

QUESTIONS TAKEN DURING HEARING

INQUIRY INTO THE EDUCATION OF STUDENTS WITH A DISABILITY OR SPECIAL NEEDS IN NEW SOUTH WALES SCHOOLS

QUESTIONS ON NOTICE

QUESTION (pages 4 and 5)

What proportion of principals have done autism-specific training?
In the data that you are going to provide can you do a breakdown of regional and metropolitan areas?

ANSWER

1. As at 6 April 2017, a total of 10,207 school and education support staff have taken a NESA-registered professional learning course provided by the department on autism spectrum disorders. Of these, 1,493 are recorded as school executive and include principals, deputy principals and assistant principals.

Data is not held centrally about other autism-specific training arranged locally through schools and education offices.

2. 5,771 NSW public school staff in regional areas have participated in the registered professional learning course on autism spectrum disorders and of these, 887 are recorded as school executive.

4,436 NSW public school staff in metropolitan areas have participated in the registered professional learning course on autism spectrum disorders and of these, 606 are recorded as school executive.

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QUESTION (page 6)

On a regional basis, how many EPAC matters in 2016 were:

- a. enquiries
- b. investigations?

ANSWER

Reports of incidents reaching the threshold for possible misconduct are investigated. Before recording a matter as an Enquiry, EPAC assesses the information to confirm that the threshold for possible misconduct has not been met.

- a. Enquiries

Operational Area	Enquiries
Macquarie Park	494
Tamworth	534
Ultimo	531
Wagga Wagga	478
Non-school-based staff	52
Other	55
TAFE	6
TOTAL	2150

- b. Investigations

Operational Area	Investigations
Macquarie Park	244
Tamworth	261
Ultimo	259
Wagga Wagga	227
Non-school-based staff	37
Other	9
TAFE	2
TOTAL	1039

**INQUIRY INTO THE EDUCATION OF STUDENTS WITH A DISABILITY OR
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QUESTIONS ON NOTICE

QUESTION (page 7)

Provide a copy of the complaints form.

ANSWER

The Department of Education's complaints form can be found at
https://education.nsw.gov.au/media/c-and-e/complaints_and-compliments_form.pdf.

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QUESTIONS ON NOTICE

QUESTION (page 7)

Provide a copy of the complaints policy.

ANSWER

The Department of Education's Complaints Handling Policy can be found at <https://education.nsw.gov.au/policy-library/policies/complaints-handling-policy>

Allegations of reportable conduct and misconduct against employees are not dealt with as 'complaints'. These matters are dealt with according to separate policies and procedures.

Policies related to allegations against employees of a child protection nature can be found in the 'Child Protection - Allegations against Employees' policy on the department's website at <https://education.nsw.gov.au/policy-library/policies/child-protection-allegations-against-employees?refid=285776>.

**INQUIRY INTO THE EDUCATION OF STUDENTS WITH A DISABILITY OR
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QUESTIONS ON NOTICE

QUESTION (pages 7, 8 and 14)

Number of students with disability and special needs who make complaints.

ANSWER

The Department of Education does not have systems that collect data on all complaints. The Department is participating in a project to implement a whole-of-government complaint handling program. This will provide a central point (in addition to, and linking with, existing agency systems), to lodge, track and manage complaints and will improve the Department's capacity to collect data, including data related to people with disability.

Data is collected on all allegations against employees of a child protection nature, including matters concerning students with disability.

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QUESTIONS ON NOTICE

QUESTION (pages 7, 8 and 14)

Number of complaints about students with disability and special needs.

ANSWER

The Department of Education does not have systems that collect data on all complaints. The Department is participating in a project to implement a whole-of-government complaint handling program. This will provide a central point (in addition to, and linking with, existing agency systems), to lodge, track and manage complaints and will improve the Department's capacity to collect data, including data related to people with disability.

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QUESTIONS ON NOTICE

QUESTION (pages 7 and 8)

Length of time complaints take.

ANSWER

The Department of Education does not have systems that collect data on all complaints. The Department is participating in a project to implement a whole-of-government complaint handling program. This will provide a central point (in addition to, and linking with, existing agency systems), to lodge, track and manage complaints and will improve the Department's capacity to collect data, including data in relation to the length of time it takes for complaints to be resolved.

In relation to child protection matters, the length of time taken by Employee Performance and Conduct to resolve matters is detailed below.

Most investigations are completed within 12 months. Factors influencing delays to investigations include FACS and Police investigations and criminal proceedings, causing EPAC to place investigations on hold. EPAC stays in regular contact with other agencies and NSW Police in these cases. Availability of witnesses and other parties can also cause delays to investigations.

Case Age of EPAC investigations closed in 2016	No.	%
0 – 3 months	304	52%
3 – 6 months	76	13%
6 – 9 months	64	11%
9 – 12 months	47	8%
12 – 18 months	45	8%
18 – 24 months	17	3%
24 + months	31	5%
TOTAL	584	

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QUESTIONS ON NOTICE

QUESTION (pages 7 and 8)

Number of complaints resolved in a way that satisfies the complainant?

ANSWER

The Department does not currently collect complainant satisfaction data.

The current project to implement a whole-of-government complaint handling program will provide a central point (in addition to, and linking with, existing agency systems), to lodge, track and manage complaints and will improve the Department's capacity to collect data related to the outcomes of complaints and participants' satisfaction with the process.

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QUESTION (pages 7 and 8)

Number of allegations of sexual abuse?

How many of these related to children with disability?

ANSWER

Please refer to response to supplementary questions 1 and 2.

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QUESTIONS ON NOTICE

QUESTION (pages 7 and 8)

Number of allegations of physical abuse?

How many of these related to children with disability?

ANSWER

Please refer to response to supplementary questions 3 and 4.

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QUESTIONS ON NOTICE

QUESTION (pages 7 and 8)

Number of allegations of physical restraint?
How many of these related to children with disability?

ANSWER

Please refer to response to supplementary questions 5 and 6.

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QUESTION (page 8)

How many anonymous complaints received?

ANSWER

Complaints are forwarded from many sources, including by persons on behalf of complainants and anonymous complaints. Principals are also required to report any allegations of misconduct against employees regardless of the source of the complaint. The complaints policy requires all complaints to be addressed including anonymous complaints, if there is sufficient information available to make enquiries.

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QUESTION (page 8)

Number of allegations referred to the Ombudsman in 2016?

ANSWER

Refer to the Department's response to supplementary question 7.

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QUESTIONS ON NOTICE

QUESTION (pages 8 and 9)

Total number of allegations managed by Employee Performance and Conduct?

ANSWER

Total allegations managed by Employee Performance and Conduct in 2016

Type	Total
Child Protection	376
Non-Child Protection	271
Local Management	392
TOTAL	1,039

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QUESTION (page 11)

Number of complaints that the department and the Ombudsman are dealing with where parents are turned away.

ANSWER

The department does not hold this information centrally.

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QUESTION (page 12)

What proportion of principals have received the basic training about their legal obligations?

ANSWER

As at February 2017, there are 5,937 education staff who have completed registered training courses on obligations under the Disability Standards in Education since 2013 who are identified as educational leader (principal, deputy principal or senior manager). Of these, 1,392 were school principals in 2016-2017.

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QUESTION (page 12)

What about training for principals about how to allocate the special needs funding package that is available to them under the resource allocation model (RAM)? What training do principals have to best allocate those special needs resources?

Are they compulsory?

How many principals have done specific training in how to allocate special needs resources under the RAM?

ANSWER

Schools have access to high quality professional learning to build the capabilities needed to operate in the new budgeting environment.

Local Schools, Local Decisions school support teams across the state are delivering the roll-out of courses in Core financial literacy in NSW public schools and Strategic financial management for NSW public schools.

Core financial literacy for NSW public schools is a two hour face to face course for principals, executives and school administrative staff. Following attendance at this, professional learning participants will be able to identify how school-based financial responsibilities fit into overall financial responsibilities across the department.

Between 2014 and 2016, 1,858 principals and 909 school executives have attended this professional learning.

Strategic financial management for NSW public schools is a one day face to face course for principals, executives and school administrative staff. This strategic financial management workshop delivers the following learning outcomes for participants:

- identifying the financial implications within the strategic directions identified in the school plan
- building and managing a school-based budget linked to student learning outcomes
- reading and understanding financial reports to assess current school financial health
- forecasting future financial performance and managing school finances for the current and future years.

Between 2014 and 2016 1,881 principals and 952 school executives have attended this professional learning.

The courses are not compulsory.

The School Planning and Reporting – Equity Funding Support Package provides advice about using equity funding for students requiring low level adjustment for disability:

<https://schoolsequella.det.nsw.edu.au/file/90f6429f-b8cf-47dc-9d11-8b74cfd0d89/1/Equity-funding-support-package-low-level-adjustment-for-disability.pdf>

In addition, advice provided to schools with the School Budget Allocation Reports provides links to the Disability, Learning and Support internet site highlighting the range of resources to support schools:

<https://education.nsw.gov.au/disability-learning-and-support>

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QUESTION (page 14)

How many vacancies are there as of this morning at schools for special needs students?

ANSWER

At 27 March 2017, state level data indicates there were more than 600 vacancies in the department's Schools for Specific Purposes (special schools) across NSW.

At any one time, some classes across the state will have less than capacity enrolments. This is because of the range of classes supporting students with specific and different disability types as well as the location of classes - especially relevant in regional parts of the state. The department's annual planning process identifies support classes which have less than 50% capacity enrolment and these classes are placed on review and monitored.