability Services, Question 1.

³⁹⁷ Mr Vince Connor, Director, Diocese of Wilcannia Forbes, Catholic Education Commission NSW, Evidence, 13 December 2011, p 54.

³⁹⁸ Answers to supplementary questions on notice, 10 October 2011, NSW Parents' Council Inc, Question 2.

³⁹⁹ Answers to supplementary questions on notice, 12 September 2011, Northcott Disability Services, Question 1.

⁴⁰⁰ Mr Connor, p 54.

⁴⁰¹ Submission 19, NSW Secondary Principals' Council, p 1.

School Support Unit, the same level of support is not available to students transitioning to a mainstream secondary school setting. It noted that this is particularly an issue if the mainstream school has limited experience with students with disabilities, as they may be unaware of the options available to support these students.⁴⁰²

- 5.110** The NSW Secondary Principals' Council further pointed out that DEC transition support funding is available for mainstream students identified with additional needs moving from primary to secondary school, however no similar funding is available for students moving from SSPs to a mainstream setting. The Principals' Council stated that the development and implementation of transition programs for these students 'rely on the goodwill of the SSP staff'.⁴⁰³

Committee comment

- 5.111** The Committee notes with concern the issues raised by inquiry participants regarding transitions between different educational settings, particularly those concerning information sharing. We believe that this issue will be alleviated by the implementation of our earlier recommendation in chapter 3 (Recommendation 3) regarding the creation of an ongoing record of the strengths, abilities and supports required for students with additional or complex needs.
- 5.112** We also believe that the issue will be alleviated by improved case management services, which are considered in chapter 8.

⁴⁰² Submission 17, p 9.

⁴⁰³ Submission 5, NSW SSP Principals' Network, p 4.

Chapter 6 Specific needs groups

This chapter considers transition issues that are specific to children and young people from refugee families or culturally diverse backgrounds, Aboriginal students, children and young people in out-of-home care, young people in the juvenile justice system, students with mental health issues and students in rural and regional areas. Not only are students and families in these groups affected by the general issues that have been raised throughout this report, but they are also affected by the specific issues raised in this chapter.

Refugees and families from culturally diverse backgrounds

- 6.1** Children and young people from refugee families or culturally diverse backgrounds face a range of particular challenges when transitioning to and between different stages of education.
- 6.2** A key issue is the language barrier. For example, while nearly all families with additional or complex needs experience difficulties accessing information about transition services, supports and options (as discussed in chapter 3), this is even more difficult for families with limited English.⁴⁰⁴
- 6.3** The Catholic Education Commission NSW asserted that families with limited English require greater access to ‘educational’ interpreters to assist with transition processes.⁴⁰⁵ Similarly, the NSW Primary Principals’ Association argued that there should be greater advocacy for these families, as they often lack the knowledge or skills to access much required services.⁴⁰⁶
- 6.4** Recently arrived high school aged students can receive English tuition through Intensive English Centres, however (with the exception of some students in Year 6) primary school aged students are not offered the same opportunity.⁴⁰⁷
- 6.5** Concern was also raised by the Multicultural Youth Affairs Network (MYAN) NSW that upon completion of the Intensive English Centre course, there is inadequate support to assist these students with the transition to mainstream education:

This lack of support means that the transition can be very stressful, resulting in high levels of difficulty managing the new setting (and therefore achieving education/training outcomes) or disengagement from education and training.⁴⁰⁸

- 6.6** Another issue, raised by the NSW Teachers Federation, is that students whose first language is not English and who have additional or complex needs may be misdiagnosed by teachers who

⁴⁰⁴ Submission 57, NSW Parents’ Council, p 4; Submission 63, Liverpool Migrant Resource Centre, p 4.

⁴⁰⁵ Submission 51, Catholic Education Commission, p 4.

⁴⁰⁶ Submission 15, NSW Primary Principals Association, p 3.

⁴⁰⁷ Department of Education and Communities, Secondary Schools – Intensive English Centres, accessed 3 February 2012, <<http://www.schools.nsw.edu.au/gotoschool/types/intensivecentre/index.php>>

⁴⁰⁸ Submission 4, Multicultural Youth Affairs Network (MYAN) NSW, p 3.

assume that delays are related to language competence, rather than recognising it to be a disability or learning difficulty.⁴⁰⁹

6.7 Children from this group may also experience difficulties as a result of cultural differences. MYAN NSW noted that '[u]pon arrival in Australia young people are often faced with an education and training system that is very different to anything that they have previously experienced.'⁴¹⁰ It noted that ensuring that young people and their families understand the educational options available to them can be challenging due to unfamiliarity with school and vocational education and training systems and styles of learning.⁴¹¹

6.8 Ms Sylvana Mahmic, Director, Pathways Early Childhood Intervention NSW Chapter added that many recently arrived families are unaware that they have different education options, stating for example:

For many families from culturally diverse backgrounds it would be news to understand that their child who had a disability had equal access to the local public school or the local Catholic school or local independent school because that is the way it is in this country.⁴¹²

Issues specific to refugees

6.9 A specific issue for children from refugee backgrounds is that the vast majority have experienced significant trauma. The NSW Government reflected in its submission that this can manifest in a variety of ways, 'from an inability to focus and learn through to extensive aggression and acting out behaviours.'⁴¹³

6.10 The relevance and impact of trauma was also raised by the Liverpool Migrant Resource Centre (LMRC), which noted that refugee children may have been victims of trauma themselves, or may have witnessed their parents or relatives experience fear, pain, trauma, torture and persecution.⁴¹⁴ Mr Kamalle Dabboussy, Manager, LMRC said that there is insufficient support available to children and families who have experienced severe trauma as it is not well acknowledged as a special need compared to other recognised disabilities such as autism:

We are finding that there are children with high needs, children who have nutritional issues and development delays, families suffering trauma because they have witnessed [a major injury or death of a family member] ... Who is assisting those people with trauma and high needs issues and where do they go for support? That is where we are unable to help.⁴¹⁵

⁴⁰⁹ Submission 32, NSW Teachers Federation, p 5.

⁴¹⁰ Submission 4, p 3.

⁴¹¹ Submission 4, p 3.

⁴¹² Ms Sylvana Mahmic, Director, Pathways Early Childhood Intervention NSW Chapter, Evidence, 12 September 2011, p 39.

⁴¹³ Submission 53 – Overview, NSW Government, p 5.

⁴¹⁴ Submission 63, p 2.

⁴¹⁵ Mr Kamalle Dabboussy, Manager, Liverpool Migrant Resource Centre, Evidence, 13 December 2011, p 4.

6.11 This issue of ‘invisible disabilities’ will be considered in chapter 7 – Funding, staff and invisible disabilities.

6.12 Refugee families may also experience stronger separation issues compared to other families. For example, the LMRC said that children in Multicultural Playgroups may find it more difficult to leave their mothers and adjust to their new environment than other children:

The bond with their mother is extremely strong for these children, due to the isolation of the family in a new society. The parent has often suffered some form of trauma and in turn their parenting skills are affected often clinging to the child attempting to protect them from the outside world.⁴¹⁶

6.13 Refugee children may also lack many of the skills possessed by other children their age, due to not having had access to the same materials or technology. This was illustrated by Ms Pietty Greenwood, Family Support Coordinator, LMRC in reference to a school readiness program where teachers visited refugee children at home:

We noticed that at home they did not have pencils and paper. They did not have those opportunities that other children might have ... the gap is just too great for many of those children.⁴¹⁷

6.14 Further, the LMRC reported that educators have expressed concerns that many refugee students are disadvantaged by the fact that they have never used a computer and ‘do not even know how to use a mouse.’⁴¹⁸ The LMRC said that in terms of development, many refugee students are not at a level where educators expect or need them to be.⁴¹⁹

6.15 Refugee students are placed in grades at school based on their age rather than their level of capability. MYAN NSW advised that this can be a significant issue, particularly for young people from non-literate societies or who have spent years in refugee camps prior to arrival in Australia:

These young people are expected to enter into a school system after little or no formal education, in an environment with other young people who have moved through the Australia education system over many years.⁴²⁰

6.16 Mr Dabboussy informed the Committee that there is no assessment of refugee children and young people during their arrival process (other than a possible health assessment) which can identify their level of capability and educational support needs.⁴²¹ He said that issues may be picked up in younger children if they have gone through a playgroup, or in high school students if they have attended an Intensive Language Centre,⁴²² however he advised that there

⁴¹⁶ Submission 63, p 3.

⁴¹⁷ Ms Pietty Greenwood, Family Support Coordinator, Liverpool Migrant Resource Centre, Evidence, 13 December 2011, p 3.

⁴¹⁸ Mr Dabboussy, Evidence, 13 December 2011, p 7.

⁴¹⁹ Mr Dabboussy, Evidence, 13 December 2011, p 7.

⁴²⁰ Submission 4, p 2.

⁴²¹ Mr Dabboussy, Evidence, 13 December 2011, p 8.

⁴²² Mr Dabboussy, Evidence, 13 December 2011, p 3.

are no assessments of refugee children entering primary school – they are simply put straight into school upon arriving in Australia, where teachers then discover any problems.⁴²³

- 6.17** MYAN NSW asserted that refugees and newly arrived students need more time, support and flexibility ‘to catch up to their Australian-born peers who have been engaging in education since early childhood.’⁴²⁴ It recommended increasing the amount of time these students can spend in Intensive English Centres from five terms to up to two years, and also recommended that there be increased investment in transition programs between Intensive English Centres and mainstream education.⁴²⁵

Transition programs for refugees

- 6.18** The Committee was informed that the NSW Department of Education and Communities (DEC) offers a Refugee Transition Program in some high schools, run in partnership with several universities, which aims to improve student participation and engagement in schooling. MYAN NSW commended the program, and suggested that it be extended to additional high schools across the state.⁴²⁶

- 6.19** The Committee was also informed about an early childhood pilot program offered through DEC called ‘Beginning School Well’. This is a mentoring program that provides mentors to refugee families to help them transition into Australian schools and culture. Ms Robyn Bale, Director, Student Achievement and Community Partnerships, DEC advised that the mentors speak the family’s home language:

So from the very outset we have good, strong connections with families with someone that understands them in terms of their language and also understands the context from where they have come and they can help support them into the schooling environment.⁴²⁷

- 6.20** Beginning School Well starts at least six months before school entry and covers the transition into kindergarten for one to two terms into school.⁴²⁸

Committee comment

- 6.21** The Committee recognises that language can be a significant barrier to students and families from refugee or culturally diverse backgrounds, that can negatively impact on the success of transitions to Australian schools. We also note with concern the evidence that primary school aged refugee children are put straight into school shortly after arriving in Australia, with no transition process or support.

⁴²³ Mr Dabboussy, Evidence, 13 December 2011, p 6.

⁴²⁴ Submission 4, p 2.

⁴²⁵ Submission 4, p 4.

⁴²⁶ Submission 4, p 3.

⁴²⁷ Ms Robyn Bale, Director, Student Achievement and Community Partnerships, Department of Education and Communities, Evidence, 12 September 2011, p 5.

⁴²⁸ Ms Bale, Evidence, 12 September 2011, p 5.

- 6.22** The Committee acknowledges that DEC offers specific transition programs for some refugees and we commend these programs - particularly the 'Beginning School Well' pilot which provides mentors that speak the family's home language. However we note that this is only a pilot program with limited availability. We recommend that DEC extend this program.

Recommendation 13

That the NSW Department of Education and Communities provide ongoing funding and support to establish transition programs for newly arrived refugee children and young people, such as the 'Beginning School Well' pilot.

- 6.23** We note that other key issues for refugee students are that there is no assessment process to determine their level of education, and that students are placed in classes based on their age rather than their level of development. The Committee believes that all refugee children and young people should have their education and skill level assessed upon arrival, and that they should be placed in the most appropriate educational setting based on that assessment.

Recommendation 14

That the NSW Government develop a standard assessment process for all newly arrived refugee children and young people to determine their skill and education level, so that they can be placed in the most appropriate educational setting based on their capabilities and educational needs rather than age.

- 6.24** The Committee further notes that many refugee students have experienced trauma, which is not widely recognised as special need or disability and therefore does not attract additional support or funding. This issue of 'invisible disabilities' such as trauma will be considered in the next chapter.

Aboriginal students

- 6.25** According to figures from the Australian Institute of Health and Welfare, the incidence of disability amongst Aboriginal people is 2.4 times higher than the general Australian population.⁴²⁹ These students therefore experience double issues – as Aboriginality in itself is considered to be an 'additional need' (as discussed in chapter 2).
- 6.26** This was reiterated by Mr Ray Eldridge, Area Manager, Indigenous Student Services, Charles Sturt University, who suggested that Aboriginal students with physical or intellectual disability have a further disability as a result of the colour of their skin:

... it is like dual diagnosis when you are talking about drug addiction and alcohol addiction: we are talking about another little spindle has been put on the side because

⁴²⁹ Submission 35, Council of Social Services NSW, p 3.

the other little spindle is you are black. So you are black – you have a disability, and there is something else going on there as well.⁴³⁰

- 6.27** The concept of disability in the Aboriginal community was discussed during the Inquiry. Ms Nicole Ison, Program Coordinator, National Disability Coordination Office Program, University of Western Sydney told the Committee that disability is a concept that does not really exist within the Aboriginal community. Ms Ison commented:

... being able to work with Indigenous families in an appropriate way to help them understand the support that is available to assist their young people is really important but it needs to be done in a very careful way and one that does recognise that this concept of disability is something we are imposing.⁴³¹

- 6.28** Ms Ison's point was reiterated by the Council of Social Services NSW (NCOSS), which referred to the Policy Statement of the NSW Aboriginal Community Care Gathering Committee⁴³² which says:

Aboriginal culture does not distinguish or label disability; therefore Aboriginal people with disability are often not identified. Culturally "disability" does not exist in the Aboriginal community.⁴³³

- 6.29** According to the Policy Statement, Aboriginal people may be unwilling to disclose disabilities due to stigma or misunderstanding, which results in very low referral rates for disability treatment or disability development and support services.⁴³⁴ This also directly impacts on their ability to access transition supports or services.

- 6.30** In response to questioning from the Committee regarding the concept of disability in the Aboriginal community, Aunty Pat Doolan, President, Dubbo Aboriginal Education Consultative Group said:

It has always been a part of our society that it is your child and you just accept it. It is accepted in our communities. But if there are services available my people just do not go looking for services – certainly not my age group – and prior to that we just dealt with it. That has always been the culture.⁴³⁵

- 6.31** Another issue facing Aboriginal students with a disability and their families, raised by Mr Rodney Towney, Manager, Aboriginal Education and Training Unit, TAFE Western is that

⁴³⁰ Mr Ray Eldridge, Area Manager, Indigenous Student Services, Charles Sturt University, Evidence, 5 December 2011, p 37.

⁴³¹ Ms Nicole Ison, Program Coordinator, National Disability Coordination Office Program, University of Western Sydney, Evidence, 10 October 2011, p 43.

⁴³² The Gathering Committee focuses on community care services to older people and people with a disability. NCOSS acknowledged that the Policy Statement was developed for community care services, however suggested that it was also directly applicable to the education sector.

⁴³³ Submission 35, p 3.

⁴³⁴ Submission 35, p 3.

⁴³⁵ Aunty Pat Doolan, President, Dubbo Aboriginal Education Consultative Group, Evidence, 5 December 2011, p 40.

many Aboriginal people do not feel comfortable approaching non-Aboriginal people for assistance:

We have many people living in our community here at Dubbo that will not come up to TAFE, will not go to school or university unless they see an Aboriginal face behind the counter or they can ring for Ray, Shirley, me or Pat or one of my staff ... There is no way that those people will go to a non-Aboriginal person who is a counsellor, for example.⁴³⁶

- 6.32** Mr Towney asserted that more Aboriginal staff are needed in the education and disability sectors to help break down the barrier for Aboriginal people that need assistance.⁴³⁷ This was supported by Ms Shirley Anne Wilson, Chief Executive Officer, Multi-Purpose Allira Gathering Association, who maintained that ‘you need Aboriginal people working in there so that our people feel comfortable to openly speak.’⁴³⁸
- 6.33** Mr Towney emphasised that more Aboriginal staff who can actually fulfil the positions are needed, as opposed to having ‘token positions’ handed out.⁴³⁹
- 6.34** One role designated for Aboriginal staff is the Aboriginal Student Liaison Officer. There are currently 11 of these officers within DEC who work with Aboriginal students, their families and schools.⁴⁴⁰ The primary purpose of Aboriginal Student Liaison Officers is to improve the attendance of Aboriginal students, however NCOSS noted that they can also be used to assist with transitions.⁴⁴¹ Concerns however have been raised by the NSW Aboriginal Community Care Gathering Committee that these officers have sometimes been diverted into other functions or have not been readily available for their intended purpose.⁴⁴² NCOSS stated:

Given the incidence of disability amongst Aboriginal people and the fact that disability is not readily disclosed or identified, the role of well resourced, informed, well supported and locally available AELOs [Aboriginal Education Liaison Officers] will be critical at transition points for Aboriginal students with disability and other additional and complex needs.⁴⁴³

- 6.35** Concern was also raised during the Inquiry that Aboriginal or Torres Strait Islander students are subject to a significant rate of suspensions. They are 3 ½ times more likely to be suspended than non-indigenous students and account for 22 per cent of total long suspensions issued in schools, with 2,286 (or 5.6 per cent) of Aboriginal or Torres Strait Islander students receiving long suspensions in 2009.⁴⁴⁴

⁴³⁶ Mr Rodney Towney, Manager, Aboriginal Education and Training Unit, TAFE Western, Evidence, 5 December 2011, p 41.

⁴³⁷ Mr Towney, Evidence, 5 December 2011, p 41.

⁴³⁸ Ms Shirley Anne Wilson, Chief Executive Officer, Multi Purpose Allira Gathering Association, Evidence, 5 December 2011, p 46.

⁴³⁹ Mr Towney, Evidence, 5 December 2011, p 41.

⁴⁴⁰ Department of Education and Communities, *Staff in Primary and Infants Schools*, accessed 10 February 2012, <http://www.schools.nsw.edu.au/gotoschool/a-z/is_ps_staff.php>

⁴⁴¹ Submission 35, p 3.

⁴⁴² Submission 35, p 3.

⁴⁴³ Submission 35, p 3.

⁴⁴⁴ Submission 47, UnitingCare Children, Young People and Families, p 35.

- 6.36** Suspension issues are also considered below in regard to children in out-of-home care and juvenile justice.

Committee comment

- 6.37** The Committee notes the evidence that many Aboriginal students and their families only feel comfortable approaching Aboriginal staff for assistance. It is important for students with additional or complex needs and their families to come forward to seek assistance if they require it. Given the issues with access to information outlined in chapter 3 of this report, it is apparent that there needs to be sufficient numbers of Aboriginal officers who can provide that information to Aboriginal families.
- 6.38** We note that Aboriginal Student Liaison Officers can fulfil such a role, however also note that there are only 11 of these officers in New South Wales. We encourage DEC to create more of these positions.

Children and young people in out-of-home care

- 6.39** Several inquiry participants referred to transition issues faced by children and young people in out-of-home care (OOHC). Children and young people in OOHC have been removed by court order from their family as a result of abuse, neglect or parental incapacity.⁴⁴⁵ As of 30 June 2011, there were approximately 13,851 compulsory school aged children and young people in out-of-home care in New South Wales.⁴⁴⁶
- 6.40** Children and young people in OOHC have experienced significant trauma due to abuse or neglect, which impacts on their ability to learn and interact in socially appropriate ways.⁴⁴⁷ The NSW Government advised that these issues ‘may manifest in poor academic performance, poor engagement with the school environment and with peers, and behavioural problems resulting in educational difficulties and exclusion.’⁴⁴⁸
- 6.41** As noted earlier in this chapter, trauma is considered to be an ‘invisible disability’, and issues with this will be discussed in the next chapter.
- 6.42** UnitingCare Children, Young People and Families further noted that poor transition experiences ‘exacerbate disengagement and poor educational outcomes’ for children and young people in this group.⁴⁴⁹
- 6.43** One issue for children and young people in OOHC is that they often undergo a number of placement changes, which are usually associated with a change of school. Research conducted by one inquiry participant, Dr Michelle Townsend, found that while one or two changes may not have a significant impact on these children, multiple school transitions (attending more

⁴⁴⁵ Dr Michelle Townsend, Researcher, Centre for Children and Young People, Southern Cross University, Evidence, 13 December 2011, p 12.

⁴⁴⁶ Answers to supplementary questions 13 December 2011, Dr Michelle Townsend, Researcher, Centre for Children and Young People, Southern Cross University, Question 1, p 1.

⁴⁴⁷ Submission 47, p 9.

⁴⁴⁸ Submission 53 - Detailed, NSW Government, p 40.

⁴⁴⁹ Submission 47, p 10.

than four schools) have a cumulative negative effect on their academic and behavioural functioning,⁴⁵⁰ which can lead to these students leaving school earlier than their peers.⁴⁵¹

- 6.44** Dr Townsend expressed the view that decisions to change schools are probably made quicker than they need to be, and suggested that more consideration should be given to the child's preference:

... if they are very keen to stay in the same school, wherever possible they should be given support, whether through transport or whatever else is required to keep them at that school, because changing placement and changing school is a big dislocation for children to experience; every part of their life is new.⁴⁵²

- 6.45** Dr Townsend stated that allowing children and young people in OOHC to participate in decisions about school change and schooling options helps facilitate a successful transition to their new circumstances.⁴⁵³
- 6.46** Concerns about changing schools when changing care placements were also raised by Lifestyle Solutions, which noted that there do not appear to be any plans by DEC to ensure that children remain within their current educational environment when removed from parental care.⁴⁵⁴
- 6.47** In regard to supporting children in OOHC in the transition to high school, Dr Townsend asserted that there should be a comprehensive and supportive orientation program to build student familiarity and confidence in the new environment.⁴⁵⁵ Orientation programs are considered in chapter 8 – Best practice.
- 6.48** Dr Townsend also maintained that a comprehensive transition plan should be developed.⁴⁵⁶ The NSW Government advised that the NSW Department of Community Services (DoCS) has recently signed a Memorandum of Understanding with DEC to implement Individual Education Plans for all children and young people in statutory OOHC (the use of Individual Education Plans for transition planning is discussed in chapter 8).
- 6.49** However, UnitingCare Children, Young People and Families expressed the view that the implementation of this policy by schools is very variable, and that case workers often need to advocate strongly in order to get schools to develop these plans.⁴⁵⁷ This is consistent with other concerns regarding ad hoc implementation of policies that have been canvassed throughout the report.
- 6.50** Suspension was also raised as a key issue for children in OOHC. Dr Townsend advised that at the time of transition to high school over half of the group in her study of 56 children had

⁴⁵⁰ Submission 65, Dr Michelle Townsend, p 2.

⁴⁵¹ Dr Townsend, Evidence, 13 December 2011, p 10.

⁴⁵² Dr Townsend, Evidence, 13 December 2011, p 10.

⁴⁵³ Submission 65, p 2.

⁴⁵⁴ Submission 12, Lifestyle Solutions, p 2.

⁴⁵⁵ Submission 65, p 3.

⁴⁵⁶ Submission 65, p 2.

⁴⁵⁷ Submission 47, p 10.

been suspended at least once, a few had been suspended more than once, and some had been expelled from school altogether.⁴⁵⁸

- 6.51** The same concerns were raised by UnitingCare Children, Young People and Families, which noted that many children and young people in out-of-home care are not regularly attending school due to suspension or expulsion. UnitingCare advised that in 2007, 17 per cent of Burnside children and young people in care had either been suspended or expelled from school.⁴⁵⁹
- 6.52** Dr Townsend noted that suspension and expulsion have a significant impact on carers who are then expected to care for the child around-the-clock, which can be particularly difficult when the child has complex needs.⁴⁶⁰ She suggested that the suspension and expulsion policy be reviewed, noting that South Australia has a zero policy around excluding children in guardianship. Dr Townsend suggested that alternative methods be put in place to support these children and young people, such as in-school suspensions.⁴⁶¹

Committee comment

- 6.53** The Committee notes that a key issue impacting the educational experiences of children and young people in OOHC is moving between numerous different schools. We agree that children and young people in OOHC should be supported where possible if they wish to stay in the same school, regardless of changes in care placements, and we encourage DEC and DoCS to consider the preferences of these students before removing them from their school.
- 6.54** However we acknowledge that changes in school may be necessary for some changes in care placements, and note that adequate transition support for these students is essential. We therefore commend the Memorandum of Understanding between DEC and DoCS.
- 6.55** We note with concern the issues regarding suspension of children in OOHC. Suspension is also discussed below in regard to young people in juvenile justice.

Young people in juvenile justice

- 6.56** Another group with additional needs is young people that are in or have been in the juvenile justice system. This group is highly vulnerable and subject to multiple disadvantages. Young people that have been in custody have complex needs in relation to their health and social circumstances, and are more likely to have experienced difficulties participating in education and to have become disengaged from education prior to the legal school leaving age.⁴⁶² The latter points are illustrated in a 2009 NSW Young People in Custody Health Survey, which found that:
- the average age at which young people in custody left school was 14.4 years

⁴⁵⁸ Dr Townsend, Evidence, 13 December 2011, p 12.

⁴⁵⁹ Submission 47, p 10.

⁴⁶⁰ Dr Townsend, Evidence, 13 December 2011, p 12.

⁴⁶¹ Dr Townsend, Evidence, 13 December 2011, p 16.

⁴⁶² Submission 33, Occupational Therapy Australia - NSW Division, p 7.

- only 38 per cent of young people in custody were going to school in the six months prior to their remand
- 65 per cent of the sample had left school by Year 9
- 88 per cent had been suspended from school at least once
- 47 per cent had been excluded from school, and
- 41 per cent had attended a special school or class.⁴⁶³

6.57 Figures from the NSW Bureau of Crime Statistics and Research indicate that young people with low educational attainment are ‘more likely to offend, more likely to offend frequently, more likely to commit more serious offences and more likely to persist in crime.’⁴⁶⁴ It is therefore a vicious circle.

6.58 Young people that have been in custody also have a high prevalence of health conditions include intellectual disability, problematic alcohol and/or drug use, mental health conditions and poor socioeconomic status.⁴⁶⁵

6.59 Juvenile Justice advised that there are three key transition points where children and young people disengage from the formal education system, heightening the risk of engagement with or entrenchment within the justice and human services systems. These are the transitions from:

- primary to secondary school
- secondary to post-secondary education or training, and
- detention to mainstream school.⁴⁶⁶

6.60 Juvenile Justice asserted that the development of strategies and systems to support complex children and young people throughout these transitions is essential to enhancing rates of retention and re-engagement, adding: ‘At the heart of these strategies must be the principle that schools should be places where children want to be.’⁴⁶⁷

6.61 The Committee was advised that DEC operates an education and training unit in each juvenile justice centre so that young people can continue their studies while in custody.⁴⁶⁸ The NSW SSP Principals’ Network noted that these units often provide the only educational training that students have attended recently. However, it stated that once released from custody many young people do not appear to re-engage with education until being re-incarcerated.⁴⁶⁹

⁴⁶³ Submission 54, Juvenile Justice, p 3.

⁴⁶⁴ Submission 54, p 5.

⁴⁶⁵ Submission 33, p 7.

⁴⁶⁶ Submission 54, p 4.

⁴⁶⁷ Submission 54, p 4.

⁴⁶⁸ Attorney General and Justice, *Our partners – Education and training*, accessed 10 February 2012, <<http://www.djj.nsw.gov.au/ourpartners.htm>>

⁴⁶⁹ Submission 5, NSW SSP Principals’ Network, p 8.

- 6.62** DEC advised that all students in the education and training units have an Individual Education Plan that includes a transition pathway, and that through these plans students work toward School Certificates, Higher School Certificates, TAFE credentials or vocational pathways.⁴⁷⁰
- 6.63** Further to this, DEC stated that students in education and training units that are planning to return to an educational setting upon release are assisted with the transition process by education personnel.⁴⁷¹
- 6.64** However concerns were raised by the NSW SSP Principals' Network and Juvenile Justice regarding the transition of young people in the justice system back into the education system, recommending that there should be more targeted transition support for this group.⁴⁷²
- 6.65** Another issue facing young people in juvenile justice is that there is poor coordination between the various systems that have a role in their life. Lifestyle Solutions contended that the different systems appear unable to coordinate transitions from detention centres to appropriate accommodation, let alone the transition to educational environments.⁴⁷³ It stated for example:
- ... a young person leaving JJ detention may have a Juvenile Justice Officer, be homeless and referred to Community Services who may arrange emergency accommodation in a refuge, where workers will support the person. Depending on complexity the young person could also be engaged with mental health counsellors, alcohol and drug counsellors and a host of others tending to their bits of the whole with no possibility of enrolling in the education system as all other social problems preclude stability to engage in education.⁴⁷⁴
- 6.66** Suggestions to improve coordination between agencies are considered in chapter 8 – Best practice.
- 6.67** Similar to children in OOHC, concern was raised by Juvenile Justice regarding the impact of students being suspended or expelled from school. As seen at paragraph 6.56, significant numbers of young people in custody have been suspended or expelled from school, or excluded from mainstream settings and placed in a special school or class. Juvenile Justice acknowledged the difficulties mainstream teachers and schools face in dealing with challenging students and behaviours, however noted that there are limited placements available in special education settings, and argued that the issues need to be addressed within the local school and community setting:

The continuing ability of public schools to exclude challenging students, despite the lack of alternative educational options, will entrench poor future outcomes for these most disadvantaged and disenfranchised children and young people.⁴⁷⁵

⁴⁷⁰ Answers to questions on notice taken during evidence 12 September 2011, NSW Department of Education and Communities, Question 6, p 6.

⁴⁷¹ Answers to questions on notice taken during evidence 12 September 2011, NSW Department of Education and Communities, Question 6, p 6.

⁴⁷² Submission 54, p 5; Submission 5, p 8.

⁴⁷³ Submission 12, p 2.

⁴⁷⁴ Submission 12, p 3.

⁴⁷⁵ Submission 54, p 6.

Committee comment

- 6.68** The Committee recognises that supporting young people who have been in the justice system with transitions back into education settings is crucial to keeping this group engaged in the education system. We acknowledge that disengagement with school is likely to lead to higher rates of crime and recidivism.
- 6.69** We note that transition planning is offered to students in education and training units within juvenile justice centres, however also note that there are still concerns by inquiry participants that more support is needed. The Committee urges the NSW Government to provide more targeted support to assist young people leaving the juvenile justice system with the transition back into education.
- 6.70** In regard to school suspensions, we note that this is also a significant issue for Aboriginal students and children and young people in OOHC, as raised in previous sections. The Committee would support a review of DEC's policy regarding suspension and expulsion of students in these additional needs groups, however considers this to be beyond the terms of reference for this Inquiry.

Students with mental health issues

- 6.71** An issue raised in regard to students with mental health issues is that many disengage from school before turning 17 and are therefore not eligible to access Ageing, Disability and Home Care post-school programs (which were discussed in chapter 5).⁴⁷⁶
- 6.72** NCOSS referred to consultations with young people with mental health issues which found that many felt they lacked the supports required to stay in school until critical transition times.⁴⁷⁷
- 6.73** The NSW Schools for Specific Purposes Principals' Network similarly asserted that there is a lack of expertise and resources to support students with mental health issues in mainstream settings.⁴⁷⁸
- 6.74** Northcott Disability Services observed that many students (particularly high school students) with mental health issues find rigid and inflexible school environments to be overwhelming. These students may in turn 'act out', which can lead to teachers incorrectly assuming that they have behaviour management issues:

Rather than focussing on accessing support for mental health issues, the response is often targeted at behaviour management strategies and responses, including in some situations these students being placed in an 'Emotionally Disturbed' class; a title which can be labelling and stigmatising for the student.⁴⁷⁹

⁴⁷⁶ Answers to supplementary questions on notice, Northcott Disability Services, 12 September 2011, Question 5, p 4.

⁴⁷⁷ Submission 35, p 5.

⁴⁷⁸ Answers to supplementary questions on notice, NSW Schools for Specific Purposes Principals' Network, 12 September 2011, Question 4, p 2.

⁴⁷⁹ Answers to supplementary questions on notice, Northcott Disability Services, 12 September 2011, Question 5, p 4.

- 6.75** NCOSS advised that young people with mental health issues have expressed the view that often teachers and teachers' aides are not equipped to identify mental health issues. Young people consulted said 'they wished that someone would have taken the time to talk with them and see why they were acting out rather than punishing them for behavioural offences.'⁴⁸⁰
- 6.76** Other negative schooling experiences that may lead to young people with mental health issues disengaging early include stigma, social exclusion and bullying.⁴⁸¹
- 6.77** Another issue is that students with mild to moderate mental health issues may not be eligible for support services.⁴⁸² As previously mentioned, this issue of 'invisible disabilities' will be discussed in the next chapter.

Committee comment

- 6.78** The Committee received limited evidence regarding transition support for students with mental health issues. However we believe that the recommendations we have made throughout this report, particularly those regarding improved transfer of information and case management, will address the concerns raised regarding this group of students.

Students in rural and regional areas

- 6.79** The final group with additional or complex needs to be considered in this chapter are students and families that live in rural and regional New South Wales.
- 6.80** One of the main barriers to smooth educational transitions for this group is inequitable access to support and services,⁴⁸³ which was illustrated by the Country Women's Association of NSW:

Some city and regional schools have access to a large pool of qualified persons and agencies to assist; whereas small one or two teacher country schools (sometimes with just a teacher's aide to help out) will have no support.⁴⁸⁴

- 6.81** Similarly, in relation to funding ratios for students with a disability (using the example of students with Autism Spectrum Disorder), Mr Allan Young, Chief Executive Officer, Eloura Association (Inc) advised the Committee that rural students are disadvantaged:

In country areas, all schools with students with a disability are funded on a ratio of 1:9, that is, one teacher for every nine students. However, in the city you have three organisations – Aspect, Giant Steps and Woodbury – and children with autism may attend those schools at a ratio of 1:5 or even better. So if you are a child with autism in the country the best you can get funding-wise is a 1:9 ratio, whereas in the city those who can access one of the three organisations have funding at the ratio of 1:5.⁴⁸⁵

⁴⁸⁰ Submission 35, p 5.

⁴⁸¹ Submission 35, p 5.

⁴⁸² Submission 52, NSW Commission for Children and Young People, p 7.

⁴⁸³ Submission 32, p 8.

⁴⁸⁴ Submission 8, Country Women's Association of NSW, p 2.

⁴⁸⁵ Mr Allan Young, Chief Executive Officer, Eloura Association (Inc), Evidence, 13 December 2011, p 27.

6.82 Additionally, the Committee heard that there is a shortage of qualified teachers in regional areas,⁴⁸⁶ and that it is difficult to attract and retain staff in these areas.⁴⁸⁷ Combined with large distances between centres, the result is that many students with additional or complex needs in rural and regional New South Wales have significantly less access to support than students in the cities.⁴⁸⁸ They also have much less choice, as pointed out by Ms Rachel Merton, Chief Executive Officer, NSW Brain Injury Association:

... we have been talking about the person-centred approaches and family-centred approaches; at the heart of that is flexibility and options and choice. In rural and regional areas, that is really seriously diminished compared with the options and choices we have in metropolitan areas.⁴⁸⁹

6.83 Lack of choice was also raised by Ms Nicole Ison, Program Coordinator, National Disability Coordination Office Program, University of Western Sydney in relation to post-school options in rural and regional areas:

... there is a real lack of choice of Transition to Work and Community Participation providers in some areas and no choice in others in terms of there being only one provider, or providers even being a really long way away. Transport and access to a broad range of providers from which to choose are the biggest issues.⁴⁹⁰

6.84 Even where services are available in a community, witnesses from Mission Australia advised that there are often long waiting lists to access that support.⁴⁹¹

6.85 The Federation of Parents and Citizens' Association reported that anecdotally, some families have made the difficult decision to uproot their children to seek better access to services, resulting in their family support network being diminished, if not removed altogether.⁴⁹²

6.86 The Committee also heard positive stories about rural areas when it conducted its site visit to Dubbo. The Committee visited Orana Heights Public School which has four classes for students with additional or complex needs: an early intervention class for children aged 3 to 5 with disabilities; a class for children with moderate intellectual disabilities; a class for students with mild intellectual disabilities; and a special education class for children diagnosed with autism. The Committee was extremely impressed by the exemplary support and transition support provided by the staff at Orana Heights to students in these classes.

6.87 The Committee also met with service providers in Dubbo who, while noting difficulties caused by inadequate funding, also highlighted the benefits of being service providers in small communities in terms of being able to provide coordinated service provision (as discussed at 2.86).

⁴⁸⁶ Submission 44, Vision Australia, p 32.

⁴⁸⁷ Submission 10, Federation of Parents and Citizens' Association of NSW, p 2.

⁴⁸⁸ Submission 44, p 32.

⁴⁸⁹ Ms Rachel Merton, Chief Executive Officer, NSW Brain Injury Association, Evidence, 12 September 2011, p 37. Person-centred and family-centred approaches are discussed in chapter 8.

⁴⁹⁰ Ms Ison, Evidence, 10 October 2011, p 44.

⁴⁹¹ Ms Elizabeth Johnstone and Ms Dale Towns, Service Managers, Mission Australia, Evidence, 5 December 2011, p 23.

⁴⁹² Submission 10, p 2.

Committee comment

- 6.88** The Committee notes with the concern the evidence regarding inequitable access to support and services in rural and regional New South Wales. While relevant to the issue of transition support for students with additional or complex needs, we note that these are much bigger picture issues regarding skill shortages in rural and regional areas.
- 6.89** We believe that the recommendations we have made throughout this report (particularly the recommendations that in chapter 8 regarding case management and best practice methods) will assist to alleviate the issues facing students in this group.
- 6.90** However, even the best case manager and use of best practice methods will not be able to connect families to services or support staff that do not exist. We therefore recommend that the NSW Government look into ways to increase transition support services for students with additional or complex needs in rural and regional areas.

Recommendation 15

That the NSW Government consider ways to increase transition support services for students with additional or complex needs and their families in rural and regional New South Wales.

Chapter 7 Funding, staff and invisible disabilities

This chapter considers other issues raised during the Inquiry in relation to funding and teachers. It also examines the attitudes of schools and principals, and the impact of those attitudes on enrolments, students and transition planning. The chapter then discusses the role of parents as advocates before considering the issue of ‘invisible disabilities’.

Funding

7.1 Issues with funding for students with additional or complex needs and different funding options will be considered in the following sections.

General funding for students with additional or complex needs

7.2 The total 2011/12 recurrent budget for the Department of Education and Communities (DEC) is \$13.764 billion (of which \$13.335 billion is allocated to Education and \$0.429 billion to Communities). Of that, \$9.919 billion will be spent on government schools and \$1.18 billion will be spent on special education. Government schools also receive 16.5 per cent of their funding from the Commonwealth.⁴⁹³

7.3 Funding for students with a disabilities and special needs was considered in depth in the 2010 NSW Legislative Council General Purpose Standing Committee No. 2 inquiry into the provision of education to students with a disability or special needs (the ‘Disability Education inquiry’).⁴⁹⁴

7.4 The Disability Education inquiry found that funding for students with disabilities and special needs was grossly inadequate to enable full participation by these students in the education system.⁴⁹⁵ One of its key recommendations was that the NSW Government substantially increase funding for students with disabilities and special needs in NSW Government schools to ensure that all students have equitable access to education.⁴⁹⁶

7.5 In its response to the Disability Education inquiry, the NSW Government stated that it has increased funding to support students with a disability over recent years, noting that its special education budget had increased by 144 per cent from 2000/01 to 2010/11.⁴⁹⁷

7.6 However the Committee in this Inquiry found that funding continues to be an issue for students with additional or complex needs.

⁴⁹³ Answers to questions on notice taken during evidence 12 September 2011, Department of Education and Communities, Question 1, p 1.

⁴⁹⁴ NSW Legislative Council, General Purpose Standing Committee No. 2, *The provision of education to students with a disability or special needs*, Report 34, July 2010.

⁴⁹⁵ General Purpose Standing Committee No. 2, Report 34, p xiv.

⁴⁹⁶ General Purpose Standing Committee No. 2, Report 34, Recommendation 1.

⁴⁹⁷ NSW Government response to the report of the NSW Legislative Council, General Purpose Standing Committee No. 2 inquiry into the provision of education to students with a disability or special needs, January 2011, p 5.

- 7.7** The NSW Teachers Federation stated that the increased number of students with disability or complex needs, combined with the shift toward greater inclusion of these students in mainstream education, has placed more pressure on resources and funding.⁴⁹⁸
- 7.8** The NSW Commission for Children and Young People similarly noted the significant growth in the number of children diagnosed with a disability in recent decades (as discussed in chapter 2), and asserted that this growth needs to be matched by increased resources to children and young people with disability in the school system.⁴⁹⁹

Funding for transitions

- 7.9** In regard to funding for transitions, the Committee was informed that there is no targeted government funding specifically for transitions (for any student, not just students with additional or complex needs). Funding to assist with transition support comes out of the Education budget, however, as noted by the Commissioner for Children and Young People, Ms Megan Mitchell, 'it is not clear how the resources are currently being used and we do not have any way of finding that out easily.'⁵⁰⁰
- 7.10** Ms Jill Dean, President, NSW Schools for Specific Purposes (SSPs) Principals Network, Glendon School, advised that funding to support children with additional or complex needs with the transition into SSPs comes out of each school's own budget:

Each year for example I get 14 new children in kindergarten coming into my school. That requires me to go to my global budget to release somebody to go ... and visit the children in their early intervention schools or their preschool program ... We talk with the staff. We observe the children. We get an understanding of what the child's needs are and if we could actually place them for a class next year.

That has come out of our global budget to release our staff every year to do that, to call in, to do the learning support team meetings that are essential to hear the parents' perspective of the things that we might need to look at.⁵⁰¹

- 7.11** Similarly the NSW Teachers Federation said that to supplement the work of transition support teachers who work in secondary schools and Schools for Specific Purposes (SSPs), 'schools invariably rely on already stretched global budgets and teacher goodwill to provide transition programs'.⁵⁰²
- 7.12** The NSW Commission for Children and Young People recommended that there be discrete funding to support transition planning for children and young people with a disability.⁵⁰³ Similarly, the NSW Teachers Federation recommended that there be additional funding for

⁴⁹⁸ Submission 32, NSW Teachers Federation, p 6.

⁴⁹⁹ Submission 52, NSW Commission for Children and Young People, p 5.

⁵⁰⁰ Ms Megan Mitchell, Commissioner, NSW Commission for Children and Young People, Evidence, 13 December 2011, p 39.

⁵⁰¹ Ms Jill Dean, President, NSW Schools for Specific Purposes Principals Network, Glendon School, Evidence, 12 September 2011, pp 69-70.

⁵⁰² Submission 32, p 6.

⁵⁰³ Submission 52, p 6.

students with additional or complex needs, in the form of a discrete budget item designated for transition support.⁵⁰⁴

Committee comment

- 7.13** The Committee notes the concerns regarding inadequate funding for students with a disability generally, however considers this to be beyond the scope of our terms of reference which relate specifically to transition support for students with additional or complex needs. We are hopeful however that the introduction of the National Disability Insurance Scheme ('NDIS', outlined at 2.113 – 2.117) may alleviate many of the disability funding concerns raised by inquiry participants.
- 7.14** In regard to the lack of specific transition funding, the Committee makes two key recommendations in chapter 8 regarding the need for a dedicated transition section within DEC (Recommendation 19) and adequate case managers within that section to provide support to students with additional or complex needs through key transitions (Recommendation 20). We believe that this issue will be addressed by those recommendations.

Funding following the student

- 7.15** One suggestion raised during the Inquiry was that funding should follow the student. Vision Australia recommended:

That the NSW government reviews funding arrangements to bring them into a 'funding follows the student' approach, thus providing equity of choice for families, easy transition through all stages of education, and more efficient and equitable utilization of resources across regional borders.⁵⁰⁵

- 7.16** Vision Australia contended that this would overcome issues with funding inequities between different schools, such as one school having students with greater need for funds than another school on an equal budget,⁵⁰⁶ or private or independent schools turning away students due to inequities in funding compared to government schools.⁵⁰⁷
- 7.17** Dr Sev Ozdowski, Director, Equity and Diversity, University of Western Sydney informed the Committee about recent reforms to disability funding at his university, where resources are personally allocated to each student, rather than the unit of the university.⁵⁰⁸ Dr Ozdowski explained that under this approach, 'if a student moves from one school to another or from one area to another the student can carry the support equipment with them. I think it is very important.'⁵⁰⁹

⁵⁰⁴ Submission 32, p 6.

⁵⁰⁵ Submission 44, Vision Australia, pp 9-10.

⁵⁰⁶ Submission 44, p 34.

⁵⁰⁷ Submission 44, pp 9-10.

⁵⁰⁸ Dr Sev Ozdowski, Director, Equity and Diversity, University of Western Sydney, Evidence, 10 October 2011, p 41.

⁵⁰⁹ Dr Ozdowski, Evidence, 10 October 2011, p 41.

7.18 Ms Nicole Ison, Program Coordinator, National Disability Coordination Office Program, University of Western Sydney advised that it is best practice to have money following a person rather than a department or an institution. She noted that a closely related issue is funding for assistive technology, which also stays with the department of institution. Ms Ison told the Committee about students who have ‘fought tooth and nail’ to get funding for assistive technology, however the equipment stays with the school if they leave and the student has to start the process again from scratch to get the equipment at their next education provider. Ms Ison said:

We have heard stories of storerooms in schools full of laptops and software and all this stuff that is not being utilised and then meanwhile, sitting in TAFEs and universities, are students who are struggling to find funding to support them to access this kind of equipment that is sitting there, not being used and getting out of date in their previous settings. It is of real concern.⁵¹⁰

7.19 In regard to such a model however Vision Australia stressed that safeguards would be needed to ensure the funds are appropriately used on the student, rather than being appropriated for other school needs with little benefit for that student.⁵¹¹

7.20 On 15 April 2010, the former Minister for Education, the Hon Julia Gillard MP, announced a review into school funding arrangements (the ‘Gonski review’). The purpose of the review, chaired by Mr David Gonski AC, was to provide recommendations on the future funding arrangements for schooling in Australia for the period beyond 2013.⁵¹²

7.21 As part of the Gonski review, the panel released four research reports, seeking feedback from the general public.

7.22 One of the research reports, prepared by the Allens Consulting Group, proposed a ‘funding follows the student’ model, where all students would receive a standard base level of funding that could then be boosted by various loadings based on the differing needs of individuals and communities.⁵¹³

7.23 The final report of the Gonski review was publicly released on 20 February 2012. While the report made a number of recommendations to overhaul the school funding system (see chapter 1 at 1.13), it did not recommend a ‘funding follows the student’ model.

Committee comment

7.24 The Committee considers that a model where funding follows the student could be worth considering. However we received limited evidence on this matter. We also note that the Gonski review examined this model in detail and did not recommend that it be implemented.

⁵¹⁰ Ms Nicole Ison, Program Coordinator, National Disability Coordination Office Program, University of Western Sydney, Evidence, 10 October 2011, p 41.

⁵¹¹ Submission 44, p 34.

⁵¹² Department of Education, Employment and Workplace Relations (Cth), *Review of Funding for Schooling: final terms of reference, Updated November 2010*, accessed 24 February 2012, < <http://www.deewr.gov.au/Schooling/ReviewofFunding/Documents/ReviewFundToR.pdf> >

⁵¹³ The Allen Consulting Group, *Feasibility of a National Schooling Recurrent Resource Standard: Final Report*, August 2011, xi.

Control and flexibility

- 7.25** It was suggested that funding should be more flexible to better meet needs. For example, the NSW Secondary Principals' Council advised that there is certain school funding that can only be used to employ learning support officers, however argued that it should be able to be used to access other support services where they may be more appropriate.⁵¹⁴
- 7.26** The 2011 NSW Ombudsman report, *Consultations with families of children with disabilities on access to services and support* (the 'Ombudsman report') found that parents and carers also wanted more control over how funds are used. The report stated: 'Many families expressed the view that the way funds are managed in the current disability system is inefficient, with too many 'middle men' and insufficient direct care providers.'⁵¹⁵
- 7.27** As discussed in chapter 2, under *Stronger Together 2* the NSW Government has committed to individual, portable and flexible packages for anyone receiving disability services by the end of 2013-14 (see paragraph 2.60). This was supported by Miss Emily Caska, State Policy Coordinator, National Disability Services, who also referred to the flexibility that is expected under the NDIS:
- I think the NDIS and Stronger Together 2 provides us with some really good platforms to enhance choice, voice and control around portability and individualised funding. So inverting that paradigm where the person with the disability and their families hold the money and they can choose who they spend their package with will really shake up the system and revolutionise how responsive education and other providers are in terms of providing that genuine choice as opposed to prescribed choice along program barriers.⁵¹⁶
- 7.28** Additionally, there are state and federal policies to increase local school decision making over the allocation of school budgets. The NSW Government made an election commitment to move more decision making to schools and local communities to help them better meet the needs of their students.⁵¹⁷ As part of this, DEC recently engaged in public consultations, summarising the key themes that emerged in a 'Local Schools, Local Decisions: Interim Report' in November 2011.⁵¹⁸ DEC has also been running a School Based Management Pilot in 47 schools around the state.⁵¹⁹
- 7.29** There is also an Australian Government to give school communities more authority in governance, finance and human resources – entitled the 'Empowering Local Schools

⁵¹⁴ Submission 19, NSW Secondary Principals' Council, p 3.

⁵¹⁵ Ombudsman, *Consultations with families of children with disabilities on access to service and support*, Final report, June 2011, p 6.

⁵¹⁶ Miss Emily Caska, State Policy Coordinator, National Disability Services, Evidence, 10 October 2011, p 46.

⁵¹⁷ Hon A Piccoli MP, Minister for Education, 'Empowering local schools to enable better teaching and learning', *Media Release*, 11 August 2011.

⁵¹⁸ NSW Department of Education and Communities, *Local Schools, Local Decisions: Interim Report*, November 2011.

⁵¹⁹ Department of Education and Communities, *NSW Public Schools - Local Schools, Local Decisions*, accessed 21 February 2012, <<http://www.schools.nsw.edu.au/news/announcements/yr2011/aug/lslld/index.php>>

initiative'. The Australian Government has committed \$480.5 million over seven years to 2017 to empower participating schools to make local decisions to better respond to the needs of students and the school community and provide services designed to assist their students to achieve their best educational outcomes.⁵²⁰

Committee comment

7.30 The Committee supports the New South Wales and Australian Government policies to empower schools to make more local decision making in regard to their school budgets. We agree that this will enable schools to make decisions that best suit the needs of their students and school community, yet we emphasise that it is imperative that these decisions include a focus on transition support. We believe that our recommendations in chapter 8 for a dedicated transition section and transition case managers (Recommendations 19 and 20) will assist in this regard.

Supervisor Subsidy Scheme

7.31 The Supervisor Subsidy Scheme provides funding from the NSW Government to non-government special schools (in addition to per-capita funding allocations) to assist with additional supervision for students with a disability. The amount of the subsidy is based on the number of students with a disability enrolled in each school.⁵²¹

7.32 Mr Allan Young, Chief Executive Officer, Eloura Association (Inc) advised that the subsidy ceases when students turn 18 years old. Mr Young pointed out that this is an issue if a student turns 18 in their final year of school – particularly if it is in Term 1. He illustrated the impact of this in the following example:

Our friends at Biala school in Ballina this year had a situation where four of their students turned 18 during the year. The outcome was that they lost funding for a teacher although they did not lose a single student through the year. This has a dramatic impact on how the transition of those students or even the whole education program in the school can be affected.⁵²²

7.33 Mr Young further noted that other students may not finish school until they turn 19, as some students (particularly students with a disability) start school at different times or may have repeated a year. Mr Young noted that for some students an extra year 'will make a huge difference as to whether they succeed or fail when they leave school', however expressed concern that the subsidy is not available to these students.⁵²³

⁵²⁰ Department of Education, Employment and Workplace Relations (Cth), *Empowering Local Schools*, accessed 21 February 2012, <<http://www.deewr.gov.au/schooling/Pages/EmpoweringLocalSchools.aspx>>

⁵²¹ NSW Government submission to the Legislative Council, General Purpose Standing Committee No. 2 inquiry into the provision of education to students with a disability or special needs, 18 March 2010, p 30.

⁵²² Mr Allan Young, Chief Executive Officer, Eloura Association (Inc), Evidence, 13 December 2011, p 27.

⁵²³ Mr Young, Evidence, 13 December 2011, p 31.

Committee comment

- 7.34** The Committee supports the Supervisor Subsidy Scheme, however notes the issues raised by Mr Young regarding the funding ceasing when students turn 18. The impact of this are clearly detrimental if schools lose a teacher when they do not lose any students.
- 7.35** We therefore recommend that the provision of this subsidy be extended to fund students for the whole period they are enrolled at special schools.

Recommendation 16

That the NSW Government amend the Supervisor Subsidy Scheme so that funding continues while a student is enrolled in school, even after the student turns 18.

Teachers

- 7.36** Concerns were raised during the Inquiry regarding teacher training and the amount of time that teachers have to prepare for transitions.

Teacher training

- 7.37** Teacher training was also considered in depth in the Disability Education inquiry. Teachers in that Inquiry expressed that they did not feel equipped to cater for the learning needs of students with disabilities and special needs.⁵²⁴
- 7.38** Teacher training was again raised as a significant issue during this Inquiry. For example, the NSW Chapter of the Australian Association of Special Education claimed that only 60 per cent of teachers in special schools are appropriately qualified.⁵²⁵
- 7.39** Mr John Betts, a parent and the President of Orange Autism Support Group, observed: ‘Often a lot of people will have a teaching degree but no in-depth knowledge into disability.’⁵²⁶
- 7.40** The Committee heard that many teachers do not feel confident supporting students with additional or complex needs, particularly now with the shift toward mainstream education of students with disability. The submission from Occupational Therapy Australia - NSW Division commented:

Teachers frequently report that they do not possess the skills or experience to assist students who cannot access the curriculum or school grounds in the way that typically developing students do. This situation creates undue stress for the teacher, the student and the parents of the child.⁵²⁷

⁵²⁴ General Purpose Standing Committee No. 2, Report 34, p xix.

⁵²⁵ Submission 56, NSW Chapter of the Australian Association of Special Education, p 7.

⁵²⁶ Mr John Betts, Parent and President of Orange Autism Support Group, Evidence, 5 December 2011, p 5.

⁵²⁷ Submission 32, p 15.

- 7.41** Likewise the Catholic Education, Diocese of Parramatta stated that schools and teachers feel stretched in their ability to adequately provide for students with additional needs:

Teachers don't believe they have the skills to cater for the diversity of student need in their classrooms, particularly for those students with moderate intellectual disability and/or challenging behaviour and/or complex communication needs and/or complex mental health needs.⁵²⁸

- 7.42** Ms Belinda Epstein-Frisch, Systems Advocate, Family Advocacy suggested that more training was needed, in particular for the older generation of teachers:

Another barrier is the competence of much of the school teaching profession, many of whom have graduated at a time when it was expected that most students who were different in one way or another would go and be educated elsewhere.⁵²⁹

- 7.43** Down Syndrome NSW expressed similar concerns in regard to teachers who have been teaching students with Down syndrome for many years, yet have not updated their knowledge in decades:

They assume that they are experts because they are experienced, but many of them are out of date and compound disadvantage for their students on a daily basis. They are not accessing methods and resources that enhance the learning of students with Down syndrome, and that would make their own professional lives easier and more rewarding.⁵³⁰

- 7.44** Down Syndrome NSW suggested that if these teachers are involved in transition planning, they are likely to prepare in the same way they have done for past students, adopting a 'one-size-fits-all' approach without due consideration to the individual needs of each new student.⁵³¹

- 7.45** However the Committee also heard positive stories about teachers and school staff. During its visit to Dubbo, Mr Betts told the Committee that he had seen 'really good people who have been trained and who have the right idea of training teachers and introducing strategies for individual teachers to make it easy for the teacher and the kid'.⁵³² This was supported by Ms Melissa McWilliam, a parent and member of the Guiding Hands Autism Support Group, who suggested that the problem was more that staff with relevant expertise are overstretched.⁵³³

- 7.46** The need for more specialist teachers is an issue across all of Australia. The Committee was informed that the Victorian Government had attempted to address this shortage by providing 100 scholarships for teachers to undertake graduate diploma training in special education.⁵³⁴

⁵²⁸ Submission 21, Catholic Education, Diocese of Parramatta, p 1.

⁵²⁹ Ms Belinda Epstein-Frisch, Systems Advocate, Family Advocacy, Evidence, 13 December 2011, p 46.

⁵³⁰ Submission 39, Down Syndrome NSW, p 18.

⁵³¹ Submission 39, p 18.

⁵³² Mr Betts, Evidence, 5 December 2011, p 4.

⁵³³ Ms Melissa McWilliam, parent and member of Guiding Hands Autism Support Group, Evidence, 5 December 2011, p 3.

⁵³⁴ Mr Alan Wilson, Acting Manager, Disabilities and Educational Support Program, Victorian Department of Education and Early Childhood Development, Evidence, 10 October 2011, p 21.

7.47 The Committee was also informed that DEC has been trialling online courses to upskill teachers. For example, it has been offering a seven-week online autism course, which Ms Desley Morgan, Vice President, NSW Primary Principals' Association considered to have been successful. Ms Morgan noted that the online courses are the only standard courses that are offered to upskill teachers – who would otherwise have to source their own ad hoc training.⁵³⁵

7.48 The use of online learning courses for mainstream teachers was supported by Ms Epstein-Frisch:

The strategies of the online learning courses seem a really great way. It is an enormous teaching population but those kinds of units of study have been well received. It absolutely does not make a teacher into a specialist but it gives them some of the knowledge and skills that they need.⁵³⁶

7.49 In addition to training school staff on how to support students with a disability, Northcott Disability Services asserted that staff need to be suitably educated on the process and options for transition support, as well as on how to implement programs into the new setting.⁵³⁷

7.50 The NSW Secondary Principals' Council further noted that there is also a need to train staff on the specific issues and needs of individual students prior to their arrival:

The teacher(s) at the receiving school have to be provided with appropriate and adequate training to deal with the student. Failure to do this is abusive to the student, the teacher and the other students in the setting.⁵³⁸

Committee comment

7.51 The Committee received a significant amount of evidence regarding teacher training during the Inquiry, however the majority of it was general evidence about training teachers to support students with disabilities, rather than being specifically about transition support. As such, we have only reflected a small portion of the evidence received in this Inquiry.

7.52 We note the Victorian Government initiative to provide scholarships for teachers to undertake further training in special education, and express support for that idea. We encourage the NSW Government to consider providing a similar scheme.

Insufficient time to prepare for transitions

7.53 An issue raised by inquiry participants is that teachers are not given enough release time to support students to transition. The NSW Parents' Council Inc. stated:

School staff are busy and often overwhelmed. Transition support creates more work for already overloaded staff. Teacher casual relief costs around \$660 per day. Schools

⁵³⁵ Ms Desley Morgan, Vice President, NSW Primary Principals Association, Evidence, 12 September 2011, p 62.

⁵³⁶ Ms Epstein-Frisch, Evidence, 13 December 2011, p 46.

⁵³⁷ Submission 17, Northcott Disability Services, p 13.

⁵³⁸ Submission 19, p 3.

often cannot find the resources to relieve teachers to attend IEP [Individual Education Plan] or transition planning meetings.⁵³⁹

7.54 Professor Bob Perry, Murray School of Education, Charles Sturt University emphasised the importance of communication in transition planning, however similarly agreed that teachers just don't have time:

... what we need to do is to get people talking to each other and that means providing them the resources to have time to do that because whenever there is a suggestion that people talk to each other, that is the answer you get: We don't have time to do that. Or we are a pre-school and our children go to 15 different schools, how can you expect us to talk to all of them?⁵⁴⁰

7.55 The NSW Chapter of the Australian Association of Special Education observed that teachers in special education also have insufficient time to 'devote to planning and collaboration with families, students and service providers.'⁵⁴¹ The Association asserted that teachers need to be given a manageable caseload if transitions are to be effectively supported.

7.56 The Committee was advised that primary school teachers and teachers in secondary SSPs get two hours release from face-to-face teaching to prepare for a student's transition and become acquainted with their family.⁵⁴² Ms Anne Flint, Vice President, NSW SSPs Principals' Network, Holroyd School declared that this 'is inadequate when you are trying to build a picture about a young person with significant needs.'⁵⁴³

7.57 Dr Coral Kemp, part-time academic and special education consultant and Ms Dawn Chadwick, manager of the STaR Childcare Support Program argued that teachers must be given necessary supports if a child's transition is to be successful. They said that such supports may be direct supports such as teacher aide assistance, or indirect assistance such as professional development to assist them to cater for the learning needs of the child with a disability in their classroom.⁵⁴⁴

7.58 Mr Graeme McLeod, Convenor, NSW Primary Principals' Association noted that assistance is provided by school learning support teams,⁵⁴⁵ however expressed the view that the effectiveness of these teams is limited due to time constraints.⁵⁴⁶ This was supported by Ms

⁵³⁹ Answers to supplementary questions on notice, 10 October 2011, NSW Parents' Council Inc, Question 2.

⁵⁴⁰ Professor Bob Perry, Murray School of Education, Charles Sturt University, Evidence, 12 September 2011, p 22.

⁵⁴¹ Submission 56, p 7.

⁵⁴² Mr Graeme McLeod, Convenor, Primary Principals Association, Evidence, 12 September 2011, p 66; Ms Anne Flint, Vice President, NSW Schools for Specific Purposes Principals' Network, Holroyd School, Evidence, 12 September 2011, p 75.

⁵⁴³ Ms Flint, Evidence, 12 September 2011, p 75.

⁵⁴⁴ Submission 37, Dr Coral Kemp and Ms Dawn Chadwick, p 8.

⁵⁴⁵ School learning support teams provide integrated support to students with disabilities or special needs in the mainstream setting. The teams function as a whole school planning mechanism to address the learning support needs of students through collaborative planning between educators, service professionals, students and their families.

⁵⁴⁶ Mr McLeod, Evidence, 12 September 2011, p 66.

Flint who told the Committee: '[T]he learning support team model is a great model but it is not adequately resourced with time to make it function effectively.'⁵⁴⁷

Committee comment

- 7.59** The Committee is concerned by the evidence that teachers do not have adequate resources (whether it be time or support) to adequately plan and prepare for student transitions. We also note the comments from inquiry participants regarding the constraints faced by school learning support teams. It is clear to the Committee that there are a number of good programs and support options in place, however their effectiveness is limited by these constraints. This has a significant negative impact on the success of transitions.
- 7.60** We note the evidence referred to earlier at 7.28 – 7.29 outlining the NSW Government's policy to increase local decision making by schools in regard to their resources. It is essential that transition support becomes and remains a priority for schools when making resource decisions. The Committee believes that the recommendations we have made throughout this report will assist this to occur, particularly our recommendations in chapter 8 regarding a dedicated transition section and transition case managers (Recommendations 19 and 20), which we consider will provide guidance and focus to schools on the importance of transition support for students with additional or complex needs.

Attitudes

- 7.61** Families feel that some schools and principals have been unwelcoming toward their child with additional or complex needs. The impact of such attitudes will be considered in the following sections.

Impact on enrolments

- 7.62** Early Childhood Intervention Australia (NSW Chapter) Inc. stated that school attitudes toward the enrolment of children with disabilities and delays are highly variable, despite policies which support the right of families to exercise their choice of school.⁵⁴⁸
- 7.63** This was reiterated by several inquiry participants. For example, one submission author commented: 'When it comes to schools and their attitudes to children with a disability the rumour is that it all depends on the principal.'⁵⁴⁹
- 7.64** In relation to students with Autism Spectrum Disorder, Dr Trevor Clark, Director, Education and Research, Autism Spectrum Australia (Aspect) observed that some schools are extremely receptive and open to supporting the enrolment of these students, whereas others may be resistant due to a lack of knowledge of the disability and awareness of how to support the child's education.⁵⁵⁰

⁵⁴⁷ Ms Flint, Evidence, 12 September 2011, p 75.

⁵⁴⁸ Submission 50, Early Childhood Intervention Australia (NSW Chapter) Inc., p 5.

⁵⁴⁹ Submission 40, Name suppressed, p 2.

⁵⁵⁰ Dr Trevor Clark, Director, Education and Research, Autism Spectrum Australia (Aspect), Evidence, 10 October 2011, p 20.

7.65 Mr Dave Ryan, Operations Manager, Orana Far West, UnitingCare Burnside reiterated the variability of schools:

... the services are highly variable. You could present your school in a small community with an enrolment form. That principal could go through their risk assessment and say, "We have not got the services to support." Then you could go to another town very close by and that principal, depending on his attitude, could accept that child and say, "Yes, we will work with this child. We are prepared to put in the supports." But they will not have any greater access to other supports so again it depends on principals.⁵⁵¹

7.66 Vision Australia went so far as to claim that in some cases, 'the lack of specialist support is a result of blatant, sometimes hostile, opposition on the part of school personnel to accept their moral, legal and policy responsibility for the equal education of students with disabilities in main stream schools.'⁵⁵²

7.67 The NSW Primary Principals' Association, on the other hand, rejected the suggestion that schools have been resistant or reluctant to accept children with disability. It insisted that any enrolment issues are more likely to be a result of resource concerns:

NSW public primary schools are founded on a strong set of values about inclusion, acceptance, diversity and community. Most principals believe that their school is enriched by the presence of a diversity of children, including those with disability. Difficulties and issues that arise are related to practical matters such as staffing, resourcing and setting priorities ... We are confident that schools are good at recognizing and embracing difference, including difference associated with disability.⁵⁵³

7.68 However Mr Betts disagreed, arguing that enrolment issues could be addressed by a change in attitudes rather than additional resources:

I have read some of the Principals' Association's submission to this inquiry and a lot of it stems from "throw us some resources and we will make it better" but ... there may not be the resources available. I think we can overcome the problems with transition with overcoming the situations within schools and not necessarily employing more people and spending more money. It is really a change of attitude: let's adapt the systems within the schools to suit the kids rather than the other way around.⁵⁵⁴

⁵⁵¹ Mr Dave Ryan, Operations Manager, Orana Far West, UnitingCare Burnside, Evidence, 5 December 2011, p 25.

⁵⁵² Submission 44, p 30.

⁵⁵³ Submission 15, NSW Primary Principals' Association, p 1.

⁵⁵⁴ Mr John Betts, Parent and President of Orange Autism Support Group, Evidence, 5 December 2011, p 4.

Case study: Toby*

Toby is a 14 year old student with high-functioning autism. He has been through several educational transitions which have had varying levels of success due to different attitude of teachers.

For Toby's transition from Year 4 to Year 5, Toby and his family went to a transition meeting with his Year 5 his teacher. The teacher asked Toby: "Do you like music or will you play music?"

Toby was a bit reluctant because he doesn't like music or noise. The teacher then said: "In my class, everyone learns the recorder."

This comment threw Toby into a tantrum and he stormed out of the room. The teacher looked at Toby's father and read his body language and said: "I've stuffed it, haven't I?" Toby's father replied: "Yes, you have. You'll never get him back in this classroom again."

However, the teacher spent her Christmas holidays reading up on how to teach children with autism. She also arranged several more meetings with Toby and his family. By the time Toby started in her class he found that she was best teacher he'd had ever had. Toby's father noted: "She wanted to change to make it work, and that is the key to good transition."

Toby's transition to high school was a different story. Toby, his family, his Year 6 teacher and the deputy principal from his primary school met with the high school to pass on tips regarding what works and what doesn't work for Toby. They also pointed out triggers for sensory problems that could cause Toby to have a meltdown. However, this information was ignored by the high school staff, and within the first few weeks Toby had a meltdown and his parents were called in to calm him down.

Toby's father said: "[U]nless the receiving schools have really got their heart in doing it properly, they will all fail. You can have the best preparation and it will all fall over if the suggestions about what works and what does not are not taken up."

* Mr Toby Betts, student, and Mr John Betts, parent and President of Orange Autism Support Group, Evidence, 5 December 2011, p 8.

Impact on students and their families

- 7.69** School attitudes can have a significant impact on students and their families. As noted by the Federation of Parents and Citizens' Association of NSW, the attitude of school staff 'is vital in providing an environment which will promote a smooth transition for students and their families.'⁵⁵⁵
- 7.70** Early Childhood Intervention Australia (NSW Chapter) Inc. added that having a principal with a positive and welcoming attitude makes an enormous difference to families, both on the enrolment process and on the child's continuing attendance at that school, and contributes significantly to positive educational and social outcomes for the child.⁵⁵⁶
- 7.71** School attitudes were also raised in the Ombudsman report, where families echoed the view that the quality and adequacy of support provided to students with disabilities depends largely

⁵⁵⁵ Submission 10, Federation of Parents and Citizens' Association of NSW, p 6.

⁵⁵⁶ Submission 50, p 6.

on the attitude of individual principals and teachers. The report stated:

We were provided with numerous examples of parents moving their child from one government, Catholic or independent school to another and having markedly different experiences and receiving quite different levels of support, even though the child's support needs had not changed.⁵⁵⁷

7.72 Ms McWilliam suggested that some staff may feel that certain children do not belong in their school:

I have heard teachers specifically say, "The child doesn't belong here. What is he doing here?" That is how forward they will be in expressing that sort of view. These were my superiors saying that, and as someone who was trying to support an individual within the school system that can be very disheartening and something that is difficult to overcome.⁵⁵⁸

Impact on transition planning

7.73 A school's attitude can negatively impact on the success of transition planning. This was highlighted by Mr Betts in regard to the use of individual transition plans (which are considered in chapter 8). Mr Betts supported the use of these plans, however noted that: 'Individual transition plans are the way to go but they are only as good as the people who agree to do them.'⁵⁵⁹ Mr Betts explained:

... with transition you can have the best preparation you can have but unless the place they are going to – the receiving school – really wants to work hard to make it work it just will not work.⁵⁶⁰

7.74 In regard to broader transition planning, Dr Kemp and Ms Chadwick said that it is not uncommon for schools to refuse to participate in collaborative transition meetings with families and prior-to-school services.⁵⁶¹

7.75 Another issue is that some teachers may ignore recommendations regarding individual students with additional or complex needs. For example, in relation to previous year teachers providing tips to new teachers for managing individual students with autism, Dr Clark said:

... what we find is that some of those things are not followed through, because when it gets to the classroom teacher they think, "Oh, that doesn't make sense to me. I don't really want to spend my time doing that," or they try it once and it does not work so they do not try it again.⁵⁶²

⁵⁵⁷ Ombudsman, *Consultations with families of children with disabilities on access to services and support*, Final report, June 2011, p 13.

⁵⁵⁸ Ms McWilliam, Evidence, 5 December 2011, p 3.

⁵⁵⁹ Mr Betts, Evidence, 5 December 2011, p 4.

⁵⁶⁰ Mr Betts, Evidence, 5 December 2011, p 2.

⁵⁶¹ Submission 37, p 12.

⁵⁶² Dr Debra Costley, General Manager, Education Development and Research, Autism Spectrum Australia (Aspect), Evidence, 10 October 2011, p 19.

- 7.76 Or, as noted by Mr Betts, some schools say they will implement certain practices, however do not follow through: ‘At the moment you go along to a meeting and everyone says, “Yes, we will do that” and then they do not do it.’⁵⁶³

Culture change

- 7.77 Several inquiry participants suggested that there should be training for teachers and principals to improve school attitudes and culture. For example, one participant stated: ‘Misconceptions, prejudice and misunderstandings surrounding disability still occur within school staff at times. Continual or further training and education for staff would be beneficial.’⁵⁶⁴

- 7.78 The Council of Social Service New South Wales (NCOSS) recommended that there be training for school principals ‘to ensure that school leaders welcome children with disabilities.’⁵⁶⁵

- 7.79 Ms Wendy English, Assistant Principal Outreach, DEC, agreed that school staff need more training:

They certainly need more understanding because with understanding and knowledge I think you become more empathetic, and you gain the skills and strategies to be able to accommodate, adjust your curriculum and adjust your learning so that the students are more easily able to access learning.⁵⁶⁶

- 7.80 A slightly different view was expressed by Ms Gina Wilson-Burns, Member, Family Advocacy. While she agreed that teachers need support and training, she suggested that many already have the skills they need to support all students, and that they just need to realise it and shift their mindset:

It is often about the mindset shift to think outside the box, to collaborate and, most importantly, have a commitment to teach all students. For too long children with disabilities have been somebody else’s problem.

Appropriate supports do not always need to be more support, or more costly support. A shift in mindset might see a teacher of a student who is a known bolter walk at the end of the line, rather than at the front, when they are moving from class to class. This negates the need to pay someone extra to walk at the end of the line. Sometimes it is the simple strategy that is never considered.⁵⁶⁷

- 7.81 Carers NSW acknowledged that shifting the culture of thousands of schools towards the inclusive education of students with additional or complex needs will be a major challenge, however insisted that it is ‘crucial to improving the outcomes of students.’⁵⁶⁸

⁵⁶³ Mr Betts, Evidence, 5 December 2011, p 5.

⁵⁶⁴ Submission 13, Name suppressed, p 4.

⁵⁶⁵ Submission 35, Council of Social Service New South Wales, p 4.

⁵⁶⁶ Ms Wendy English, Assistant Principal Outreach, NSW Department of Education and Communities, Evidence, 5 December 2011, p 7.

⁵⁶⁷ Ms Gina Wilson-Burns, Member, Family Advocacy, Evidence, 13 December 2011, p 45.

⁵⁶⁸ Submission 11, Carers NSW, p 8.

Committee comment

- 7.82** The Committee is concerned by the evidence regarding unwelcoming attitudes of some schools and principals. Such attitudes are unacceptable, and have a significant negative impact on the educational outcomes of students with additional or complex needs.
- 7.83** In regard to attitudes toward enrolments, we refer to our comments in chapter 4 (at 4.22 – 4.23) regarding the importance of respecting and valuing a families’ preference for the best educational setting for their child.
- 7.84** As for the impact of attitudes on transition plans, we believe that transition case managers will be able to assist in ensuring that plans are followed through and that schools participate in transition meetings. Case management is considered in the next chapter.
- 7.85** Finally, in regard to cultural change within schools, we agree that training should be provided to school staff to remind them of their obligations regarding students with additional or complex needs. This should include training on the importance of transition planning and support.

Recommendation 17

That the NSW Department of Education and Communities provide training to all school staff on their obligations regarding students with additional or complex needs, and that the training include a section on the importance of transition planning and support.

Further, that the Catholic and independent school sectors be encouraged to review and where appropriate, introduce similar training to staff in the schools they operate.

Parents as advocates

- 7.86** A common theme heard during the Inquiry was the role that many parents take on to fill the gaps left by inadequate services. For example, one witness, Sharon, said: ‘You will find that many parents are advocates, case managers, counsellors, therapists and teachers. We take on the whole role.’⁵⁶⁹
- 7.87** In regard to accessing services, Sharon told the Committee: ‘[It] depends on who screams and jumps up and down. Those people often get the places, services and supports.’⁵⁷⁰ A similar view was expressed by Witness M, a student with disability, who expressed the view that: ‘[H]ow knowledgeable and pushy your parents are ... greatly determines whether you get access to services and are able to succeed at school.’⁵⁷¹
- 7.88** While parent advocacy may work for some families in the absence of other options, unfortunately many families do not have the skills, knowledge or capacity to undertake such a role. Northcott Disability Services noted that this is especially the case for families with

⁵⁶⁹ Sharon, Parent, Evidence, 10 October 2011, p 12.

⁵⁷⁰ Sharon, Evidence, 10 October 2011, p 11.

⁵⁷¹ Witness M, Evidence, 13 December 2011, p 37.

cultural, linguistic or social barriers to their communication, who may be unable to comprehensively express their child's needs⁵⁷² (as discussed in chapter 6). Ms Sylvana Mahmic, Director, Pathways Early Childhood Intervention NSW Chapter agreed that the current system relies heavily on parents collecting and passing on information, commenting: 'For families who are experiencing vulnerabilities and barriers already these issues multiply and make it more difficult for information to be passed on correctly.'⁵⁷³

7.89 Ms Mahmic suggested that as a result, some of the children in these families are not given the same opportunities as other children with additional or complex needs:

I think anecdotally what we see is that some of those more vulnerable families get channelled into less inclusive opportunities because they do not have the same skills as some other parents do in terms of advocating for their child, in terms of being very well informed and making a very well informed choice based on all of the information that is out there for families.⁵⁷⁴

7.90 Numerous parent advocates acknowledged this as an issue. For example, Ms Gina Wilson-Burns expressed that she and her husband were fortunate that they had the capacity to find information to help their son. She said: 'We will dig in, we will research, we will query, we will question. Not all families have that capacity and we recognise that.'⁵⁷⁵

7.91 Similarly, in discussing her role coordinating transition planning for her son David, Ms Leesa Cluff, a parent member of the Parent Council for Deaf Education said:

I do not think you should have to rely on ... parents going out and finding out for themselves what they need to know and what they need to do. David will obviously benefit from all of this, but other children out there will fall behind because the parents have not had either the time or the resources to bring together all of the different therapists and initiate meetings.⁵⁷⁶

Committee comment

7.92 The Committee acknowledges the essential role that many parents undertake as advocates and case managers for their children. However we also realise that many families may not have the skills or capacity to adequately fulfil this role, and in our view, nor should they have to. These are roles that should rightfully be undertaken by professionals within the relevant sector. The Committee is hopeful that the recommendations made in the next chapter regarding best practice will lessen the need for parents to take on these roles.

⁵⁷² Submission 17, p 7.

⁵⁷³ Ms Sylvana Mahmic, Director, Pathways Early Childhood Intervention NSW Chapter, Evidence, 12 September 2011, p 35.

⁵⁷⁴ Ms Mahmic, Evidence, 12 September 2011, p 35.

⁵⁷⁵ Ms Wilson-Burns, Evidence, 13 December 2011, p 47.

⁵⁷⁶ Ms Leesa Cluff, Parent Member, Parent Council for Deaf Education, Evidence, 10 October 2011, p 30.

Invisible disability

- 7.93** An issue that arose repeatedly throughout the Inquiry was that many students with additional or complex needs may not be technically classified as having a ‘disability’, and therefore may not qualify for support services or funding.
- 7.94** Under the DEC Disability Criteria, a child must be judged as having a disability which significantly affects their functioning in order to qualify for services.⁵⁷⁷ The NSW Commission for Children and Young People noted that this is a narrow definition of disability, which effectively excludes children with a mild disability or who are on the cusp of a moderate disability.⁵⁷⁸ It also excludes many students with additional or complex needs who do not have a disability but still require extra support, including during transitions.
- 7.95** For example, many students with Autism Spectrum Disorder are not considered to have an intellectual disability, and do not qualify for support services even though they have very complex needs.⁵⁷⁹
- 7.96** Chronic or serious illness is also not recognised by many educational professionals as a disability, even though it is recognised as a disability in legislation. Ronald McDonald House Charities noted that as such, children with chronic illness are often unable to access additional support or funding for educational or transitional needs, even though they have complex and ongoing needs.⁵⁸⁰
- 7.97** Children with an acquired brain injury are another group that commonly have an ‘invisible disability’. The Royal Australasian College of Physicians noted that many children in this group have significant cognitive problems, however do not receive extra assistance in schools as they do not meet the DEC criteria for funding for a Learning Support Officer.⁵⁸¹
- 7.98** As discussed in chapter 6, funding or support is also not offered to children who have suffered complex trauma or trauma, even though many of these children experience great difficulties in the school system.⁵⁸²
- 7.99** Ms Liz Forsyth, Sector and Business Development Manager, Northcott Disability Services observed that many children with an invisible disability ‘fall through the cracks’ as a result of most therapy services having a specific diagnosis attached to them:

... if your child has a disability that fits into a definite physical disability from birth you could access one particular service and if your child had a moderate intellectual disability you could access Ageing, Disability and Home Care. But if you do not fit into either of those you fall through the cracks and then people cannot accept you

⁵⁷⁷ Department of Education and Communities, *NSW Public Schools, Disability Programs - Disability Criteria*, accessed 7 February 2012, <<http://www.schools.nsw.edu.au/studentsupport/programs/disability.php>>

⁵⁷⁸ Submission 52, p 7.

⁵⁷⁹ Submission 19, p 5.

⁵⁸⁰ Submission 36, Ronald McDonald House Charities, p 6.

⁵⁸¹ Submission 43, Royal Australasian College of Physicians, p 3.

⁵⁸² Dr Michelle Townsend, Researcher, Centre for Children and Young People, Southern Cross University, Evidence, 13 December 2011, p 14.

because their funding says they have to accept children with that particular disability ...⁵⁸³

- 7.100** This was reiterated in evidence from one parent, Sharon, who commented on the lack of support available to children with a mild disability:

There are a lot of gaps with education, particularly if your child is not moderate. If they fit in between, they often fall through the cracks, and there is not much out there for them. If you are mild to less than mild, there is nothing ...⁵⁸⁴

- 7.101** The Royal Australasian College of Physicians suggested that children with an invisible disability may often be overlooked when additional support is provided to assist students with the transition from primary to high school.⁵⁸⁵ Further, the NSW Secondary Principals' Council noted that where additional transition activities are offered, the lack of funding and access to support puts an increased strain on primary and high schools.⁵⁸⁶
- 7.102** Another issue is that some students with additional or complex needs may not attract the support and attention they need if their disability is not physically apparent. For instance, Mr Betts suggested that because Autism Spectrum Disorder is not a visible disability, it 'creates additional problems because the kids do not look like they have special needs but they really do'.⁵⁸⁷
- 7.103** Further to that point, Ms English commented: '[Y]ou do not get immediate empathy for them. With children with Down syndrome, or some kind of visible disability, people are naturally more empathic.'⁵⁸⁸
- 7.104** Many children with a brain injury similarly have no outward signs of disability.⁵⁸⁹ One parent said that it is difficult '[w]hen it's their brain that's sick', declaring: 'it would be different if they lost a leg'.⁵⁹⁰
- 7.105** In order to address the issue of children with an invisible disability 'falling through the cracks', the NSW Commission for Children and Young People recommended that the DEC Disability Criteria be reviewed.⁵⁹¹ The Commissioner, Ms Megan Mitchell, acknowledged that the Criteria are preferenced toward children with severe or profound disabilities in order to target resources, however argued that they result in a system that neglects other children with a disability who also need support and planning throughout school, including during transitions.⁵⁹²

⁵⁸³ Ms Liz Forsyth, Sector and Business Development Manager, Northcott Disability Services, Evidence, 12 September 2011, p 54.

⁵⁸⁴ Sharon, Evidence, 10 October 2011, p 15.

⁵⁸⁵ Submission 43, p 3.

⁵⁸⁶ Submission 19, p 2.

⁵⁸⁷ Mr Betts, Evidence, 5 December 2011, p 4.

⁵⁸⁸ Ms English, Evidence, 5 December 2011, p 7.

⁵⁸⁹ Ms Rachel Merton, Chief Executive Officer, NSW Brain Injury Association, Evidence, 12 September 2011, p 32.

⁵⁹⁰ Submission 36, p 6.

⁵⁹¹ Submission 52, p 7.

⁵⁹² Ms Mitchell, Evidence, 13 December 2011, p 37.

- 7.106** Another suggestion, made by the NSW Primary Principals' Association, is that support should be based around individual need rather than classification and diagnosis.⁵⁹³

Committee comment

- 7.107** The Committee notes that 'invisible disability' is a major issue for many students with additional or complex needs, who are unable to access much needed transition support.
- 7.108** We note that the DEC Disability Criteria is preferenced toward children with severe or profound disabilities, and agree with the recommendation from the NSW Commission for Children and Young People that the Criteria should be reviewed to consider including children with a mild to moderate disability.

Recommendation 18

That the NSW Department of Education and Communities review its Disability Criteria to consider including children with a mild to moderate disability.

- 7.109** The Committee acknowledges that expanding the Disability Criteria would have significant resource implications on already overstretched services. It would also require a significant amount of additional funding. It will be interesting to see how far the National Disability Insurance Scheme (discussed at 2.113 – 2.117) goes toward providing for people with mild to moderate disability, as it has significant potential to address this issue.
- 7.110** The Committee recognises that even if the Disability Criteria are expanded, there will still be students with other additional or complex needs that will not be covered. However we are hopeful that the other recommendations made throughout this report, particularly the recommendations made in the next chapter, will improve transition support for these students.

⁵⁹³ Submission 15, p 3.

Chapter 8 Best practice

This final chapter considers best practice methods for the provision of transition support, including the need for case management, flexibility, a family-centred approach, collaborative relationships with stakeholders and individual transition plans. Timeframes for transitions will also be considered.

The chapter will tie together some of the key issues that have been raised throughout this report to make a number of recommendations regarding an ongoing, centralised approach to transition planning for students with additional or complex needs.

Case management

- 8.1** One of the most significant points that has been raised on numerous occasions throughout this report is the need for students with additional or complex needs and their families to have a case manager to support them through the transition process.
- 8.2** Ensuring each student has a case manager would assist in addressing many of the issues that have been raised throughout this Inquiry. For example, case managers could assist by guiding families through the complex service system, providing advocacy and mediation, facilitating the transfer and sharing of information, and providing general support where needed. Case managers can take on the important role of connecting and coordinating the various agencies involved in a child's life and linking families together to form support networks.⁵⁹⁴
- 8.3** Dr Michelle Townsend, Researcher, Centre for Children and Young People, Southern Cross University asserted that '[i]n an ideal world every child would be allocated a good case worker ... who could go in to bat for them, support them and monitor them along their care journey.'⁵⁹⁵ While Dr Townsend was referring specifically to children in out-of-home-care, her comments are equally applicable to all children with additional or complex needs.
- 8.4** The NSW Secondary Principals' Council asserted that any transition process must be supported by a case manager 'to ensure the transition planning process is effective and all aspects are addressed.'⁵⁹⁶
- 8.5** The benefit of case managers for families was also highlighted by the Federation of Parents and Citizens' Association of NSW:

[Case management would allow] for one person to take carriage of ensuring that the family receives the information, has the opportunity to discuss it, and ensures they understand what is contained in the documents and can 'tell their story' and ask questions to clarify their position.⁵⁹⁷

⁵⁹⁴ Submission 9, Charles Sturt University, p 7.

⁵⁹⁵ Dr Michelle Townsend, Researcher, Centre for Children and Young People, Southern Cross University, Evidence, 13 December 2011, p 14.

⁵⁹⁶ Submission 19, NSW Secondary Principals' Council, p 2.

⁵⁹⁷ Submission 10, Federation of Parents and Citizens' Association of NSW, p 4.

- 8.6** Mr Jim Moore, Chief Executive, Ageing, Disability and Home Care Agency (ADHC), and Acting Director General,⁵⁹⁸ Department of Family and Community Services (FACS) informed the Committee that ADHC provides case management through Community Support Teams and that it also funds non government organisations to provide case management. He advised that the role of these case managers is to work with people with a disability and their families and carers to identify their needs, develop support plans and assist them locate appropriate supports and services. He added that case managers support people with complex needs across important life transitions, and that ‘the majority of ADHC funded case management services provide time limited targeted interventions that address an individual’s needs at a particular time.’⁵⁹⁹
- 8.7** However the Committee heard that families experience difficulties accessing ADHC case managers due to long waiting lists.⁶⁰⁰ For example, Ms Leesa Cluff, parent member of the Parent Council for Deaf Education told the Committee how she had approached the Department for support for her son who is profoundly deaf and has mild cerebral palsy. She was told it would be at least 12 months before a case manager would be available to work through his case. Ms Cluff said that her family could not wait that long as her son was due to start school.⁶⁰¹
- 8.8** A similar story was heard from Ms Leihana Mahe, also a parent member of the Parent Council for Deaf Education, who told the Committee about her unsuccessful attempt to access case management from ADHC for her two children, stating: ‘[I]t is too hard. It is too long to wait to get support through them.’⁶⁰²
- 8.9** Difficulties accessing case management support to assist in developing and implementing transition plans were also raised by the National Independent Special Schools Association, which claimed that case management is ‘often only available when there is a crisis.’⁶⁰³
- 8.10** Issues with long waiting lists were similarly raised in the 2011 NSW Ombudsman report, *Consultations with families of children with disabilities on access to services and support*, where some families reported having to wait up to two years for a case manager to be appointed.⁶⁰⁴
- 8.11** Mr Moore advised that ADHC has substantially increased case management resources under *Stronger Together* (discussed at 2.58 – 2.60)⁶⁰⁵ and that as at 31 August 2011 there were 301 employees providing case management and case work services in Community Support Teams.

⁵⁹⁸ Mr Moore was appointed Director General of FACS on 22 December 2011.

⁵⁹⁹ Answers to questions taken on notice during evidence 10 October 2011, Mr Jim Moore, Chief Executive, Ageing, Disability and Home Care Agency, and Acting Director General, Department of Family and Community Services, Question 2, p 4.

⁶⁰⁰ Submission 9, p 6; Submission 62, National Independent Special Schools Association, p 2.

⁶⁰¹ Ms Leesa Cluff, parent member, Parent Council for Deaf Education, Evidence, 10 October 2011, p 31.

⁶⁰² Ms Leihana Mahe, parent member, Parent Council for Deaf Education, Evidence, 10 October 2011, p 31.

⁶⁰³ Submission 62, National Independent Special Schools Association, p 2.

⁶⁰⁴ Ombudsman, *Consultations with families of children with disabilities on access to service and support*, Final report, June 2011, pp 4-5.

⁶⁰⁵ Mr Moore, Evidence, 10 October 2011, p 34.

He further advised that in 2010/11, 58 per cent of people referred to ADHC case managers were allocated a service within three months or less, and 73 per cent were allocated a service within six months.⁶⁰⁶

Committee comment

- 8.12** The Committee notes the invaluable assistance that case managers can provide to students with additional or complex needs and their families, particularly in relation to guiding them through the complex transition support service system, connecting them to essential services, explaining information and advocating on their behalf. These all assist to address key issues faced by families that have been raised throughout this report.
- 8.13** We acknowledge that ADHC provides and funds case management services, however we note the evidence from inquiry participants regarding long waiting lists to access these services. We also note that many students with additional or complex needs may not be eligible for the case management services provided or funded by ADHC, such as students with an ‘invisible disability’ (as discussed in the last chapter at 7.93 – 7.106).
- 8.14** The Committee therefore believes that case management services should be provided to support all students with additional or complex needs in educational transitions. Details regarding the recommended provision of these services, including which agency should provide them, will be discussed after the following section.

Continuity of care and centralised support

- 8.15** Concerns were raised that even if families are able to access a case manager, case management is often only offered for a short period of time, resulting in issues about continuity of care and support. Issues in continuity of care are also caused by staff turnovers.
- 8.16** One parent, Sharon, argued that there should be a single person responsible for providing support to children with additional or complex needs over time: ‘We need someone who will follow through and follow up even after the student moves into the next environment. We need that person as a critical point.’⁶⁰⁷
- 8.17** Closely tied to this issue is that there is no one agency with overall responsibility for a child’s transitions. Instead, responsibility is fragmented over a range of specialised services, such as education, disability, mental health and child protection.⁶⁰⁸ As observed by Lifestyle Solutions: ‘Each agency has a part of the whole’.⁶⁰⁹

⁶⁰⁶ Answers to questions taken on notice during evidence 10 October 2011, Mr Moore, Question 2, p 5.

⁶⁰⁷ Sharon, Parent, Evidence, 10 October 2011, p 11.

⁶⁰⁸ Submission 12, Lifestyle Solutions, p 3.

⁶⁰⁹ Submission 12, p 3.

8.18 Issues with the fragmentation of services are exacerbated by a lack of communication and coordination across those services, as highlighted by Ms Irene Han, General Manager Operations - NSW/Vic/Tas, Lifestyle Solutions:

There are so many people involved in their lives: you have education, you have case workers, you have Community Services ... you find that miscommunication creates major gaps in how things eventuate or happen, such as the transport does not line up with accommodation, all of those things. So one of the things we need is coordination.⁶¹⁰

8.19 There are also issues with the transfer of information about individual students across so many services, as discussed in chapter 3.

8.20 Mission Australia asserted that transitions have a better chance of success where there is one funded agency responsible for ensuring the continuity of support between educational settings.⁶¹¹

8.21 Lifestyle Solutions suggested that there be a centralised children's agency with responsibility for all children and young people with complex needs.⁶¹² Such an agency would address the issues and poor outcomes that result from having multiple service providers and case managers, and would overcome the issue of agencies trying to interpret and understand the requirements of other agencies.⁶¹³

8.22 Lifestyle Solutions suggested for example that Community Services could evolve into solely a child protection agency, and that best practice would suggest deleting all case managers in all other agencies supporting children and amalgamating them into the new agency.⁶¹⁴

8.23 An alternative suggestion, from Learning Difficulties Coalition of NSW Inc., is that an interdisciplinary case manager be provided for each child, through the established infrastructure of school communities and jointly funded by the Education, Family and Community Services, Juvenile Justice, Health and Medical Research portfolios. The Learning Difficulties Coalition stated that the role of these case managers 'would promote the centralising of information about young people which is often fragmented across different sectors.'⁶¹⁵

8.24 The role of an interdisciplinary case manager was also supported by Ms Jill Dean, President, NSW Schools for Specific Purposes Principals' Network, Holroyd School who maintained that case managers who support students with additional or complex needs should be aware of all of the different services and options available, including health, education and family and

⁶¹⁰ Ms Irene Han, General Manager Operations - NSW/Vic/Tas, Lifestyle Solutions, Evidence, 5 December 2011, p 23.

⁶¹¹ Submission 29, Mission Australia, p 8.

⁶¹² Submission 12, p 4.

⁶¹³ Submission 12, pp 3-4.

⁶¹⁴ Submission 12, p 3.

⁶¹⁵ Submission 49, Learning Difficulties Coalition of NSW Inc, pp 4-5.

community services. Ms Dean stated: 'I think it is about someone who has got a handle on all of those sides. Education is only one component of that.'⁶¹⁶

Committee comment

- 8.25** The Committee notes the concerns regarding continuity of care for students with additional or complex needs, and the issues regarding communication and coordination where students have access to multiple services and multiple case managers.
- 8.26** Combined with the evidence from chapter 2 regarding the complex and fragmented service system, and the issues raised in chapter 3 regarding the transfer of information about individual students and families having to re-tell their stories over and over, it is clear to the Committee that the current system for supporting students with additional or complex needs is letting students and their families down.
- 8.27** The Committee therefore agrees that there needs to be a centralised system to provide coordinated transition support for students with additional or complex needs. We recommend that the NSW Government ensure there is a dedicated branch or section within DEC to provide this service.
- 8.28** In order to be effective, this section would need the authority to work across agency boundaries to facilitate collaborative input by all other relevant agencies, including ADHC, Health, Community Services, Juvenile Justice and Aboriginal Affairs. It should also engage in ongoing dialogue with the Catholic and independent school sectors to improve the sharing of information regarding students who transfer across sectors.

Recommendation 19

That the NSW Government ensure there is a dedicated section within the NSW Department of Education and Communities that has authority to collaborate with other state government agencies to provide dedicated transition support for students with additional or complex needs.

Further, that the section engage in ongoing dialogue with the Catholic and independent school sectors to improve the sharing of information for students with additional or complex needs who transfer across sectors.

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- 8.29** As discussed earlier in this chapter, the Committee believes that case management services should be provided to support all students with additional or complex needs in educational transitions. We recommend that these case managers should be part of the dedicated DEC transition section (but available across the state so as to provide local support and decision making to communities), and that there should be adequate numbers of these case managers to provide timely transition support to all students with additional or complex needs through key transitions.
- 8.30** We refer to 'key transitions' in recognition of the evidence provided in chapter 2 that there are also 'micro-transitions', such as the movements between classes or between the classroom and

⁶¹⁶ Ms Jill Dean, President, NSW Schools for Specific Purposes Principals' Network, Holroyd School, Evidence, 12 September 2011, p 75.

the playground. The Committee only expects DEC to provide case management support for bigger transitions, such as transitions between schools or from school to post-school.

- 8.31** The Committee notes the suggestion by Lifestyle Solutions that best practice for a centralised agency (or, as in this case, section) would entail deleting all case managers in other agencies supporting children and amalgamating them into the new agency. While we agree that this may be a good idea for a centralised children's agency, this is outside the scope of the Committee's terms of reference. The dedicated transition section recommended by the Committee has a much more discrete role, and we acknowledge that many students will necessarily have at least one other case manager from another agency such as ADHC or Community Services.
- 8.32** However, the role of transition case managers in the dedicated transition section would coordinate and collaborate with any other case managers and service providers, and would therefore still address concerns raised throughout this report regarding the fragmented nature of support services.
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Recommendation 20

That the NSW Government fund the NSW Department of Education and Communities to provide adequate and timely case management through the dedicated transition section to support students with additional or complex needs through key transitions.

- 8.33** The Committee notes the concerns raised in evidence regarding breaks in continuity of care by having different case managers; however it is not feasible to provide a single case manager throughout the educational career of every student. Nonetheless, having a single section responsible for providing transition support and planning for students will go a long way toward addressing this issue, as the section itself will provide continuity of care.

Flexible approach

- 8.34** Inquiry participants argued that a flexible approach to service and education provision and transitions is crucial for students with additional or complex needs. As explained by Mr Patrick Maher, Chief Operating Officer, National Disability Services: 'Decisions for children with disability must not be prescriptive: a one size fits all approach is no longer valid or effective.'⁶¹⁷
- 8.35** Northcott Disability Services similarly asserted that families require a flexible approach to their child's transition, which can support the very specific needs of each individual child.⁶¹⁸ This was also echoed by Autism Aspergers Advocacy Australia:

Smoother transitioning can be facilitated by moving away from a one size fits all model to an individualised service provision which takes into considerations the individual student and the important role of their families.⁶¹⁹

⁶¹⁷ Mr Patrick Maher, Chief Operating Officer, National Disability Services, Evidence, 10 October 2011, p 46.

⁶¹⁸ Submission 17, Northcott Disability Services, p 10.

- 8.36** Ms Christine Regan, Senior Policy Officer, Council of Social Services NSW (NCOSS), noted that every person with a disability is different, and that while a diagnosis identifies how a disability might affect the person, ‘it does not help with the way in which that person might determine how they might like to live their life, just like the rest of us.’⁶²⁰
- 8.37** Differences in the needs of students with the same disability were highlighted by the Federation of Parents and Citizens’ Association of NSW:
- It is important that support staff are aware that not every child with the same diagnosis has the same support needs. For example, a student with a diagnosis on the Autism spectrum can display needs which are extremely different than another student with a similar diagnosis.⁶²¹
- 8.38** This was reiterated by Ms Wendy English, Assistant Principal Outreach, DEC who referred to a remark from one parent who said: ‘[I]f you have met one student with autism, you have met one student with autism.’⁶²²
- 8.39** Ms Deonne Smith, General Manager, Access and Equity, DEC acknowledged that ‘[o]ne size certainly does not fit all.’⁶²³ However she emphasised the importance of maintaining a minimum level of standards to ensure there is a ‘balance between a safety net of good practice’ and ‘allowing maximum flexibility to meet individual needs.’⁶²⁴
- 8.40** In addition to a flexible approach to transitions, Charles Sturt University pointed out the need for flexibility in the support provided to families as their child progresses through school. It noted that needs change and asserted that ‘[e]ffective support recognises the changing needs of families and is responsive to changing family situations.’⁶²⁵
- 8.41** In its submission, the NSW Government advised that FACS is currently working on a suite of reforms which include moving away from a program focus to a flexible client-focused approach⁶²⁶ (as at 2.60).
- 8.42** Mr Moore told the Committee that the reforms are directed toward a devolved and decentralised system which will give people the autonomy to make local decisions:

I think many of the problems that we will bump into are ones where systematic programmatic type responses are the ones that are not satisfactory or adequate to

⁶¹⁹ Submission 38, Autism Aspergers Advocacy Australia, p 8.

⁶²⁰ Ms Christine Regan, Senior Policy Officer, Council of Social Services NSW, Evidence, 12 September 2011, p 33.

⁶²¹ Submission 10, p 3.

⁶²² Ms Wendy English, Assistant Principal Outreach, NSW Department of Education and Communities, Evidence, 5 December 2011, p 7.

⁶²³ Ms Deonne Smith, General Manager, Access and Equity, Department of Education and Communities, Evidence, 12 September 2011, p 2.

⁶²⁴ Ms Smith, Evidence, 12 September 2011, p 3.

⁶²⁵ Submission 9, p 14.

⁶²⁶ Submission 53 - Detailed, NSW Government, p 5.

respond to individual circumstances. Again we are talking about people, not programs, and you have got to have local capability to respond to the individual circumstances.⁶²⁷

Committee comment

- 8.43** The Committee acknowledges that a flexible approach is essential to best meet the needs of students with additional or complex needs and their families. We support the reforms being undertaken by FACS to move away from a program focus toward a flexible client-focused approach, the latter which is discussed in the following section.

Person and family-centred planning

- 8.44** ‘Person-centred’ or ‘family-centred’ approaches to transition planning ensure that supports and services are tailored to individual needs. These approaches will be considered below.

Person-centred planning

- 8.45** Person-centred planning is a flexible planning approach designed around individual students, focusing on their strengths and abilities as well as individual needs. Autism Spectrum Australia explained that ‘[p]erson centred transition planning assists in identifying and empowering families and individuals to plan for the future in regards to aspirations on lifestyle and expectations.’⁶²⁸

- 8.46** The importance of person-centred planning in educational transitions was highlighted by numerous inquiry participants, such as Occupational Therapy Australia - NSW Division:

Transition is a complex process that most importantly of all, must be centred around each individual student. It is not about fitting the student into a pre-existing system but about making the systems become flexible in order to meet each student’s needs.⁶²⁹

- 8.47** Similarly, the submission from NCOSS supported person-centred practices:

The Disability sector is increasingly introducing Person-centred practices that put the person with disability at the centre and tailor their supports around them. This will be no less effective in education, especially at critical transition points where change can create anxiety, disruption and important decisions affecting the student’s future are in question.⁶³⁰

- 8.48** Person-centred planning empowers students to be actively involved in the planning process and enables them to make choices regarding their future. The benefits of this were highlighted by the NSW Parents’ Council, which noted: ‘When a young person is involved with the

⁶²⁷ Mr Moore, Evidence, 10 October 2011, p 37.

⁶²⁸ Submission 7, Autism Spectrum Australia, p 14.

⁶²⁹ Submission 32, Occupational Therapy Australia - NSW Division, p 3.

⁶³⁰ Submission 35, Council of Social Services NSW, p 2.

process and has choices around his or her future, that individual's service planning and outcomes are enhanced.⁶³¹ The Parents' Council added:

Active participation also ensures that the planning goals and strategies are based on the aspirations, desires and needs of the individual and his or her family – not merely on the services and supports that are available.⁶³²

- 8.49** The NSW Commission for Children and Young People referred to a study of young people transitioning from secondary school to post-school, which found that their ability to influence decisions had a significant impact on their personal outcomes. Researchers noted that the 'overall message coming from young people is that to get transition right we need to listen to young people ... and ensure they are central to the planning process'. The Commission emphasised the importance of working in partnership with young people to give them control of their planning and enable them to express their own choices and hopes, rather than pushing them through a process.⁶³³
- 8.50** The Commissioner for Children and Young People, Ms Megan Mitchell, agreed that involving students in transition planning – particularly the primary to secondary and secondary to post-school transitions – leads to much more successful post-school outcomes.⁶³⁴
- 8.51** As noted in the previous section, the Committee was informed that FACS is moving away from a program focus to a person-centred approach.⁶³⁵ Mr Moore commented:

... the way in which we are now trying to target and build our capability to target and support people with disability is by person by person, not program by program. That is a reflection of the need not to be brought into trying to systematise what is good for one person into a broader response. We are trying to tailor things to individuals.⁶³⁶

Family-centred planning

- 8.52** While numerous inquiry participants espoused the benefits of person-centred planning, many more maintained that best practice transition planning should more appropriately be family-centred.
- 8.53** For example, Mr Patrick Maher, Chief Operating Officer, National Disability Services stated that '[e]ach individual and their family must be firmly involved in the decision-making process to ensure the best possible outcomes and effective and efficient resource allocation.'⁶³⁷

⁶³¹ Submission 57, pp 4-5.

⁶³² Submission 57, pp 4-5.

⁶³³ Submission 52, NSW Commission for Children and Young People, p 14.

⁶³⁴ Ms Megan Mitchell, Commissioner, NSW Commission for Children and Young People, Evidence, 13 December 2011, p 35.

⁶³⁵ Submission 53 – Detailed, p 5.

⁶³⁶ Mr Moore, Evidence, 10 October 2011, p 32.

⁶³⁷ Mr Maher, Evidence, 10 October 2011, p 46.

8.54 Similarly, Professor Bob Perry, Murray School of Education, Charles Sturt University, said:

... the focus we think should be on the family. Not necessarily on the child, because it is within that family micro-system that the child is going to make the transition to school ... ⁶³⁸

8.55 The importance of family involvement in the success of transitions was raised by the NSW Parents' Council, which pointed out that families are there throughout the child's life:

Family is the one solid continuum in a child's life ... In many cases, parents and members of an extended family are the only consistent relationships a young person has through his or her life. Family involvement in identifying the young person's strengths, creating a plan for the future, and advocating on his or her behalf is essential. ⁶³⁹

8.56 The same point was made by Ms Sylvana Mahmic, Director, Pathways Early Childhood Intervention NSW Chapter:

Families are there in the long run. School may be there for a number of years. Teachers may be there for a number of years. Teacher aids may be there for a number of years. But they are not there all the time. ⁶⁴⁰

8.57 The NSW Commission for Children and Young People said that parents should be involved as much as possible in educational transitions to assist in identifying and accessing the services that are best suited to their child's needs. ⁶⁴¹ The importance of family involvement in transition planning was also emphasised by staff at Orana Heights Public School during the Committee's visit to Dubbo.

Case study: Jane*

Jane is a five-year old girl with speech difficulties. She is currently enrolled in a preschool in a rural area, however, due to a shortage of speech therapists in rural and regional areas, is struggling to interact with other children as her speech difficulties are not being addressed.

Jane's mother Sue is suffering from depression and is taking drugs for depression. Sue is being supported by a case worker from the Department of Families, Housing, Community Services and Indigenous Affairs.

The family is also working through the Brighter Futures program, a NSW Department of Community Services program which provides services to families with children under nine years of age who are experiencing a range of vulnerabilities, including domestic violence, parental drug and alcohol misuse and/or mental health issues.

Both departments are providing advice to the family – however one advice is targeted toward Jane, while the other advice is targeted toward Sue.

⁶³⁸ Professor Perry, Evidence, 12 September 2011, p 27.

⁶³⁹ Submission 57, p 5.

⁶⁴⁰ Ms Sylvana Mahmic, Director, Pathways Early Childhood Intervention NSW Chapter, Evidence, 12 September 2011, p 37.

⁶⁴¹ Submission 52, NSW Commission for Children and Young People, p 16.

To further complicate the matter, Jane is due to start school soon, and the family has begun receiving advice from both the preschool and the school as to whether Jane is ready for the transition. Professor Bob Perry, who was also working with the family during this time, observed:

Advice was coming from all four places and it was contradictory. There was no coordination around that advice, so this was not advice that was helpful to the family.

Professor Perry criticised the lack of coordination around the support, and also expressed concern that the advice was aimed at the individuals, rather than what might be best for the family.

* Professor Bob Perry, Murray School of Education, Charles Sturt University, Evidence, 12 September 2011, pp 23-24.

n.b. pseudonyms have been used for this case study.

Families are the experts on their child

8.58 One reason why it is so important to involve families in transition planning is because families know their child best. This was illustrated in the following example from Down Syndrome NSW:

A child with a disability like Down syndrome, diagnosed at birth, will have been under close parental scrutiny all his life, both to look for difficulties and to recognise progress. Parents know how their child adapts to change, from daily observations and accommodation. Education professionals need to listen respectfully to parents' expertise and to act upon it.⁶⁴²

8.59 Similarly, Ms Regan said:

... nobody knows that child better and how that child responds, reacts and what their strengths are than the family. An educationist, an education professional, would be well advised to take advantage of that expertise in knowing what that child can do, what their strengths are and how they react.⁶⁴³

8.60 Inquiry participants asserted that families are an essential source of information and knowledge on their child, and should be recognised as experts regarding their child's needs and what their child wants.⁶⁴⁴ This was put by the NSW Parents' Council:

Parents bring to the process a fundamental understanding of their son or daughter, insight into what their child may want to accomplish, and experience navigating service systems on behalf of their child. Perhaps most importantly, parents can also share their child's dream and help them realise their vision.⁶⁴⁵

8.61 Family Advocacy maintained that drawing upon the deep understanding and knowledge of families will lead to decisions and support that are appropriately tailored to meet the individual needs of the student.⁶⁴⁶

⁶⁴² Submission 39, Down Syndrome NSW, p 15.

⁶⁴³ Ms Regan, Evidence, 12 September 2011, p 37.

⁶⁴⁴ Submission 35, p 2; Submission 52, p 16; Submission 64, Ms Marianne Rajkovic, p 2.

⁶⁴⁵ Submission 57, p 5.

⁶⁴⁶ Submission 34, Family Advocacy, p 6.

Families not consulted

- 8.62** However the Committee heard that families are often not consulted in regard to their child's transition planning. This was highlighted in evidence from Professor Perry, who said: 'I do not think ... parents are necessarily listened to in terms of what their children can do and cannot do. I think that is a real shame.'⁶⁴⁷
- 8.63** The NSW Commission for Children and Young People noted that parents of children with special needs in primary school have complained about a lack of communication from schools, a lack of participation in decisions about their child's education, feeling unwelcome in schools (as discussed in chapter 7) and receiving inadequate information regarding their child's progress.⁶⁴⁸
- 8.64** In a research study conducted by one inquiry participant, Ms Marianne Rajkovic, parents of children with Autism Spectrum Disorder reported that they often felt discouraged from communicating with the school, with one mother being told: 'We are the experts, leave it to us'.⁶⁴⁹
- 8.65** This was reiterated in evidence from Ms Regan, who commented: 'Too often in the past for people with disabilities others have decided that they were the expert in what needed to happen to that person.'⁶⁵⁰ Likewise, Family Advocacy commented:
- Families report having to battle to take the path they feel is in the best interest of their family member against professionals who present as knowing more about the person with disability and what is good for them than the family.⁶⁵¹
- 8.66** The same issue was raised by Down Syndrome NSW, which told the Committee:
- ... parents report that their knowledge of their child and of Down syndrome more generally is not acknowledged, is not acted upon, and is sometimes disparaged by education professionals who believe because they have taught students with Down syndrome in the past, that they know everything they need to teach anyone with Down syndrome, even if they have not met them.⁶⁵²
- 8.67** According to Family Advocacy, some school staff have argued with parents as to how best to assist a child, and families have felt bullied or pressured into placing their child into a special school or special class against their will (as discussed in chapter 4).⁶⁵³ Family Advocacy asserted that transition processes 'would be far smoother and less stressful if the natural authority of families, who have the deepest understanding of the person with disability, was respected and deferred to.'⁶⁵⁴

⁶⁴⁷ Professor Perry, Evidence, 12 September 2011, pp 24-25.

⁶⁴⁸ Submission 52, p 16.

⁶⁴⁹ Submission 64, p 1.

⁶⁵⁰ Ms Regan, Evidence, 12 September 2011, p 31.

⁶⁵¹ Submission 34, p 8.

⁶⁵² Submission 39, p 16.

⁶⁵³ Submission 34, p 8.

⁶⁵⁴ Submission 34, p 8.

Committee comment

- 8.68** As noted in our previous comment, the Committee acknowledges that a flexible approach is essential to best meet the needs of students with additional or complex needs and their families.
- 8.69** We note that best practice is to do this through a person or family-centred approach. While we believe that both approaches are valuable, we believe that family-centred planning (which includes the child) is the better approach. Transition planning and support impacts on the whole family, not just the child, and families know their child better than anyone else and have the best interests of their child at heart.
- 8.70** The Committee therefore recommends that all transition planning and support for students with additional or complex needs be based around a family-centred approach.

Recommendation 21

That the NSW Department of Education and Communities implement a flexible, family-centred approach to transition planning and support for students with additional or complex needs.

Collaborative relationships with stakeholders

- 8.71** Inquiry participants also emphasised the importance of collaborative relationships between families, school staff, specialist support, government staff, and members of the local community during educational transitions.⁶⁵⁵
- 8.72** As pointed out by the Federation of Parents and Citizens' Association of NSW, there is often a range of personnel involved in the lives of students with additional and complex needs, such as speech pathologists, occupational therapists, physiotherapists, specialist support staff at schools, school counsellors and medical personal. The Federation noted that services possess valuable information about the child and their needs and that there should be ongoing relationships and liaison with these individuals. The Federation asserted: 'Each service should be seen as integral to all transition processes and not seen as an add on service.'⁶⁵⁶
- 8.73** Autism Spectrum Australia declared that: 'Collaboration is an essential ingredient in the process of transition.'⁶⁵⁷ Similarly, Family Advocacy stated:

Effective partnerships and relationships between families, schools, service providers and members of the local community are the essential foundations upon which transitions are built.⁶⁵⁸

⁶⁵⁵ See for example Submissions 7, 17, 19, 29, 33, 34, 37, 47, 50, 51 and 57.

⁶⁵⁶ Submission 10, p 5.

⁶⁵⁷ Submission 7, p 6.

⁶⁵⁸ Submission 34, p 6.

- 8.74** Mission Australia suggested that without all stakeholders having some responsibility in facilitating the child's transition to school, the risk of a negative experience is high. It insisted that transition processes should not be solely regarded as the family's responsibility, especially where the student has complex support needs.⁶⁵⁹
- 8.75** Autism Spectrum Australia said that transitions are more likely to be successful when all stakeholders work together to share information, plan and collaboratively make decisions about appropriate strategies, supports and resources that will best assist the child in the transition to their new setting.⁶⁶⁰
- 8.76** Mr Patrick Maher, Chief Operating Officer, National Disability Services concurred, stating that it is important that a broad network of 'peers, practitioners, teacher or advocates' assist with decisions around transition planning so that the wishes of the child and their family can be met.⁶⁶¹
- 8.77** The NSW Parents' Council suggested that it is also important to involve community members in the transition planning process, as they can provide crucial support networks for the child and their family.⁶⁶²
- 8.78** The Committee heard that consultations with external parties are particularly important where they can provide assessments, expertise and recommendations that will support a student with a disability in their new setting. For example, modifications to school facilities may require input from an occupational therapist. Northcott Disability Services recommended that all schools should have policies and procedures in place for the inclusion of external parties in the transition planning process.⁶⁶³

Committee comment

- 8.79** The Committee acknowledges the importance of fostering collaborative relationships with all stakeholders involved in providing education, services or support to students with additional or complex needs. There is no sense in keeping stakeholders segregated when they are all contributing to the needs of the same student.
- 8.80** The Committee is confident that the adequate provision of case managers through a dedicated transition section (as per Recommendations 19 and 20) will facilitate collaborative relationships between all stakeholders, including families, school staff and specialist support staff.

Individual plans

- 8.81** The Committee received evidence about three different types of plans during the Inquiry – Individual Education Plans (IEPs), personalised learning plans and transition plans. Some

⁶⁵⁹ Submission 29, p 8.

⁶⁶⁰ Submission 7, p 8.

⁶⁶¹ Mr Maher, Evidence, 10 October 2011, p 46.

⁶⁶² Submission 57, p 5.

⁶⁶³ Submission 17, p 11.

inquiry participants referred to these plans interchangeably, using generic terms such as ‘individual plans’ or simply ‘plans’.

- 8.82** The following section will consider the benefits of these plans, and issues regarding their implementation. The Committee will distinguish between the three different types of plans where possible, however where this cannot be done the Committee will just use the term ‘individual plan’.

Overview

- 8.83** IEPs or personalised learning plans are tailored programs that can be developed for students who require them, such as students with additional or complex needs. The purpose and content of each plan is based on the needs of the individual student, and may be developed to support learning, transition to or from school, or health or behaviour support needs.⁶⁶⁴
- 8.84** IEPs are often developed for students with disabilities or identified learning difficulties, and are now required for all students in out-of-home care.⁶⁶⁵ IEPs focus on the provision of specialist support, resources or appropriate teaching strategies, and should be developed collaboratively between teachers, parents/carers, the student (where appropriate) and other relevant people, such as support personnel. IEPs are based on recognition that the student may not be able to perform at a corresponding level to their age peer group.⁶⁶⁶
- 8.85** Personalised learning plans, on the other hand, are developed with the expectation that the student can learn at the same level as the general population, provided that the right conditions for learning are created. These plans provide a personalised approach to teaching and learning,⁶⁶⁷ and are required for example for all Aboriginal students.⁶⁶⁸
- 8.86** The use of individual plans – particularly IEPs – as a tool for transition support was raised during the Inquiry. For example, the NSW Parents’ Council stated:

IEP’s are an essential component of transition planning and many cases IEPs can be used as the basis for transition plans. IEPs are key in matching a student’s educational programs and experiences to their post-school goals.⁶⁶⁹

⁶⁶⁴ NSW Government response to the report of the NSW Legislative Council, General Purpose Standing Committee No. 2 inquiry into the provision of education to students with a disability or special needs, Report 34, July 2010, January 2011, p 27.

⁶⁶⁵ Submission 53 – Overview, NSW Government, p 8.

⁶⁶⁶ GPSC 2, Report 34, July 2010, p 135; Department of Education, Employment and Workplace Relations (DEEWR), ‘Guide to developing Personalised Learning Plans for Aboriginal and Torres Strait Islander students - A professional learning resource’, January 2011, p 35.

⁶⁶⁷ DEEWR ‘Guide to developing Personalised Learning Plans for Aboriginal and Torres Strait Islander students - A professional learning resource’, January 2011, p 35.

⁶⁶⁸ Note: the purpose of these plans is to support Aboriginal students throughout their education. They are not focused on supporting Aboriginal students with a disability or additional need, or on transitions, although they can be adapted in that regard (Ms Robyn Yates, Director, Government Education Policy, NSW Association of Independent Schools, Evidence, 13 December 2011, p 55).

⁶⁶⁹ Submission 57, p 5.

8.87 Alternatively students may have a specific transition plan, which ideally documents the role of all personnel working with the child in preparing for the child's transition and identifies the supports needed for the child in their new setting.⁶⁷⁰

8.88 Concern was raised by Miss Emily Caska, State Policy Coordinator, National Disability Services about all the different options for plans. Miss Caska noted that there are additional plans in the disability sector, such as lifestyle plans, respite plans and so on, and argued that where possible the various plans should be streamlined:

We would not want to see an individual education plan, then a transition plan and then other things that happen ... Where we can streamline them: one person, one plan, would be ideal.⁶⁷¹

Issues with IEPs

8.89 The 2010 NSW Legislative Council General Purpose Standing Committee No. 2 inquiry into the provision of education to students with a disability or special needs found that IEPs were not being developed routinely and that they varied in quality.⁶⁷² The same issues were raised again during this Inquiry. The Committee heard that many students with a disability do not have an IEP, despite witnesses from DEC and the Association of Independent Schools of New South Wales stating that IEPs are required to be developed for all of these students.⁶⁷³ For example, one parent, Sharon, said:

... not everyone gets an IEP. People say they do, but I know a lot of kids that do not have IEPs. In my last job I worked with kids with autism and the amount of calls that came through from regional areas of New South Wales about school issues ... and the number of families that had to fight and jump and down for an IEP. It was amazing how many families do not have IEPs.⁶⁷⁴

8.90 Miss Caska similarly observed that many students with a disability do not have an IEP, even though schools are required to develop them:

It is a bit of a postcode lottery, it is a bit of a teacher lottery or a school or principal lottery depending on how much emphasis they put on the IEP process or not. We do also get that anecdotal evidence that there are quite a number of students with disability who do not have an IEP even though it is enshrined in the Disability Standards for Education and other things.⁶⁷⁵

8.91 Mr Graham Kahabka, School Education Director, DEC, Illawarra and South East region told the Committee that many students with a disability may have a more personalised plan that is

⁶⁷⁰ Submission 37, Dr Coral Kemp and Ms Dawn Chadwick, p 5.

⁶⁷¹ Miss Emily Caska, State Policy Coordinator, National Disability Services, Evidence, 10 October 2011, p 46.

⁶⁷² GPSC No 2, Report 34, July 2010, p 136.

⁶⁷³ Mr Graham Kahabka, School Education Director, Department of Education and Communities, Illawarra and South East region, Evidence, 10 October 2011, p 55; Answers to supplementary questions, 13 December 2011, Association of Independent Schools of NSW, Question 3, p 2.

⁶⁷⁴ Sharon, Evidence, 10 October 2011, p 16.

⁶⁷⁵ Miss Caska, Evidence, 10 October 2011, p 48.

not developed to the same depth as an IEP due to teachers making other accommodations to support student needs.⁶⁷⁶

- 8.92** DEC advised that under the new NSW Government state plan, *NSW 2021*, the Department is developing a standards framework and best practice guide to support the development of personalised learning and support planning for students with a disability.⁶⁷⁷
- 8.93** Another issue is that while IEPs can be used for transition plans, feedback from National Disability Services members suggests that they rarely do so.⁶⁷⁸
- 8.94** National Disability Services also questioned whether the current IEP process ‘enables true choice and voice for people with disability and their families.’⁶⁷⁹ Miss Caska contended that the process is very limited in that it does not take account of the holistic and lifespan needs of a child. She further contended that it is a very limited process in terms of who contributes to them, with students, families, disability service providers and other specialists often not included in IEP conversations.⁶⁸⁰
- 8.95** Issues with the inclusiveness of the IEP process were also raised by the NSW Parents’ Council, which stated:
- Young people with disabilities often do not attend IEP meetings, yet alone participate in the meetings. One of the challenges is that IEP goals are mostly determined by the school and not the parent or student with a disability.⁶⁸¹
- 8.96** These comments reinforce the Committee’s comments in relation to the importance of collaborative relationships, which were discussed in the previous section.

Carriage of plans

- 8.97** One question that arose during the Inquiry is who should have carriage of transition plans. Plans are currently located in schools, however Ms Mitchell noted that this can be an issue when students move to a new setting:
- ... as soon as you leave that particular bit of the school system or change schools or whatever you have to start again, and there is no continuity of understanding of relationship or support or a history of working with that family, that young person or that child.⁶⁸²

⁶⁷⁶ Mr Kahabka, Evidence, 10 October 2011, p 55.

⁶⁷⁷ Answers to supplementary questions 12 September 2011, NSW Department of Education and Communities, Question 1, pp 1-2.

⁶⁷⁸ Submission 61, National Disability Services, pp 9-10.

⁶⁷⁹ Submission 61, p 9.

⁶⁸⁰ Miss Caska, Evidence, 10 October 2011, p 48.

⁶⁸¹ Answers to supplementary questions 10 October 2011, NSW Parents’ Council, Question 1, p 1.

⁶⁸² Ms Mitchell, Evidence, 13 December 2011, p 37.

- 8.98** Another issue, which was raised in chapter 3, is that sometimes primary schools may have prepared a whole package of information to assist with a child's transition to high school but the high school will not have read it (see paragraph 3.45).
- 8.99** To address this issue it was suggested that receiving schools should have ownership of transition plans. This was supported by Dr Townsend:
- I think that is the ideal, and you would have a designated staff member who would be monitoring the child all the way through and doing all the advocacy, making sure the funding submission is going in, making sure the referrals to the school counsellor or whoever else is needed within the school system is happening.⁶⁸³
- 8.100** In response to questioning as to where plans should be located, Ms Mitchell said that the Commission for Children and Young People does not have a firm view; however she canvassed some different options with the Committee.
- 8.101** One option was for the state's student welfare network to have carriage of plans, which would enable the plans to follow the student easily. However, Ms Mitchell noted that the student welfare network only exists in the public school system.⁶⁸⁴
- 8.102** Another option was to locate plans outside of education, in another portfolio such as community services, human services or disability. Ms Mitchell expressed reservations about this option however, due to it being a non-mainstream solution. However she explained that the thinking behind it is that 'you can handle those transitions better if you are removed from it and any movements of schools'.⁶⁸⁵

Committee comment

- 8.103** The Committee supports the use of individual plans for students with additional or complex needs, particularly in regard to transition planning. We note the issues that arise as a result of no one provider or agency having overall carriage or overall responsibility for these plans, and believe that case managers within the dedicated DEC transition section (Recommendation 20) should develop plans locally with the student, their family, the schools/teachers and any other relevant service provider or stakeholder. The DEC transition section should then have ongoing carriage and responsibility for the plan.

Recommendation 22

That case managers within the dedicated transition section of the NSW Department of Education and Communities develop transition plans for students with additional or complex needs locally with families, schools and other stakeholders.

The transition section should have ongoing carriage of and responsibility for these plans.

⁶⁸³ Dr Townsend, Evidence, 13 December 2011, pp 15-16.

⁶⁸⁴ Ms Mitchell, Evidence, 13 December 2011, p 38.

⁶⁸⁵ Ms Mitchell, Evidence, 13 December 2011, p 38.

Mandating plans

- 8.104** IEPs or transition plans are not mandated for students with a disability in Australia, unlike in some overseas jurisdictions such as the United States and United Kingdom.
- 8.105** In the United States, transition service provisions for students with a disability preparing to leave school are mandated under the *Disabilities Education Act Amendment 1997*. The mandated provisions are required to include ‘instruction related services, community experiences, the development of employment and other post-school adult living objectives, and when appropriate, acquisition of daily living skills’.⁶⁸⁶ The Act further requires that a statement of needed transition services be included in the student’s transition plan from the age of 14 (or younger if deemed necessary) and that transition planning take into account student preferences and interests.⁶⁸⁷ The requirement to start transition planning at 14 is consistent with our earlier recommendation regarding post-school planning (Recommendation 8).
- 8.106** In Scotland the *Education (Additional Support for Learning) Scotland Act 2004* introduces a duty on local authorities to provide transition planning and support for all young people with additional support needs. Under the Scottish Act, education authorities are required to prepare a Coordinated Support Plan for every student with a disability to prepare for the transition from school and put in place appropriate supports, while taking into account the views of the student.⁶⁸⁸
- 8.107** The Commissioner for Children and Young People, Ms Megan Mitchell, noted that without a mandate there is no necessity to undertake transition planning, as demonstrated in New South Wales:
- There are policies on transition in New South Wales but there is no information on the extent to which they are utilised. You have to say the track record is not very good in New South Wales in a non-mandated environment where policies and procedures exist.⁶⁸⁹
- 8.108** The NSW Commission for Children and Young People supported the introduction of mandated transition planning for children and young people with a disability, and added that such an approach would be in line with the *National Disability Strategy 2010 – 2020*,⁶⁹⁰ which recommends that Australian governments ‘identify and establish best practice for transition planning and support through all stages of learning and from education to employment.’⁶⁹¹

⁶⁸⁶ Submission 52, p 13.

⁶⁸⁷ Submission 52, p 13.

⁶⁸⁸ Submission 52, p 13.

⁶⁸⁹ Ms Mitchell, Evidence, 13 December 2011, p 39.

⁶⁹⁰ The National Disability Strategy, developed under the Council of Australian Governments, sets out a ten year national plan for improving life for Australians with disability, their families and carers. It represents a commitment by all levels of government, industry and the community to a unified, national approach to policy and program development.

⁶⁹¹ Submission 52, pp 12-13.

8.109 Mandating IEPs was also supported by the NSW Parents' Council, which stated:

IEPs are an essential component of transition planning and in many cases IEPs can be used as the basis for transition plans. IEPs are key in matching a student's educational programs and experiences to their post-school goals.⁶⁹²

8.110 However mandated plans were not supported by the Catholic Education Commission NSW, which considered that the 'reasonable adjustment' process required under the *Disability Discrimination Act 1992* (Cth) (through the Disability Standards for Education 2005, discussed at 4.67 – 4.74) is sufficient. The Commission expressed the view that mandating transition planning is unnecessary and could lead to unnecessary confusion – both legally and educationally.⁶⁹³

8.111 DEC also referred to the reasonable adjustment provisions mandated under the *Disability Discrimination Act*, although acknowledged that not all parents or education providers fully understand their respective rights and obligations under the legislation.⁶⁹⁴ DEC did not express a view on whether transition plans should be mandated in New South Wales.

8.112 Concerns over mandating transition planning were raised by Professor Perry, who said that little is known about whether transition plans actually work as intended. He suggested that mandating plans may have unintended consequences, such as detracting from the need to build positive relationships between all parties:

Mandating transition plans assumes that the people responsible for implementing the plans share understandings and value the expertise provided by the people who devise them. An over-emphasis on writing transition plans may detract from the need to build respectful relationships between students, educators, families and other agencies. These relationships are critical to the success of transition plans and they cannot be legislated.⁶⁹⁵

8.113 Professor Perry contended that developing positive relationships between parties (as considered earlier in this chapter) would be more effective at making transitions successful than mandating transition plans.⁶⁹⁶

8.114 National Disability Services argued that it should be the decision of the student and their family as to whether they want an IEP, however expressed the view that all students with a disability entering an educational setting should be offered the option.⁶⁹⁷

⁶⁹² Submission 57, p 5.

⁶⁹³ Answers to supplementary questions 13 December 2011, Catholic Education Commission, Question 5, p 2.

⁶⁹⁴ Answers to supplementary questions 12 September 2011, NSW Department of Education and Communities, Question 12, p 10.

⁶⁹⁵ Answers to supplementary questions 12 September 2009, Professor Bob Perry, Murray School of Education, Charles Sturt University, Question 1, p 1.

⁶⁹⁶ Answers to supplementary questions 12 September 2009, Professor Bob Perry, Murray School of Education, Charles Sturt University, Question 1, p 1.

⁶⁹⁷ Submission 61, p 9.

Committee comment

- 8.115** The Committee acknowledges the importance of transition planning for students with additional or complex needs, and notes that transition planning has been mandated in other jurisdictions for some time (for example, since 1997 in the United States).
- 8.116** We acknowledge the opinion expressed by the Catholic Education Commission NSW that mandated transition planning is not necessary due to the requirements under the Disability Standards for Education, however we note that even with these standards in place there is still a poor record of developing and implementing transition plans in New South Wales.
- 8.117** We also note Professor Perry's concerns regarding the potential effect that mandating transition plans may have on building respectful relationships between stakeholders. However, as mentioned earlier, we believe that the dedicated transition section case managers (Recommendation 20) will foster collaborative relationships between parties.
- 8.118** The Committee therefore recommends that the NSW Government legislate to mandate transition planning for students with additional or complex needs, and that it consider the impact of this on the reasonable adjustment process required under the *Disability Discrimination Act 1992* (Cth) (through the Disability Standards for Education 2005).

Recommendation 23

That the NSW Government introduce legislation to mandate transition planning for students with additional or complex needs, and that it consider the impact of the legislation on the reasonable adjustment process required under the *Disability Discrimination Act 1992* (Cth).

Lifespan approach

- 8.119** The Committee heard that a lifespan approach is also important in the development of individual plans for students with additional or complex needs.
- 8.120** Family Advocacy stated that educational transitions are more likely to be successful when a 'whole-of-life' approach is taken to planning from an early age:
- Supporting families to develop a vision and long-term goals based on the strengths and interests of the person with disability helps to guide and clarify decisions made in the short-term – from what subjects are chosen at primary and secondary school to the type of work experience undertaken in year 10.⁶⁹⁸
- 8.121** The Committee was advised that there is a move toward lifespan approaches for people with a disability under ADHC's *Stronger Together 2*, the objective of which is to create long term pathways for people with a disability, with a focus on significant stages and transition points,

⁶⁹⁸ Submission 34, p 12.

to build upon their strengths and enable them to participate in and contribute to the community.⁶⁹⁹

8.122 This was supported by the NSW Commission for Children and Young People as ‘an ideal approach’.⁷⁰⁰ The Commission commented:

This approach recognizes that children with a disability are likely to have specific requirements for support and preventive interventions corresponding to their developmental stage and major transition milestones.⁷⁰¹

8.123 The Commission acknowledged that ADHC has the key role in leading and promoting the lifespan approach, however asserted that it should be understood and adopted by all government and non government agencies that assist people with disability, and that all school staff should also understand and apply this approach.⁷⁰²

Committee comment

8.124 The Committee notes the evidence regarding the value of a lifespan approach to transition planning. We note that ADHC is moving toward such an approach and support this move.

8.125 The Committee encourages case managers within the dedicated DEC transition section (Recommendation 20), as well as any other agency involved in transition planning for students with additional or complex needs, to also adopt a lifespan approach to transition planning.

Timeframe for transitions

8.126 The following sections consider the importance of starting transition planning early and providing a gradual transition process through orientation programs. They also discuss the importance of continued support after a transition and the need to evaluate the success of each transition.

Starting early

8.127 The value for families of starting transition processes early was noted by Family Advocacy:

Feedback from families indicates that an effective approach to preparing all parties in a transition is to facilitate the person transitioning to experience the new environment over a period of time long before the actual transition takes place.⁷⁰³

⁶⁹⁹ Answers to supplementary questions 13 December 2011, NSW Commission for Children and Young People, Question 1, p 1.

⁷⁰⁰ Answers to supplementary questions 13 December 2011, NSW Commission for Children and Young People, Question 1, p 1.

⁷⁰¹ Answers to supplementary questions 13 December 2011, NSW Commission for Children and Young People, Question 1, p 1.

⁷⁰² Answers to supplementary questions 13 December 2011, NSW Commission for Children and Young People, Question 1, p 1.

⁷⁰³ Submission 34, p 12.

8.128 The NSW Commission for Children and Young People agreed that transition planning should commence well in advance, particularly for children with disability or complex needs, however stated that this does not always occur.⁷⁰⁴ This was supported in evidence from one parent, Sharon, who, in relation to her daughter's pending transition to high school, told the Committee: 'At this point we do not have a transition person or a contact person for next year and it will be November soon.'⁷⁰⁵

8.129 The importance of giving students more time to prepare for transitions, particularly students with autism who may find change and breaking of routines difficult, was raised by Mr John Betts, a parent and the President of Orange Autism Support Group:

As parents a lot of them try to prepare their kids as best they can, and usually the best way to do that is to familiarise the children before they get to the new setting so that there is minimum stress and so on. Quite a lot of the stress then leads to a lot of anxiety and then a lot of anxiety can lead to aggression; so you have got behavior problems, and that can be misinterpreted, and you have got a whole gambit of things.⁷⁰⁶

8.130 Beginning the transition process early enables families to commence preparations early, and allows for appropriate supports, including therapy services and building modifications, to be accessed and implemented in time for when the student starts school.

8.131 Autism Spectrum Australia (Aspect) and the NSW Chapter of the Australian Association of Special Education recommended that transition planning begin at least 12 months prior to the transition.⁷⁰⁷ Northcott Disability Services suggested that best practice would be to start planning 12-18 months prior to the transition,⁷⁰⁸ while the NSW Commission for Children and Young People stated that planning for critical transitions should take at least two years.⁷⁰⁹ The Commission noted:

The time needed will most likely vary on the basis of how extensive and complex the support needs of the child are, with transition planning for children requiring higher levels of support likely to take longer.⁷¹⁰

8.132 In chapter 5 the Committee recommended that post-school transition planning should commence at 14 (see Recommendation 8).

⁷⁰⁴ Submission 52, p 16.

⁷⁰⁵ Sharon, Evidence, 10 October 2011, p 13.

⁷⁰⁶ Mr John Betts, Parent and President of Orange Autism Support Group, Evidence, 5 December 2011, p 2.

⁷⁰⁷ Submission 56, NSW Chapter of the Australian Association of Special Education, p 7; Answers to supplementary questions 10 October 2011, Autism Spectrum Australia (Aspect), Question 4, p 3.

⁷⁰⁸ Submission 17, p 12; Ms Liz Forsyth, Sector and Business Development Manager, Northcott Disability Services, Evidence, 12 September 2011, p 47.

⁷⁰⁹ Answers to supplementary questions 13 December 2011, NSW Commission for Children and Young People, Question 3, p 4.

⁷¹⁰ Answers to supplementary questions 13 December 2011, NSW Commission for Children and Young People, Question 3, p 4.

8.133 Northcott Disability Services noted that starting transition planning is particularly important if a student requires therapy services or building modifications, as these can involve long wait and significant timeframes.⁷¹¹

8.134 The Federation of Parents and Citizens' Association of NSW similarly stated that discussions on the needs of students with a disability should commence in the year preceding the transition, in order to ensure there is enough time to make any necessary adjustments to the student's physical environment.⁷¹²

8.135 However, the Committee heard that some parents have been discouraged from making plans 'too early'. Down Syndrome NSW stated:

It was reported to us this week that the family of a Year 5 student with Down syndrome was rebuffed by a special education teacher at a neighbourhood high school in Sydney when they approached her to begin the process of gathering information about transition to secondary school for their child. The teacher told a colleague ... that she had sent them away to come back this time next year, because it was "much too early to think about high school". We wonder when she would begin 'thinking about high school' for her own children.⁷¹³

8.136 A related issue is that decisions regarding class teachers may not be made until late, which can also impact the transition process. This was illustrated by Dr Coral Kemp, part-time academic and special education consultant and Ms Dawn Chadwick, manager of the STaR Childcare Support Program:

The teacher in whose class the child will be placed in the following year is not always selected prior to the end of the year before the child begins school. This can lead to problems with planning and executing the orientation of the child and preparing the teacher to receive the child.⁷¹⁴

8.137 Ms Robyn Bale, Director, Student Achievement and Community Partnerships, DEC acknowledged the importance of starting transition planning early, and advised that DEC has developed a package of extended transition to school programs 'because we understand that for some families transition to school does need to be over a much more extended period of time, not just an orientation program or a few sessions before school'.⁷¹⁵ The extended transition packages are suited to families that wish to start transition planning a full year or more before school entry.⁷¹⁶

⁷¹¹ Submission 17, p 12; Ms Forsyth, Evidence, 12 September 2011, p 47.

⁷¹² Submission 10, p 4.

⁷¹³ Submission 39, p 1.

⁷¹⁴ Submission 37, p 12.

⁷¹⁵ Ms Robyn Bale, Director, Student Achievement and Community Partnerships, Department of Education and Communities, Evidence, 12 September 2011, p 5.

⁷¹⁶ Ms Bale, Director, Evidence, 12 September 2011, p 5.

Orientation programs

- 8.138** Orientation programs assist students to become gradually accustomed to their new setting. However the Committee was informed that there is considerable variability in what individual schools offer by way of orientation programs.⁷¹⁷
- 8.139** In regard to the transition from primary to secondary school, Northcott Disability Services contended that single visit orientation programs for Year 6 students are often not extensive enough to meet the needs of students with disabilities. Northcott argued that '[a] more tailored and flexible orientation progress which includes a series of orientation visits to the school would support a more seamless transition into secondary education for some students.'⁷¹⁸
- 8.140** KU Children's Services stated that in general a transition to school program consisting of between four and six visits is appreciated by most families, and that more visits are needed for children with complex needs.⁷¹⁹ The NSW SSP Principals' Network also supported a slow and gradual transition into new school settings.⁷²⁰

Post-transition support

- 8.141** In addition to starting transition planning early, inquiry participants insisted that support should continue for a period after the actual transition. Northcott Disability Services observed that:
- Transition supports are currently usually only provided on a short-term basis, focusing on planning for the transition into school, and limited support is provided to students once they have actually started school.⁷²¹
- 8.142** The lack of ongoing support following transitions was commented on by Family Advocacy, which argued that '[s]ustaining support for families, students and schools is vital to ensure that positive partnerships and outcomes are maintained for all involved and minimising tension and stress.'⁷²² Mission Australia declared: 'To be truly effective, support for the transition into school has to continue into the school years.'⁷²³
- 8.143** Northcott Disability Services suggested that best practice would be for transition support services to continue for at least six months post-transition, to allow for review and amendments to transition supports, school environment and curriculum.⁷²⁴ It noted that while transition support focuses on a child's needs moving between education settings, ongoing

⁷¹⁷ Submission 55, KU Children's Services, p 3.

⁷¹⁸ Submission 17, p 11.

⁷¹⁹ Submission 55, p 3.

⁷²⁰ Submission 5, NSW SSP Principals' Network, p 3.

⁷²¹ Submission 17, p 12.

⁷²² Submission 34, p 9.

⁷²³ Submission 29, p 6.

⁷²⁴ Submission 17, p 12.

monitoring and re-assessment of these needs are essential to ensure these students 'are able to continue to be active participants in their education.'⁷²⁵

8.144 Autism Spectrum Australia (Aspect) recommended that transition support should continue for even longer, with a 12 month follow-up process.⁷²⁶

8.145 As noted at 8.105 – 8.106, transition planning is mandated in some overseas jurisdictions. The Committee was informed that s 10 of the *Education (Additional Support for Learning) (Scotland) Act 2004* mandates the review of Coordinated Support Plans for children with a disability 12 months after development, and subsequently every 12 months from the date of the review until the plan is complete or no longer required.⁷²⁷

Evaluation

8.146 The Committee heard that it is also important to evaluate transitions in order to improve future transition processes. This was raised by Dr Kemp and Ms Chadwick who suggested that the success of transitions could be measured by how well the child is included in their new setting:

The success of the inclusion can be measured in a number of ways. The perception of the success of the child's inclusion from the point of view of the school staff, in particular the classroom teacher, and the parent is primary among these. More objective measures would include, the ongoing inclusion of the child and child outcomes as measured by attainment of goals and objectives set by the classroom teacher in collaboration with the family and support personnel.⁷²⁸

8.147 As noted at 2.54, the NSW Government has a *Transition to School* matrix, which is a practical tool to plan and self-evaluate transitions. However, use of the matrix is optional, and has only been adopted by some government schools.

Committee comment

8.148 The Committee acknowledges the importance of starting transition planning early in order to enable all parties to appropriately prepare, and to ensure that any necessary supports or modifications are in place. We believe that planning for transitions between schools should begin at least 12 months prior to transition, and that support should continue for at least six months after, and recommend that this occur.

⁷²⁵ Submission 17, p 11.

⁷²⁶ Submission 56, p 7; Answers to supplementary questions 10 October 2011, Autism Spectrum Australia (Aspect), Question 4, p 3.

⁷²⁷ Answers to supplementary questions 13 December 2011, NSW Commission for Children and Young People, Question 3, p 5.

⁷²⁸ Submission 37, pp 8-9.

Recommendation 24

That the NSW Department of Education and Communities introduce a policy that planning for students with additional or complex needs transitioning between schools should commence at least 12 months prior to transition, and that support should continue for at least six months after.

- 8.149** In regard to planning for post-school transitions, we refer to our earlier Recommendation 8 regarding commencing planning at the age of 14.

Conclusion

- 8.150** The Committee acknowledges that implementing best practice methods for transition planning may require additional funding and resources, however the value of successful support and planning cannot be underestimated.

- 8.151** Positive transitions contribute to better educational outcomes, which can lead to better employment opportunities and a more meaningful community life for young people with additional or complex needs. This was highlighted by Mr Betts in relation to students with high-functioning autism:

... they can contribute a lot to our society. It is not like the State has to support them forever. All you have got to do is get them through school and get them a good education, make sure they are well-balanced and they can contribute enormously in our society.⁷²⁹

- 8.152** While investing in transitions may be expensive initially, we believe that in the long run it will lead to reduced costs on governments through having more educated and employable people in the community.

- 8.153** The Committee also notes that the recommendations throughout this report are aimed at NSW Government schools and government agencies. Nonetheless many of these could be applied in Catholic and independent schools, and we strongly encourage schools in those sectors to adopt the best practice recommendations regarding transition planning and support for students with additional or complex needs made throughout this report.

⁷²⁹ Mr Betts, Evidence, 5 December 2011, p 9.

Appendix 1 Submissions

No	Author
1	Queensland Centre for Intellectual and Developmental Disabilities
2	Hay School Of The Air P&C
3	Name suppressed
4	Multicultural Youth Affairs Network (MYAN) NSW
5	NSW SSP Principals' Network
6	Wairoa School
7	Autism Spectrum Australia
8	Country Women's Association of NSW
9	Charles Sturt University
10	Federation of Parents and Citizens' Association of NSW
11	Carers NSW
12	Lifestyle Solutions
13	Name suppressed
14	Confidential
15	NSW Primary Principals' Association
16	Parent Council for Education
17	Northcott Disability Services
18	Deaf Society of NSW
19	New South Wales Secondary Principals' Council
20	Association of Doctors in Developmental Disability
21	Catholic Education, Diocese of Parramatta
22	Muscular Dystrophy NSW
23	National Disability Coordination Officer Program (University of Western Sydney)
24	Network of Community Activities
25	NSW Ombudsman
26	Western Sydney Local Health Network
27	Council of Catholic School Parents NSW/ACT
28	Little by Little
29	Mission Australia
30	Speech Pathology Australia
31	Name suppressed
32	NSW Teachers Federation

No	Author
33	Occupational Therapy Australia - NSW Division
34	Family Advocacy
35	Council of Social Service NSW (NCOSS)
36	Ronald McDonald House Charities
37	Dr Coral Kemp and Dawn Chadwick
38	Autism Aspergers Advocacy Australia
39	Down Syndrome NSW
40	Name suppressed
41	Sydney Institute TAFE NSW
42	NSW Network of National Disability Coordination Officers
43	Royal Australasian College of Physicians
44	Vision Australia
45	Name suppressed
46	Name suppressed
47	UnitingCare Children, Young People and Families
48	Dr Iva Strnadova
49	Learning Difficulties Coalition of NSW Inc
50	Early Childhood Intervention Australia (NSW Chapter) Inc.
51	Catholic Education Commission
52	NSW Commission for Children and Young People
53	NSW Government
54	Juvenile Justice
55	KU Children's Services
56	NSW Chapter of the Australian Association of Special Education
57	NSW Parents' Council
58	Ability Options
59	National Council on Intellectual Disability and Jobsupport
60	AS Capable
61	National Disability Services – NSW
62	National Independent Special Schools Association
63	Liverpool Migrant Resource Centre
64	Marianne Rajkovic
65	Dr Michelle Townsend
66	Confidential
67	Mr John Betts

Appendix 2 Witnesses

Date	Name	Position and Organisation
Monday 12 September 2011 Waratah Room Parliament House	Ms Deonne Smith	General Manager, Access and Equity, Department of Education and Communities
	Mr Brian Smyth King	Director, Disability Programs, Department of Education and Communities
	Ms Robyn Bale	Director, Student Achievement and Community Partnerships, Department of Education and Communities
	Mr John Mason	Executive Director, Early Childhood Education and Care, Department of Education and Communities
	Professor Bob Perry	Murray School of Education, Charles Sturt University
	Ms Christine Regan	Senior Policy Officer, Council of Social Service NSW (NCOSS)
	Ms Sylvana Mahmic	Director, Pathways Early Childhood Intervention Inc.
	Ms Rachel Merton	Chief Executive Officer, NSW Brain Injury Association
	Ms Tara Dias	Policy Officer, NSW Consumer Advisory Group – Mental Health
	Dr Peri O'Shea	CEO NSW Consumer Advisory Group – Mental Health
	Ms Liz Forsyth	Sector and Business Development Manager, Northcott Society
	Ms Terri Mears	Occupational Therapist, Manager, Community Research Partnerships, Northcott Society
	Ms Hilary Smith	Area Manager, Northcott Society
	Ms Desley Morgan	Vice President, NSW Primary Principals' Association
	Mr Graeme McLeod	Convenor, Disability Reference Group, NSW Primary Principals' Association
Ms Jill Dean	President, NSW Schools for Specific Purposes Principals' Network	

Date	Name	Position and Organisation
Monday 10 October 2011 Waratah Room Parliament House	Ms Anne Flint	Vice President, NSW Schools for Specific Purposes Principals' Network
	Ms Tina Binepal	Teacher/Consultant – Intellectual Disability, TAFE NSW Sydney Institute
	Ms Susan Johnston	Teacher/Consultant – Neurological Disability, TAFE NSW Sydney Institute
	Ms Rowena Stulajter	Community Development Manager, NSW Parents' Council Inc
	Sharon	Parent
	Amber	Student
	Dr Trevor Clark	Director, Education & Research, Autism Spectrum Australia
	Dr Debra Costley	General Manager, Education Development & Research, Autism Spectrum Australia
	Ms Kate Kennedy	Coordinator Information & Advocacy, Parent Council for Deaf Education
	Ms Leihana Mahe	Parent member, Parent Council for Deaf Education
	Ms Leesa Cluff	Parent member, Parent Council for Deaf Education
	Mr Jim Moore	Chief Executive, Ageing, Disability and Home Care and Acting Director General, Dept of Family and Community Services
	Dr Sev Ozdowski	Director of Equity & Diversity, National Disability Coordination Officer Program, University of Western Sydney
	Ms Nicole Ison	Coordinator, National Disability Coordination Officer Program, University of Western Sydney
	Mr Patrick Maher	Chief Operating Officer, National Disability Services
Ms Emily Caska	State Policy Co-ordinator, National Disability Services	
Ms Katherine McLellan	Policy & Project Officer, National Disability Services	
Mr Graham Kahabka	School Education Director, North Wollongong, Dept of Education and Communities	

Date	Name	Position and Organisation
Monday 5 December 2011 Meeting Room Mission Australia, Dubbo	Dr Ros Coleborne	Student Support Coordinator, Disability Programs, Dept of Education and Communities
	Ms Vicki Muscat	Principal, Queanbeyan West Public School
	Ms Wendy English	Assistant Principal Outreach, NSW Dept Education & Communities
	Ms Melissa McWilliam	Parent and member of Guiding Hands Autism Support Group
	Mr John Betts	Parent and President of Orange Autism Support Group
	Mr Toby Betts	Student
	Ms Toni Daly	Welfare Advisor - Autism, Dubbo School of Distance Education
	Ms Delma Haidle	Case Manager, The Westhaven Association
	Mr Mason Anderson	Client, The Westhaven Association
	Mr Justin Fettell	Client, The Westhaven Association
	Ms Ruth Moody	Client, The Westhaven Association
	Mr Chris Marshall	Client, The Westhaven Association
	Ms Dale Towns	Service Manager, Mission Australia
	Ms Elizabeth Johnstone	Service Manager, Mission Australia
	Ms Cathy Lambert	Manager, Child and Family Team, UnitingCare Burnside
	Mr Dave Ryan	Operations Manager, Orana Far West, UnitingCare Burnside
	Ms Irene Han	General Manager Operations – NSW/Vic/Tas, Lifestyle Solutions
Aunty Pat Doolan	President, Dubbo Aboriginal Education Consultative Group	
Mr Ray Eldridge	Manager, Indigenous Student Services, Charles Sturt University	
Mr Rodney Towney	Manager, Aboriginal Education and Training Unit, TAFE Western	
Ms Shirley Anne Wilson	CEO, Allira Aboriginal Child Care Centre	
Tuesday 13 December 2011 Macquarie Room Parliament House	Mr Kamalle Dabboussy	Manager, Liverpool Migrant Resource Centre
	Ms Pietty Greenwood	Multicultural Families Resource Project Coordinator, Liverpool Migrant Resource Centre
	Dr Michelle Townsend	Researcher, Centre for Children and Young People, Southern Cross University

Date	Name	Position and Organisation
	Mr Alan Wilson	A/Manager, Disabilities and Educational Support, Victorian Department of Education and Early Childhood Development
	Mr Allan Young	Chief Executive Officer, Elouera Association (Inc)
	Ms Megan Mitchell	Commissioner, NSW Commission for Children and Young People
	Mr Gregor Macfie	Director, Policy and Research, NSW Commission for Children and Young People
	Witness M	Student
	Ms Belinda Epstein-Frisch	Systems Advocate, Family Advocacy
	Ms Nadia Samperi	Systems Advocate, Family Advocacy
	Ms Gina Wilson-Burns	Parent
	Mr Ian Baker	Director, Education Policy and Programs, Catholic Education Commission NSW
	Ms Geraldine Gray	State Coordinator Special Learning Needs, Catholic Education Commission NSW
	Mr Vince Connor	Director, Diocese of Wilcannia Forbes, Catholic Education Commission NSW
	Ms Margaret McKay	Acting Director Professional Services, NSW Association of Independent Schools
	Ms Robyn Yates	Director, Government Education Policy, NSW Association of Independent Schools

Appendix 3 Tabled documents

Monday 12 September 2011

Waratah Room, Parliament House

1. Transition to school: Position statement, Charles Sturt University – *tendered by Professor Bob Perry.*

Monday 10 October 2011

Waratah Room, Parliament House

1. Effective Support Strategies for students with autism spectrum disorders transitioning to new educational settings – *tendered by Dr Trevor Clark.*
2. Ms Nicole Ison tendered the following documents:
 - booklets Get Ready for Study and Work and Your right to an education
 - brochures for The Get Ready for Uni, The Western Sydney NDCO program and the Education to Employment websites.

Monday 5 December 2011

Meeting Room, Mission Australia, Dubbo

1. Suspension in NSW Schools, Fact Sheet – *tendered by Mr Dave Ryan.*

Tuesday 13 December 2011

Macquarie Room, Parliament House

1. Mr Alan Wilson tendered the following documents:
 - Transition: A Positive Start to School
 - Using the Transition Learning and Development Statement to inform curriculum design and delivery
 - Transition: A Positive Start to School Resource Kit
 - Transition Learning and Development Statement for
 - Sharing Our Journey – The transition from kindergarten to school
 - Sharing our journey – Protocol
 - Sharing our journey planner.
2. Rural and Remote and Supervisors Subsidy Funding - Elouera Special School – *tendered by Mr Allan Young*
3. Blank grid to identify transition activities and strategies – *tendered by Ms Belinda Epstein-Frisch.*
4. Mac Burns: 8yo Cambewarra Public School – *tendered by Ms Gina Wilson-Burns.*

Appendix 4 Answers to questions on notice

The Committee received answers to questions on notice and/or supplementary questions from:

- Mr Alan Wilson, A/Manager, Disabilities and Educational Support, Victorian Department of Education and Early Childhood Development
- Ageing, Disability and Home Care, NSW Department of Family and Community Services
- Association of Independent Schools of NSW
- Autism Spectrum Australia (Aspect)
- Catholic Education Commission NSW
- Council of Social Service NSW (NCOSS)
- Dr Michelle Townsend
- National Disability Services
- Northcott Society
- NSW Commission for Children and Young People
- NSW Department of Education and Communities
- NSW Parents' Council
- NSW Primary Principals' Association
- NSW Schools for Specific Purpose Principals' Network
- Professor Bob Perry, Murray School of Education, Charles Sturt University
- TAFE NSW

Appendix 5 Minutes

Minutes No. 3

Tuesday 21 June 2011

Members' Lounge, Parliament House, Sydney, at 10.30 am

1. Members present

Mr Blair (*Chair*)

Ms Westwood (*Deputy Chair*)

Ms Cusack

Mr Donnelly

Ms Faehrmann

Mrs Maclaren-Jones

2. Confirmation of previous Minutes

Resolved, on the motion of Mr Donnelly: That Draft Minutes No 2 be confirmed.

3. Correspondence

The Committee noted the following item of correspondence received:

- 20 June 2011 – From Adrian Piccoli MP, Minister for Education, to the Chair, referring two inquiries to the Committee.

4. Inquiry into transition support for students with additional or complex needs and their families

The Chair tabled the following Terms of Reference for an Inquiry into transition support for students with additional or complex needs and their families received from the Hon Adrian Piccoli MP, Minister for Education.

That the Standing Committee on Social Issues inquire into and report on programs and services for children with additional and/or complex needs and their families during transitions between stages of education, and in particular:

- i) The adequacy and accessibility of appropriate support for children and their families;
- ii) Best practice approaches to ensure seamless and streamlined assistance during transitions; and,
- iii) Any other related matters.

Resolved, on the motion of Mrs Maclaren-Jones: That the Committee adopt the terms of reference from the Minister for Education to undertake an Inquiry into transition support for students with additional or complex needs and their families and that under clause 5(2) of the resolution of the House establishing the Standing Committees dated 9 May 2011, the Chair inform the House of the receipt of terms of reference for an inquiry into transition support for students with additional or complex needs.

4.1 Advertising and call for submissions

Resolved, on the motion of Ms Westwood:

- That the closing date for submissions be Friday 12 August 2011
- That the Inquiry and call for submissions be advertised in major metropolitan newspapers in the week commencing 27 June 2011
- That the Chair issue a media release announcing the establishment of the Inquiry

4.2 Invitations to stakeholders to make a submission

Resolved, on the motion of Mrs Maclaren-Jones: That the Committee write to the following stakeholders informing them of the Inquiry and inviting them to make a submission:

- Disability/learning difficulty parent groups e.g. Carers NSW, Autism Association NSW

- Department of Education and Training
- Macquarie University Special Education Centre
- Federation of Parents and Citizens Associations of NSW
- NSW Primary Principals' Association
- NSW Secondary Principals' Council
- NSW Teachers' Federation
- Catholic Education Commission NSW
- Association of Independent Schools

Resolved, on the motion of Ms Maclaren-Jones: That members notify the Secretariat of any stakeholders they wish to be invited by COB Friday 1 July 2011.

4.3 Pre-publication of submissions

Resolved, on the motion of Mr Donnelly: That Committee authorises the publication of all submissions to the Inquiry into transition support for students with additional or complex needs, subject to the Committee Clerk checking for confidentiality, adverse mention and other issues. Submissions identified as containing confidentiality, adverse mention or other issues will then be considered by the Committee.

4.4 Possible hearing dates

Resolved, on the motion of Ms Faehrmann: That the Committee hold three public hearings as part of the inquiry into transition support for students with additional or complex needs in the weeks beginning 29 August 2011 and 19 September 2011.

4.5 Reporting date

Resolved, on the motion of Mrs Maclaren-Jones: That the Committee report by Tuesday 22 November 2011.

...

6. Adjournment

The Committee adjourned at 11am *sine die*.

Rachel Simpson
Committee Clerk

Minutes No. 4

Monday 25 July 2011

Room 1153, Parliament House, Sydney, 1:00 pm

1. Members present

Mr Blair (Chair)
Mr Donnelly
Ms Maclaren-Jones (from 1:25pm)
Ms Cusack (via teleconference)
Ms Westwood (via teleconference)

2. Apologies

Ms Faehrmann

3. Electronic participation

Ms Cusack and Ms Westwood advised the Secretariat that they will be participating via electronic participation according to clause 12 of the resolution of the House appointing the Committee.

4. Confirmation of previous minutes

Resolved, on the motion of Mr Donnelly: That Draft Minutes No. 3 be confirmed.

5. Correspondence

The following correspondence was noted.

Received

...

- 18 July 2011 – From the Hon Adrian Piccoli MP, Minister for Education, to the Chair, seeking an extension for the Department of Education and Communities' submission to the inquiry into transition support for children with additional or complex needs and their families until 19 August 2011.

...

Sent:

...

- 30 June 2011 – From the Chair to the Hon Adrian Piccoli MP, Minister for Education, advising that the Committee adopted the terms of reference for the inquiry into transitional support for students with additional and/or complex needs and their families and deferred a decision about the proposed reference into the impact of social disadvantage on educational outcomes.

...

8. Inquiry into transition support for students with additional or complex needs and their families**8.1 Consideration and publication of background paper**

Resolved, on the motion of Ms Maclaren-Jones: That the Committee authorise the publication of the background paper to the inquiry into transition support for students with additional or complex needs and their families.

8.2 Hearings

Resolved, on the motion of Ms Maclaren-Jones: That the Committee hold a public hearing for the inquiry into transition support for students with additional or complex needs and their families on 20 September 2011.

8.3 Submissions

Resolved, on the motion of Ms Westwood: That the Department of Premier and Cabinet and the Department of Education and Training be given an extension on the closing date for their submissions to 24 August 2011.

9. Adjournment

The Committee adjourned at 1:45pm *sine die*.

Rachel Simpson
Committee Clerk

Minutes No. 5

Wednesday 24 August 2011

Standing Committee on Social Issues

Member's Lounge, Parliament House, Sydney, 1:00pm

1. Members present

Mr Blair (Chair)

Mr Donnelly

Ms Cusack

Ms Faehrmann

Ms Maclaren-Jones (from 1:10pm)

Ms Westwood

2. Previous minutes

Resolved, on the motion of Ms Cusack: That Draft Minutes No. 4 be confirmed.

3. Correspondence

The Committee noted the following items of correspondence:

Received

...

- 15 August 2011 – Email from Ms Katrina Clark, Association for Children with Disability NSW, referring the Committee to ‘Through the Maze’ booklet.

4. Inquiry into transition support for students with additional or complex needs and their families

4.1 Submissions

The Committee noted that Submissions nos. 1,2,4,5,7,8,9,10,11,12,15,16,17,18,19,20,21,22,23,24, 25, 26,27,28 were published by the Committee Clerk under the authorisation of the Committee’s resolution of 21 June 2011.

Resolved on the motion of Ms Cusack: That submission no. 14 be kept confidential.

Resolved on the motion of Ms Faehrmann: That the Committee authorise the publication of submission nos. 6 and 13 with the exception of the name and other identifying details of the authors which are to remain confidential.

4.2 Requests for extensions granted

The Committee noted that extensions have been granted until 26 August 2011 to:

- NSW Government
- UnitingCare Children, Young People and Families
- Department of Education and Training
- Department of Education, Employment and Workplace Relations
- Vision Australia
- Royal Australian College of Physicians
- Occupational Therapy Association
- Ms Prue Walsh
- Parents Council
- Youth Action and Policy Association
- Learning Difficulties Coalition
- NCOSS
- Commission for Children and Young People
- The Smith Family

- Ability Options
- Department of Juvenile Justice
- Institute for Early Childhood Education, Macquarie University

4.3 Hearings

Ms Maclaren-Jones joined the meeting.

Resolved on the motion of Ms Westwood: That the following people or organisations be invited to attend the public hearings on 12 September and 10 October 2011:

- Mr Jim Moore, Chief Executive, Ageing, Disability and Home Care
- Ms Pam Christie, A/Director General, Department of Education and Community
- Prof Bob Perry and Prof Sue Dockett, Murray School of Education, Charles Sturt University
- Ms Heike Fabig, President, Association for Children with Disability NSW
- Ms Liz Forsyth, Manager, Sector and Business Development, Northcott Society
- Ms Terri Mears, Manager, Community Research Partnerships, Northcott Society
- Ms Hilary Smith, Area Manager, Northcott Society
- Ms Desley Morgan, Vice-President, NSW Primary Principals' Association
- Mr Graeme McLeod, Convenor, Disability Reference Group, NSW Primary Principals' Association
- Ms Jill Dean, President, NSW Special Schools Principals' Network
- Ms Anne Flint, Vice-President, NSW Special Schools Principals' Network
- Dr Sev Ozdowski, University of Western Sydney
- Ms Nicole Ison, Team Leader, National Disability Coordination Officer Program
- Dr Trevor Clark, Director, Education and Research, Autism Spectrum Australia
- TAFE representatives
- Parent Council Deaf Education
- Representatives from newly arrived migrant communities

Resolved on the motion of Ms Westwood: That the Committee hold an additional regional hearing on 5 December 2011, with the location to be determined by the Chair in consultation with the Committee.

Resolved on the motion of Ms Cusack: That the Committee report at a later date than 22 November 2011, at a date to be determined.

5. Adjournment

Rachel Simpson
Committee Clerk

Minutes No. 6

Monday 12 September 2011
Standing Committee on Social Issues
Waratah Room, Parliament House, 9.45am

1. Members present

Mr Blair (Chair)
Ms Westwood (Deputy Chair)
Mr Donnelly
Ms Faehrmann
Mrs Maclaren-Jones

2. Apologies

Ms Cusack

3. Previous minutes

Resolved, on the motion of Mr Donnelly: That draft Minutes No. 5 be confirmed.

...

5. Submissions

The Committee noted that Submission Nos. 29-30, 32-39, 41-44 and 47-61 were published by the Committee Clerk under the authorisation of an earlier resolution.

Resolved, on the motion of Mrs Maclaren-Jones: That the Committee authorise the publication of Submission Nos. 31, 40, 45 and 46, with the exception of the name and other identifying details of the authors which are to remain confidential.

6. Supplementary questions

Resolved, on the motion of Ms Faehrmann: That for the duration of the Inquiry into transition support for students with additional or complex needs and their families, supplementary questions may be lodged with the secretariat up to two days following the receipt of the hearing transcript.

7. Return date for answers to questions on notice and supplementary questions

Resolved, on the motion of Mr Donnelly: That for the duration of the Inquiry into transition support for students with additional or complex needs and their families, witnesses be requested to return answers to questions on notice and supplementary questions within 21 days of the date on which the questions are forwarded to the witness.

8. Filming by students

Resolved, on the motion of Mr Donnelly: That the Committee authorise students from the University of Technology Sydney to film the Committee hearing.

9. Public hearing – Inquiry into transition support for students with additional or complex needs and their families

The public and media were admitted.

The Chair made an opening statement regarding the broadcasting of proceedings and other matters.

The following witnesses from the Department of Education and Communities were sworn and examined:

- Ms Deonne Smith, General Manager, Access and Equity
- Mr Brian Smyth King, Director, Disability Programs
- Ms Robyn Bale, Director, Student Achievement and Community Partnerships
- Mr John Mason, Executive Director, Early Childhood Education and Care.

The evidence concluded and the witnesses withdrew.

The following witness was sworn and examined:

- Professor Bob Perry, Murray School of Education, Charles Sturt University.

Professor Perry tabled a document:

- Transition to School Position Statement, Charles Sturt University.

The evidence concluded and the witness withdrew.

The following witnesses were sworn and examined:

- Ms Christine Regan, Senior Policy Officer, Council of Social Service NSW (NCOSS)
- Ms Sylvana Mahmic, Director, Pathways Early Childhood Intervention Inc.
- Ms Rachel Merton, Chief Executive Officer, NSW Brain Injury Association
- Ms Tara Dias, Policy Officer, NSW Consumer Advisory Group – Mental Health
- Dr Peri O'Shea, Chief Executive Officer, NSW Consumer Advisory Group – Mental Health.

The evidence concluded and the witnesses withdrew.

The following witnesses from the Northcott Society were sworn and examined:

- Ms Liz Forsyth, Sector and Business Development Manager
- Ms Terri Mears, Occupational Therapist, Manager, Community Research Partnerships
- Ms Hilary Smith, Area Manager.

The evidence concluded and the witnesses withdrew.

The following witnesses from the NSW Primary Principals' Association were sworn and examined:

- Ms Desley Morgan, Vice President
- Mr Graeme McLeod, Convenor, Disability Reference Group.

The evidence concluded and the witnesses withdrew.

The following witnesses from the NSW Schools for Specific Purposes Principals' Network were sworn and examined:

- Ms Jill Dean, President
- Ms Anne Flint, Vice President.

10. Acceptance and publication of documents tendered during the public hearing

Resolved, on the motion of Ms Westwood: That the Committee accept the following document tendered during the public hearing:

- Transition to School Position Statement, Charles Sturt University.

11. Adjournment

The Committee adjourned at 5.40pm until 9.45am on Monday 10 October 2011.

Teresa McMichael
Committee Clerk

Minutes No. 7

Monday 10 October 2011

Standing Committee on Social Issues

Waratah Room, Parliament House, 9.35am

1. Members present

Mr Blair (Chair)

Ms Westwood (Deputy Chair)

Mr Donnelly

Ms Faehrmann

Mrs Maclaren-Jones

2. Apologies

Ms Cusack

3. Previous minutes

Resolved, on the motion of Ms Faehrmann: That draft Minutes No. 6 be confirmed.

...

5. Other business

Resolved, on the motion of Ms Westwood: That:

- the Committee appoint a sub-committee for the purposes of conducting meetings. and hearings site visits as part of the inquiry into transition support for students with additional or complex needs and their families and the inquiry into domestic violence trends and issues in NSW
- Mr Blair, Ms Westwood, Mr Donnelly, Ms Faehrmann and Mrs Maclaren-Jones be members of the sub-committee
- The sub-committee only meet when the committee is unable to meet due to lack of quorum requirements under paragraph 9 of the resolution appointing the committee.

...

7. Inquiry into transition support for students with additional or complex needs and their families**7.1 Submissions**

The Committee noted that Submission Nos 62 and 63 were published by the Committee Clerk under the authorisation the committee's resolution of 21 June 2011.

7.2 Change to Submission No. 37

The Committee noted that the authors of Submission No. 37 had requested that their submission cover page reflect that the submission was written by Dr Coral Kemp and Ms Dawn Chadwick as individuals, rather than on behalf of Macquarie University.

7.3 Dubbo site visit – Monday 5 December 2011

The secretariat provided an update on the Dubbo site visit.

7.4 Public hearing #3 – Tuesday 13 December 2011

Resolved, on the motion of Mrs Maclaren-Smith: That the Committee hold a third public hearing into the Inquiry into transition support for students with additional or complex needs and their families in Sydney on Tuesday 13 December 2011.

7.5 Evidence from a minor

The Committee noted that it would be hearing evidence from a 13 year old minor, Amber, during the 10 October hearing. The secretariat advised that the usual practice is to not publish a minor's surname.

Resolved, on the motion of Ms Westwood: That the Committee not disclose or publish the surname of Amber or her mother, Sharon.

7.6 Public hearing

Witnesses, the public and media were admitted.

The Chair made an opening statement regarding the broadcasting of proceedings and other matters.

The following witnesses were sworn and examined:

- Ms Tina Binopal, Teacher/Consultant – Intellectual Disability, TAFE NSW
- Ms Susan Johnston, Teacher/Consultant – Neurological Disability, TAFE NSW.

The evidence concluded and the witnesses withdrew.

The following witnesses from the NSW Parents' Council Inc. were sworn and examined:

- Ms Rowena Stulajter, Community Development Manager
- Sharon, parent
- Amber, student.

The evidence concluded and the witnesses withdrew.

The following witnesses from Autism Spectrum Australia were sworn and examined:

- Dr Trevor Clark, Director, Education & Research
- Dr Debra Costley, General Manager, Education Development & Research.

Dr Clark and Dr Costley tabled a document:

- 'Effective Support Strategies for students with autism spectrum disorders transitioning to new educational settings', Autism Spectrum Australia, Education & Research 2009.

The evidence concluded and the witnesses withdrew.

The following witnesses from the Parent Council for Deaf Education were sworn and examined:

- Ms Kate Kennedy, Coordinator Information & Advocacy
- Ms Leihana Mahe, parent
- Ms Leesa Cluff, parent.

The evidence concluded and the witnesses withdrew.

The following witness from the NSW Department of Ageing, Disability and Home Care was sworn and examined:

- Mr Jim Moore, Chief Executive

The evidence concluded and the witness withdrew.

The following witnesses from the National Disability Coordination Officer Program, University of Western Sydney were sworn and examined:

- Dr Sev Ozdowski, Director of Equity & Diversity
- Ms Nicole Ison, Coordinator.

Ms Ison tabled the following documents:

- Booklet entitled 'Get Ready for Study and Work – Top Ten tips for young people who have a disability or chronic medical condition'
- Booklet entitled 'Your right to an education – A guide for students with a disability, their associates and education providers'
- Brochure for 'The Get Ready for Uni' website
- Brochure for 'The Western Sydney NDCO program' website
- Brochure for the 'Education to Employment' website.

The evidence concluded and the witnesses withdrew.

The following witnesses from National Disability Services were sworn and examined:

- Mr Patrick Maher, Chief Operating Officer
- Ms Emily Caska, State Policy Coordinator
- Ms Katherine McLellan, Policy & Project Officer.

Ms Westwood left the meeting.

The evidence concluded and the witnesses withdrew.

The following witnesses representing Regional Placement Panels were sworn and examined:

- Mr Graham Kahabka, School Education Director, North Wollongong, Department of Education and Communities
- Dr Ros Coleborne, Student Support Coordinator, Disability Programs, Department of Education and Communities
- Ms Vicki Muscat, Principal, Queanbeyan West Public School.

The evidence concluded and the witnesses withdrew.

The public hearing concluded and the public and media withdrew.

8. Acceptance of documents tendered during the public hearing

Resolved, on the motion of Mrs Maclaren-Jones: That the Committee accept the following documents tendered during the public hearing:

- 'Effective Support Strategies for students with autism spectrum disorders transitioning to new educational settings', Autism Spectrum Australia, Education & Research 2009
- Booklet entitled 'Get Ready for Study and Work – Top Ten tips for young people who have a disability or chronic medical condition'
- Booklet entitled 'Your right to an education – A guide for students with a disability, their associates and education providers'
- Brochure for 'The Get Ready for Uni' website
- Brochure for 'The Western Sydney NDCO' program website
- Brochure for the 'Education to Employment' website.

9. Adjournment

The Committee adjourned at 5.19pm until 9.20am on Monday 17 October 2011 (public hearing, inquiry into domestic violence trends and issues in NSW).

Teresa McMichael
Committee Clerk

Minutes No. 8

Monday 17 October 2011

Standing Committee on Social Issues

Waratah Room, Parliament House, 9.31 am

1. Members present

Mr Blair (Chair)

Ms Westwood (Deputy Chair)

Ms Faehrmann

Mrs Maclaren-Jones

2. Apologies

Ms Cusack

Mr Donnelly

3. Previous minutes

Resolved, on the motion of Mrs Maclaren-Jones: That draft Minutes No. 7 be confirmed.

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6. Adjournment

The Committee adjourned at 9.50 am and resumed at 10.46 am.

...

10. Adjournment

The Committee adjourned at 5:15 pm until 8:45 am on Monday 7 November 2011 (public hearing, inquiry into domestic violence trends and issues in NSW).

Merrin Thompson
Committee Clerk

Minutes No. 9

Monday 7 November 2011

Standing Committee on Social Issues

Macquarie Room, Parliament House, 8.37 am

1. Members present

Mr Blair (Chair)

Ms Westwood (Deputy Chair) (at 9.03am)

Mr Donnelly

Mrs Maclaren-Jones

2. Apologies

Ms Cusack

Ms Faehrmann

3. Previous minutes

Resolved, on the motion of Mr Donnelly: That draft Minutes No. 8 be confirmed.

...

8. Adjournment

The Committee adjourned at 5.18 pm.

Merrin Thompson
Committee Clerk

Draft Minutes No. 10

22 November 2011

Standing Committee on Social Issues

Room 1153, Parliament House, 1:05 pm

Meeting as a Sub-committee**1. Members present**

Mr Blair (Chair)

Ms Westwood (Deputy Chair) (at 1.20pm)

Ms Faehrmann
Mr Donnelly

2. Apologies

Ms Cusack
Mrs McLaren-Jones

3. Meeting as a sub-committee

The Committee met as a sub-committee according to the Committee's resolution of 10 October 2011.

...

5. Previous minutes

Resolved, on the motion of Mr Donnelly: That draft Minutes No. 9 be confirmed.

6. Inquiry into transition support for students with additional or complex needs and their families

6.1 Submissions

The Sub-committee noted that Submissions No. 64 and 65 were published by the Committee Clerk under the authorisation of an earlier resolution.

6.2 Answers to questions on notice and supplementary questions

The Sub-committee noted that answers to questions on notice and supplementary questions were received from the following witnesses and published under the authorisation of a previous resolution:

- Department of Ageing, Disability and Home Care
- Department of Education and Communities (regional panel representatives)
- Autism Spectrum Australia
- National Disability Coordination Officer Program, University of Western Sydney

6.3 Report deliberative

Resolved, on the motion of Ms Westwood: That the Committee consider the Chair's draft report at a deliberative meeting on Monday 13 February 2012.

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8. Next meeting

Monday 5 December at 9.00 am (site visit to Dubbo – inquiry into transition support for students with additional or complex needs and their families).

9. Adjournment

The Committee adjourned at 2.00 pm.

Merrin Thompson
Committee Clerk

Minutes No. 11

5 December 2011

Standing Committee on Social Issues

Orana Height Public School, Dubbo, at 9.00 am;

Meeting Room, Mission Australia Building, Dubbo, at 11.00am

1. Members present

Mr Blair (Chair)

Ms Westwood (Deputy Chair)

Ms Faehrmann

Mr Donnelly

Mrs Maclaren-Jones

2. Apologies

Ms Cusack

3. Inquiry into transition support for students with additional or complex needs and their families**3.1 Site visit**

The Committee conducted a site visit of Orana Heights Public School, Dubbo.

3.2 Roundtable meeting

The following participants appeared at a series of roundtable discussions held at Mission Australia, Dubbo from 11.00am:

- Ms Wendy English, NSW Dept Education & Communities
- Ms Melissa McWilliam, Guiding Hands Autism Support Group
- Mr John Betts, Orange Autism Support Group
- Mr Toby Betts, Student
- Ms Toni Daly, Dubbo School of Distance Education
- Ms Delma Haidle, The Westhaven Association
- Mr Mason Anderson, The Westhaven Association
- Mr Justin Fettell, The Westhaven Association
- Ms Ruth Moody, The Westhaven Association
- Mr Chris Marshall, The Westhaven Association
- Ms Dale Towns, Mission Australia
- Ms Elizabeth Johnstone, Mission Australia
- Ms Cathy Lambert, UnitingCare Burnside
- Mr Dave Ryan, UnitingCare Burnside
- Ms Irene Han, Lifestyle Solutions
- Aunty Pat Doolan, Dubbo Aboriginal Education Consultative Group
- Mr Ray Eldridge, Charles Sturt University
- Mr Rodney Towney, TAFE Western
- Ms Shirley Anne Wilson, Allira Aboriginal Child Care Centre.

3.3 Tabled documents

Mr Dave Ryan, Operating Manager, Orana Far West, UnitingCare Burnside tabled the following document:

- “Suspension in NSW Schools” Fact Sheet – February 2011

4. Next meeting

Monday 13 December at 9.15am, Macquarie Room, Parliament House (Transitions inquiry hearing).

5. Adjournment

The Committee adjourned at 3.30pm.

Teresa McMichael
Committee Clerk

Draft Minutes No. 12

13 December 2011

Standing Committee on Social Issues

Macquarie Room, Parliament House at 9.15am

1. Members present

Mr Blair (Chair)

Ms Westwood (Deputy Chair)

Mr Donnelly

Ms Faehrmann

Mrs Maclaren-Jones (from 11.30am)

2. Apologies

Ms Cusack

Mrs Maclaren-Jones (until 11.30am)

3. Meeting as a sub-committee

The Committee met as a sub-committee according to the Committee's resolution of 10 October 2011 until 11.30am.

4. Previous minutes

Resolved, on the motion of Ms Westwood: That draft Minutes Nos. 10 and 11 be confirmed.

5. Correspondence

The Committee noted the following items of correspondence

Received:

...

- 21 November 2011 – Email from Ms Carol White to Committee regarding Transition to Work funding

...

Sent:

...

- 6 December 2011 – Letter to Ms Sue Stanford, Relieving Principal, Orana Heights Public School thanking her for hospitality received during the Transitions inquiry site visit to Orana Heights Public School on 5 December 2011
- 6 December 2011 – Letter to Ms Ann Winterton, Operations Manager, Mission Australia thanking her for hospitality received during the roundtable hearing held at Mission Australia in Dubbo on 5 December 2011
- 8 December 2011 – Letter to Mr Jim Moore, Chief Executive, Dept of Ageing, Disability and Home Care, from Chair, requesting clarification on Transition to Work issue raised in email from Ms Carol White.

...

7. Inquiry into transition support for students with additional or complex needs and their families

7.1 Submissions

Resolved, on the motion of Mr Donnelly: That Submission Nos. 66 and 68 remain confidential.

The Committee noted that Submission No. 67 was published by the Committee Clerk under the authorisation of an earlier resolution.

7.2 Tabled documents

Resolved, on the motion of Ms Faehrmann: That the Committee accept and publish the following documents tendered by Mr Dave Ryan during the roundtable meeting held 5 December 2011:

- “Suspension in NSW Schools” Fact Sheet – February 2011
- UnitingCare Burnside “Speaking notes for Dubbo consultation on transition support”.

7.3 In camera witness

Resolved, on the motion of Ms Westwood: That the Committee take evidence from the NSW Commission for Children and Young People and Witness M *in camera*.

Resolved, on the motion of Ms Westwood: That the father of Witness M be permitted to attend the *in camera* hearing.

Resolved, on the motion of Ms Westwood: That the Committee authorise the publication of the transcript of *in camera* evidence given on 13 December 2011 with the exception of Witness M’s identifying information which is to remain confidential.

7.4 Public hearing

Witnesses, the public and the media were admitted.

The Chair made an opening statement regarding the broadcasting of proceedings and other matters.

The following witnesses from Liverpool Migrant Resource Centre were sworn and examined:

- Mr Kamalle Dabboussy, Manager
- Ms Pietty Greenwood, Multicultural Families Resource Project Coordinator.

The evidence concluded and the witnesses withdrew.

The following witness was sworn and examined:

- Dr Michelle Townsend, Researcher, Centre for Children and Young People, Southern Cross University.

The evidence concluded and the witness withdrew.

The following witness was sworn and examined:

- Mr Alan Wilson, A/Manager, Disabilities and Educational Support, Victorian Department of Education and Early Childhood Development.

Mrs Maclaren-Jones joined the meeting at 11.30am.

A quorum having been formed, members ceased to meet as a sub-committee and continued to meet as a committee.

Mr Wilson tendered the following documents published by the Victorian Department of Education and Early Childhood Development:

- “Transition: A Positive Start to School”
- “Using the Transition Learning and Development Statement to inform curriculum design and delivery”

- “Transition: A Positive Start to School Resource Kit”
- “Transition Learning and Development Statement” form
- “Sharing Our Journey – The transition from kindergarten to school”
 - “Sharing our journey – Protocol”
 - “Sharing our journey planner”.

The evidence concluded and the witness withdrew.

The following witness was sworn and examined:

- Mr Allan Young, Chief Executive Officer, Elouera Association (Inc).

Mr Young tendered the following report:

- “Rural and Remote and Supervisors Subsidy Funding - Elouera Special School”.

The evidence concluded and the witness withdrew.

The public and the media withdrew.

The Committee proceeded to take in camera evidence.

Persons present other than the Committee: the father of Witness M, Rachel Simpson, Teresa McMichael, Lisa Scheikowski and Hansard reporters.

The following witnesses were sworn and examined:

- Ms Megan Mitchell, Commissioner, NSW Commission for Children and Young People
- Mr Gregor Macfie, Director, Policy and Research, NSW Commission for Children and Young People
- Witness M, student.

The evidence concluded and the witnesses withdrew.

The public and the media were readmitted.

The following witnesses from Family Advocacy were sworn and examined:

- Ms Belinda Epstein-Frisch, Systems Advocate
- Ms Nadia Samperi, Systems Advocate
- Ms Gina Wilson-Burns, parent and member.

Ms Epstein-Frisch tendered the following document:

- “Blank grid to identify transition activities and strategies”.

Ms Wilson-Burns tendered the following document:

- “Mac Burns: 8yo Cambewarra Public School”.

The evidence concluded and the witnesses withdrew.

The following witnesses were sworn and examined:

- Mr Ian Baker, Director, Education Policy and Programs, Catholic Education Commission NSW
- Ms Geraldine Gray, State Coordinator Special Learning Needs, Catholic Education Commission NSW
- Mr Vince Connor, Director, Diocese of Wilcannia Forbes, Catholic Education Commission NSW
- Ms Margaret McKay, Acting Director Professional Services, NSW Association of Independent Schools
- Ms Robyn Yates, Director, Government Education Policy, NSW Association of Independent Schools.

The evidence concluded and the witnesses withdrew.

8. Acceptance and publication of documents tendered during the public hearing

Resolved, on the motion of Mr Donnelly: That the Committee:

- accept the documents published by the Victorian Department of Education and Early Childhood Development, tendered by Mr Wilson
- accept and publish the document “Rural and Remote and Supervisors Subsidy Funding Elourea Special School”, tendered by Mr Young
- accept the form “Blank grid to identify transition activities and strategies”, tendered by Ms Epstein-Frisch
- accept and publish the document “Mac Burns: 8yo Cambewarra Public School”, tendered by Ms Wilson-Burns.

9. Questions on notice and supplementary questions

Resolved, on the motion of Ms Westwood: That witnesses from the 13 December 2011 hearing have until 13 January 2012 to return any answers to questions on notice and answers to supplementary questions.

Resolved, on the motion of Ms Westwood: That the Committee send any supplementary questions to the secretariat by 12.00pm on Thursday 15 December 2011.

10. Adjournment

The Committee adjourned at 4.40pm.

11. Next meeting

Monday 13 February at 9.30am, at Parliament House, Room 1153 (Transitions report deliberative).

Teresa McMichael
Committee Clerk

Minutes No. 14

20 February 2012

Standing Committee on Social Issues

Macquarie Room, Parliament House at 8.45am

1. Members present

Mr Blair (Chair)
Ms Westwood (Deputy Chair)
Ms Cusack
Mr Donnelly
Ms Faehrmann
Mrs Maclaren-Jones

2. Previous minutes

Resolved, on the motion of Mr Donnelly: That draft Minutes Nos. 11, 12 and 13 be confirmed.

3. Correspondence

The Committee noted the following items of correspondence

Received:

...

- 20 December 2011 – Letter from Mr Jim Moore, Chief Executive, Ageing, Disability and Home Care and Director General, Family and Community Services, to Chair in response to Ms Carol White’s

query regarding evidence presented by Mr Patrick Maher, National Chief Operating Officer, National Disability Services, at the Transitions Inquiry hearing on 10 October 2011

- 21 December 2011 – Email from Ms Elizabeth Rowe, Team Leader, Student Services, Catholic Education, Diocese of Parramatta, submitting a revised Submission No. 21
- ...
- 6 February 2012 – Email from Ms Wendy English, AP Outreach, Orana Public School, Department of Education and Communities forwarding draft evaluation form for the transition to school process for students with a disability.

Sent:

- 20 December 2011 – Email from Ms Teresa McMichael to Ms Carol White forwarding ADHC's response to her query regarding evidence presented on 10 October 2011
- ...
- 15 February 2012 – Letter from Chair to Minister for Family and Community Services advising the Family and Community Services representatives appearing at the hearing on 20 February 2012
- ...

Resolved on the motion of Ms Faehrmann: That the Committee authorises the Secretariat to replace the existing Submission No. 25 with the amended version submitted by Ms Elizabeth Rowe, Team Leader, Student Services, Catholic Education, Diocese of Parramatta, on 21 December 2011.

Resolved, on the motion of Ms Westwood: That the draft evaluation form for the transition to school process for students with a disability at Orana Public School remain confidential, as requested by Ms English.

...

5. Inquiry into transition support for students with additional or complex needs and their families

5.1 Answers to questions on notice and supplementary questions

The Committee noted that answers to questions on notice and answers to supplementary questions had been received from the following witnesses and published under the authorisation of a previous resolution:

- Catholic Education Commission NSW
- Association of Independent School of NSW
- NSW Commission for Children and Young People
- Dr Michelle Townsend
- Mr Alan Wilson, A/Manager, Disabilities and Educational Support, Victorian Department of Education and Early Childhood Development.

...

8. Adjournment

The Committee adjourned at 5.00 pm.

9. Next meeting

Monday 27 February 2012 at 9.30am, at Parliament House, Room 1153 (Transitions report deliberative).

Merrin Thompson
Committee Clerk

Draft Minutes No. 15

Monday 27 February 2012
 Standing Committee on Social Issues
 Room 1153, Parliament House at 9.05 am

1. Members present

Mr Blair (*Chair*)
 Ms Westwood (*Deputy Chair*)
 Ms Cusack
 Mr Donnelly
 Ms Faehrmann
 Mrs Maclaren-Jones

2. Previous minutes

Resolved, on the motion of Mrs Maclaren-Jones: That draft Minutes No 14 be confirmed.

...

4. Consideration of Chair's draft report into transition support for students with additional or complex needs and their families

The Chair tabled his draft report entitled *Transition support for students with additional or complex needs and their families*, which having been previously circulated, was taken as being read.

Chapter 1 read.

Moved, on the motion of Mr Donnelly: That paragraph 1.13 be amended by omitting the words 'The report also called for major changes to the distribution of funding between private, government and Catholic schools'.

Question put.

The Committee divided.

Ayes: Mr Donnelly

Noes: Mr Blair, Ms Cusack, Ms Faehrmann, Mrs Maclaren-Jones, Ms Westwood

Question resolved in the negative.

Resolved, on the motion of Mrs Maclaren-Jones: That Chapter 1 be adopted.

Chapter 2 read.

Resolved, on the motion of Mr Donnelly: That paragraph 2.37 be amended by omitting the words 'The Committee did not receive figures on the number of students with disability in independent schools' and inserting the following words: 'The Association of Independent Schools NSW advised that in 2009, there were 3,391 students with disabilities in the NSW independent sector.'

Resolved, on the motion of Ms Faehrmann: That paragraph 2.86 be amended by inserting the words 'during a hearing in Dubbo' after the words 'told the Committee'.

Resolved, on the motion of Mrs Maclaren-Jones: That Chapter 2, as amended, be adopted.

Chapter 3 read.

Resolved, on the motion of Mr Donnelly: That, Recommendation 2 be amended by inserting the word 'statewide' after the word 'establish'.

Resolved, on the motion of Ms Westwood: That Chapter 3, as amended, be adopted.

Chapter 4 read.

Resolved, on the motion of Ms Faehrmann: That Chapter 4 be adopted.

Chapter 5 read.

Resolved, on the motion of Ms Faehrmann: That paragraph 5.29 be amended by inserting the words ‘a difficult’ before the word ‘change’.

Resolved, on the motion of Mr Donnelly: That Chapter 5, as amended, be adopted.

Chapter 6 read.

Resolved, on the motion of Ms Faehrmann: That Recommendation 13 be amended by inserting the words ‘transition programs for newly arrived refugee children, such as’ before the words ‘the ‘Beginning School Well’ pilot’, and by omitting the word ‘program’.

Resolved, on the motion of Ms Faehrmann: That paragraph 6.38 be amended by omitting the words ‘however recognise that this is dependent upon having appropriately qualified Aboriginal people to fill those positions’.

Resolved, on the motion of Ms Faehrmann: That Chapter 6, as amended, be adopted.

Chapter 7 read.

Resolved, on the motion of Ms Faehrmann: That paragraph 7.24 be amended by omitting the words ‘a good idea’ and inserting instead the words ‘worth considering’.

Resolved, on the motion of Mr Donnelly: That Recommendation 17 be amended by inserting the words ‘Further, that the Catholic and independent school sectors be encouraged to review and where appropriate, introduce similar training to staff in the schools they operate.’ at the end of the recommendation.

Resolved, on the motion of Mrs Maclaren-Jones: That Chapter 7, as amended, be adopted.

Chapter 8 read.

Resolved, on the motion of Mr Donnelly: That Recommendation 19 be amended by inserting the words ‘Further, that the section engage in ongoing dialogue with Catholic and independent school sectors to improve the sharing of information for students with additional or complex needs who transfer across sectors.’ at the end of the recommendation.

Resolved, on the motion of Ms Westwood: That Chapter 8, as amended, be adopted.

Resolved, on the motion of Mrs Maclaren-Jones: That the draft report, as amended, be the report of the Committee and that the Committee present the report to the House, together with transcripts of evidence, submissions, tabled documents, answers to questions on notice and supplementary questions, minutes of proceedings and correspondence relating to the inquiry.

Resolved, on the motion of Ms Faehrmann: That the Committee’s report be tabled on Tuesday 6 March 2012.

5. Adjournment

The Committee adjourned at 9.50 am.

6. Next meeting

Tuesday 28 February 2012, at 7.00 am at Bankstown Airport (*Domestic violence inquiry visit to Forbes*).

Teresa McMichael
Committee Clerk