

**INQUIRY INTO CHILDREN AND YOUNG PEOPLE WITH DISABILITY IN NEW SOUTH
WALES EDUCATIONAL SETTINGS
HEARING – 23 April 2024**

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QUESTION (page 43)

The Hon. SARAH MITCHELL: On the issue of inclusive education scholarships, both for early childhood educators and for teachers, again, I know that the submission talks about the masters of special ed for specialising in early childhood and that there was a scholarship program in the 2022-23 financial year. Are there any current early childhood scholarships that focus on inclusive education?

MARTIN GRAHAM: Yes, there are and I have some details of them here. There are scholarships that are provided through—I might also mention, just to clarify something from the previous question, that support classes also require diagnosis. Sorry, I kind of failed to mention that particular part. Let me pull up the appropriate notes.

The Hon. SARAH MITCHELL: And if you have them for just special education scholarships more broadly. We had special educators in this morning.

MARTIN GRAHAM: Yes, we do provide scholarships for existing teachers to go into special education courses and there is a similar program that runs for early childhood, and I can get the data on that.

The Hon. SARAH MITCHELL: I'm happy for you to take it on notice, but even the numbers, say, for this current financial year, if possible, how many have been allocated and the supports—just a bit of a run down of the details of what's there.

MARTIN GRAHAM: Yes, we can take that on notice.

The Hon. SARAH MITCHELL: That would be great.

ANSWER

The Department of Education has a scholarship program which targets existing qualified teachers wishing to retrain in inclusive or special education. The scholarship offers a significant professional development opportunity for eligible teachers to study while maintaining their current permanent position. Casual and temporary teachers are permanently appointed to a special education teaching position on completion of their studies. The scholarship package includes:

- Up to \$23,000 toward course fees
- Study leave provisions
- For teachers not yet permanently employed, a permanent teaching position.

The program also includes a pathway for a master's degree with specialisation in deaf and hard of hearing or blind and low vision as well as a pathway for a graduate diploma in inclusive/special education. 467 teachers have been awarded an Inclusive Practice in Education Scholarship.

The NSW Government is committed to ensuring a suitably qualified and sustainable early childhood education and care (ECEC) workforce equipped to deliver quality and inclusive services. This includes ensuring the sector's workforce has support to access professional learning that reflects the National Quality Standard and aligns to

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the Early Years Learning Framework outcomes to enable all children to access and participate in ECEC on the same basis as their peers.

The 2022-23 Early Childhood Inclusive Education Scholarship Program was a pilot program to provide financial support for existing Early Childhood Teachers (ECTs) to upskill to a postgraduate qualification in inclusive education.

Payments were made to existing scholars in the 2023-24 financial year. Of the scholars awarded in December 2022, 6 have provided evidence of completing their postgraduate inclusive education qualification to date.

To support existing ECEC professionals to increase confidence with working with children with additional needs, develop capability, and awareness of strategies available to implement within their roles, the department has funded a pilot for TAFE NSW to deliver the Inclusion of Children with Additional Needs (IICAN) course. As at 30 April 2024, 108 students have participated and 280 are forecast to participate by June 2024. For more information see <https://www.nsw.gov.au/education-and-training/resources/iican>.

The department is also investing up to \$29 million for the 2023-24 ECEC Scholarship Program. This program provides financial supports for both current and aspiring teachers and educators seeking to obtain qualification, including ECT degrees.

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QUESTION (page 45)

The Hon. NATASHA MACLAREN-JONES: You mentioned suspension. The data that you have, the number of young people being suspended from each school—is that broken down by how many are identified as having a disability?

MARTIN GRAHAM: Yes, it is.

The Hon. NATASHA MACLAREN-JONES: And do you have that also by young people in out-of-home care?

MARTIN GRAHAM: We don't have it for out-of-home care, but that's maintained by DCJ.

The Hon. NATASHA MACLAREN-JONES: But you share that data now.

MARTIN GRAHAM: Yes.

ANSWER

Suspension data, including for students with disability is published on the department's website at <https://data.cese.nsw.gov.au/data/dataset/suspensions-and-expulsions-in-nsw-government-schools>.

Data relating to students in statutory out-of-home care in NSW public schools is monitored at the student level. The department works collaboratively with the Department of Communities and Justice to monitor attendance data for students in statutory care. Schools monitor attendance and suspensions at the local level and apply appropriate interventions, support, and strategies for all students, including students in out-of-home care.

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QUESTION (page 49)

The Hon. ANTHONY D'ADAM: Sorry, I wanted to ask about Schools for Specific Purposes. Your submission says there's 117 SSPs and you talk about the various categories. On page 21 you say, "medium-to-high support needs, behaviour disorder, emotional disturbance, hospital school" et cetera. I'm wondering if, on notice, you could provide how many, in each of the categories, and how many places there are for each category. I want to ask about the process of how a child gets referred to an SSP. Could you perhaps elaborate on the process?

MARTIN GRAHAM: Yes, we can take that other question on notice and we can provide you with the number of enrolments.

The Hon. ANTHONY D'ADAM: Not the number of enrolments—the number of places.

MARTIN GRAHAM: Sometimes it gets tricky because there's a partial—we've got places like Bridge Road, where you're actually enrolled in your home school and you can also be enrolled there. We'll give you the data we have but, as I said, it's a little bit—

The Hon. ANTHONY D'ADAM: But you wouldn't count that as two enrolments. There'd be a place at Bridge Road.

MARTIN GRAHAM: No, that's right. You might see enrolments are higher than the number of places, but we'll provide you with that data. No problem doing that.

ANSWER

The number of placements in School for Specific Purposes (SSP's) as at April 2024 is 9,105. This figure is based on total capacity of SSP classes according to student need.

The number of placements in Youth Justice Centres is 366 and Hospital Schools is 300. These figures are based on notional enrolments due to differences in the frequency and duration of student need.

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QUESTION (page 49-50)

The Hon. ANTHONY D'ADAM: About the process of referral. How does a child get referred?

MARTIN GRAHAM: You go to your local school and you do what's called an access request. That's where the school and the department will help parents. If they want to access a specialist setting, they help them provide the evidence and so on that's required for that. We then go through an access request process where we have a panel of experts and school principals who actually prioritise—and it's quite complicated because it's not just "This child needs this service." There's things like how far is the service. We provide assisted student transport so we have to look at—it's not fair on the child for them to be 90 minutes travelling to and from school. And then, based on availability, places are allocated. Ms Summerhayes, is there anything you want to say about the —

The Hon. ANTHONY D'ADAM: Perhaps if, on notice, you could provide details for the last two years of how many access requests have been made. If there's no immediate place available, what happens then?

ANSWER

An Access Request is a process by which a school can apply for specialist provisions such as access to distance education, a support class placement, integration funding, or itinerant support teacher assistance. In 2023, 21,266 Access Requests were submitted across the range of supports. In 2024 (as at April) 3,811 Access Requests have been submitted across the range of supports.

If there are no immediate support class places available at placement panel, a student's Access Request will be deferred and considered again at future placement panels. Support for students with deferred access requests is then provided on a case-by-case basis dependant on the students learning and support needs. This support could include consideration of Integration Funding Support requirements which includes a review of funding and access to specialist support staff.

Support provided by the Department of Education in schools includes learning and support teachers, assistant principal support and other support staff. Additional support may be provided from other Education support staff from the Team Around a School.

The department's Team Around a School is a coordinated system-wide approach comprised of school-based and non-school-based staff with specialist skills. The Team Around a School works alongside staff within schools to share specialist knowledge, skills, and understanding in a range of areas, including learning and wellbeing, and disability and inclusion. Schools can access the Team Around a School at any time.

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QUESTION (page 50)

The Hon. ANTHONY D'ADAM: If there has been an access request, it has been approved by the panel and there's not a place, I'd like to get some data about how many people are in that deferred category, I think it is. Is that correct?

MARTIN GRAHAM: Yes, we can provide some data on that.

The Hon. ANTHONY D'ADAM: How many are deferred; how many are declined.

ANSWER

An Access Request is a process by which a school can apply for specialist provisions such as access to distance education, a support class placement, integration funding, or itinerant support teacher assistance. In 2023, the number of Access Requests deferred or declined across this range of supports was 1,007. As at April 2024, the number of Access Requests deferred or declined across this range of supports was 345.

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QUESTION (pages 51- 52)

The Hon. SARAH MITCHELL: Just going to a few other issues now. Would you be able to provide—I think we asked earlier when we had representatives from the First Nations community—the statistics on how many department staff are currently employed who have identified as having a disability and also how many teaching staff we currently have in public schools? Do you have any data on that with you or that you could take on notice?

MARTIN GRAHAM: I don't. I could take that on notice. I don't have that with me. But we certainly do have staff with disability. We'd like to have more staff with disability. We have a strategy around improving that as well.

The Hon. SARAH MITCHELL: And for TAFE as well?

STEPHEN BRADY: We can provide that as well.

The CHAIR: And also for people with First Nations backgrounds and people who have both. That would be very useful.

MARTIN GRAHAM: Yes, I'll see what we have got on that.

The CHAIR: And also for people with First Nations backgrounds and people who have both. That would be very useful.

MARTIN GRAHAM: Yes, I'll see what we have got on that.

ANSWER

The Department of Education's workforce profile data is available in the Public Sector Workforce Profile Report 2023 at <https://www.psc.nsw.gov.au/assets/psc/PSC-2023-Workforce-Profile-Report.pdf>. As outlined, the percentage of staff with disability employed in the Teaching Service as at June 2023 is 2.6%.

Further breakdown of the department's workforce profile is available in our annual reports at <https://education.nsw.gov.au/about-us/strategies-and-reports/annual-reports>. 2023 data will be included in the 2023/24 Annual Report available later this year.

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QUESTION (page 53)

The Hon. SARAH MITCHELL: How long have you had the panel of the pre-approved mediators?

MARTIN GRAHAM: That's been for about 12 months.

The Hon. SARAH MITCHELL: I appreciate it is in its early stages, but is there any data—obviously de-identified in the appropriate way—particularly around if it has been families or students with disability that have accessed that mediation service?

MARTIN GRAHAM: We'll have a look to see.

ANSWER

This is not currently available.

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QUESTION (page 53)

MARTIN GRAHAM: ... We've also been working with DCJ on advocacy bodies so that the parents can actually go to the advocacy body before coming to the department. Schools have actually reported a positive experience of that as well because it's helped them to have an independent person to work with them as they go through a process.

The Hon. SARAH MITCHELL: We have heard that too—having someone who can help them navigate the system a bit too. When we had Family Advocacy here yesterday, they talked about being involved in a pilot— I think it came out of the Disability Strategy, from memory. It was about providing more information to schools about how to better engage with young people with disability, and I think it was being piloted in 20 schools. They said they had not really had updates on that. Do you have any information about that?

MARTIN GRAHAM: I can follow that up.

The Hon. SARAH MITCHELL: If we could get anything back on notice, that would be great.

ANSWER

The Department of Education will make contact with Family Advocacy to follow up specific details to clarify the matter raised in the hearing.

The processes for addressing complaints from parents, carers, students and community members are set down in the department's Community Complaint procedures. These procedures have recently been revised in consultation with key internal and external stakeholders and are due for implementation in Term 2, 2024. The procedures clarify and strengthen the processes for addressing complaints and promote the early and local resolution of concerns where possible. The department is continuing to work with key stakeholders to embed the revised procedures in practice.

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QUESTION (page 53)

The Hon. SARAH MITCHELL: I have a couple of questions that—even though they are for NESAs, and they are not here—I wouldn't mind putting to you, and Mr Martin and others can respond. I am keen to know whether there are any teachers who have a HALT accreditation that have an expertise in special education? I do not know if there are, but if there is any data on that—

DEBORAH SUMMERHAYES: Anecdotally, there are some that I know, Ms Mitchell, but we would need to get the data for you.

The Hon. SARAH MITCHELL: Yes. I am very happy for that on notice.

ANSWER

NESA has advised the following:

There are currently 15 teachers accredited at HALT who have identified students with disability as an area of expertise.

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QUESTION (page 53)

The Hon. SARAH MITCHELL: The other one on notice, again, through NESA is this: We had representatives from home educators yesterday who were talking about access to mental health and psychology supports for students who are homeschooled. They were keen to explore whether that is a provision that could come through NESA in the same way that students in a traditional school setting have access to that. I would be keen to hear from NESA whether that would be an impediment to that or if that is a provision that they think they could potentially investigate. I had not heard it raised before, but it did not seem like a bad idea to me. I would be keen on NESA's thoughts and insights into that, on notice.

MARTIN GRAHAM: Yes.

ANSWER

NESA has advised the following:

Home schooling in NSW means that a parent is responsible for educating their child. This includes sourcing and accessing relevant support services for their child.

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QUESTION (page 53, 54)

The CHAIR: It was reported—I think, yesterday or the day before—that the paper selective school test is going to be done away with and everyone is moving to electronic.

MARTIN GRAHAM: That's right

The CHAIR: From a lot of what we've heard, particularly about the process to get reasonable adjustments and the extra layers of organisations involved in testing, has consideration been given by the department on what the additional complexities are for outsourced testing?

MARTIN GRAHAM: That's been an important part of the transition, and we can certainly provide you some more information on that. But it absolutely has been considered in the transition to online testing in the same way it was with NAPLAN—very similar. We have that lived experience of going through that process to be able to provide adjustments.

The CHAIR: Very good.

ANSWER

With the change to computer-based testing, parents and carers will still be able to request reasonable adjustments for students with disability, medical conditions or temporary injuries to access the test when they apply for their child to sit the placement tests.

Computer-based tests will allow a greater provision of reasonable adjustments for students with disability, medical conditions or temporary injuries and greater flexibility in test delivery.

A computer-based practice test will be available for students to familiarise themselves with the test format, features, and the standard reasonable adjustments available through the computer-based testing platform.

If the Department of Education is unable to provide reasonable adjustments for a student to sit a computer-based test, alternative arrangements will be made so that the student can sit the placement test. This may include a paper-based or braille placement test.

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QUESTION (page 55)

The Hon. ANTHONY D'ADAM: Can I ask about the funding that's referred to in the submission? It's a bit contradictory and I just wanted some clarification. So \$348 million under LLAD for 1,970 learning and support teachers?

MARTIN GRAHAM: Yes.

The Hon. ANTHONY D'ADAM: And then you talk about \$357 million for 1,975 LASTs. Are they the same thing, or is that two—

MARTIN GRAHAM: I think they might be different periods; I can clarify that for you.

The Hon. ANTHONY D'ADAM: Okay, so in 2023, 1,970; in 2024, 1,975.

MARTIN GRAHAM: Yes, it sounds like different time periods to me.

ANSWER

In 2023, \$348 million was allocated through low level adjustment for disability (LLAD) equity loading including more than 1,970 Learning and Support Teachers (LaST). In 2024, \$357 million has been allocated and includes more than 1,975 LaSTs.

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QUESTION (page 55-56)

The Hon. ANTHONY D'ADAM: How many LASTs are there in the system?

MARTIN GRAHAM: I don't know that I have—we'd have figures on what's centrally allocated. Learning and support teachers—often a school might make a decision to allocate someone.

The Hon. ANTHONY D'ADAM: So you don't have any central data about whether someone is classified as a LAST or not?

ANSWER

As at April 2024, there was a total Learning and Support teacher (LAST) allocation of 2,088 Full Time Equivalent (FTE).

The total of 2,088.00 FTE includes Assistant Principal Learning and Support and Learning and Support classroom teacher positions.

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QUESTION (page 59)

The CHAIR: Just a very quick last one from me. We heard that within the Professional and Ethical Standards unit there was some question around the culture. I know the Deputy Premier came out and said there was going to be an external review into PES. Is that something that we will see publicly the results of? How's that going? Are you able to give us any extra information on that?
MARTIN GRAHAM: We can look into that to see what the outcome of that is.

ANSWER

In 2019 Mark Tedeschi AM KC undertook a comprehensive review of the Professional and Ethical Standards Directorate (PES), then the Employee Performance and Conduct Directorate. All recommendations were accepted or accepted in principle and have been implemented.

An internal advisory review of PES investigation practices has also recently been undertaken.

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QUESTION (page 59)

The Hon. ANTHONY D'ADAM: In your submission, you talk about specialist allied health and behaviour support. This is engaging private providers. Is that right?

MARTIN GRAHAM: Yes.

The Hon. ANTHONY D'ADAM: Can you tell us how many behaviour support providers are engaged by the scheme? (*Specialist allied health and behaviour support*).

MARTIN GRAHAM: I can give you that on notice, but one of the main issues was schools were looking for that support. They were buying it here, there and everywhere. What we've done is try to pre-assess them all, give you a list of people and price, so the schools don't have to do any of that. They were already doing it, but we were trying to help them out with a pre-approved list.

ANSWER

As at May 2024, there are 31 providers on the Specialist Allied Health and Behaviour Support Provider Scheme offering specialist behaviour support.

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QUESTION (page 59-60)

The Hon. SARAH MITCHELL: Some schools use their flexible funding to put on speechies and OTs.

MARTIN GRAHAM: That's right. Of course they're very difficult to find. If you couldn't find but you had a need, rather than having to scratch through the private market yourself, we've done this work so you can go to our list with assurance it's been given all the ticks.

The Hon. ANTHONY D'ADAM: Do you have data about where these are being engaged through the scheme?

MARTIN GRAHAM: I'm not sure. I'll have to get back to you with that because the main thing is being able to give the schools the kind of pre-approved list. They don't come through us with all the funding and so on. We help them out with that.

ANSWER

The following data is based on survey information provided by Specialist Allied Health and Behaviour Support Provider Scheme providers. Since 2020, 106 unique NSW public schools have engaged providers under the Scheme and 5,390 NSW public school students were supported under the Scheme.

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QUESTION (page 60)

The Hon. ANTHONY D'ADAM: In terms of the central oversight, you're not able to see which schools are engaging.

MARTIN GRAHAM: It's a pre-approved list, Mr D'Adam.

The Hon. ANTHONY D'ADAM: The contract is just all bunched together, the allied health and the behavioural specialists.

MARTIN GRAHAM: There's both. We can give you a list of who's on that pre-approved list.

The Hon. ANTHONY D'ADAM: And where it's been used?

MARTIN GRAHAM: Well, I can see what we've got.

The Hon. ANTHONY D'ADAM: What the usage is is what we're—

MARTIN GRAHAM: I can see what we've got for the usage.

The Hon. ANTHONY D'ADAM: Thank you.

ANSWER

As at May 2024, there are 87 providers on the Specialist Allied Health and Behaviour Support Provider Scheme. These are listed below:

Ability Focus Occupational Therapy Pty Ltd	EarlyEd	LiveBig Pty Ltd
Ability Options Limited	Early Links Inclusion Support Service	MAX Solutions Pty Ltd
Active OT for Kids Pty Ltd	Early Links Pty Limited	The Shrink Company
Allied Health Partnerships	Early Start Speech Pathology	NJOT
Anala Pty Ltd	Empower Therapy Solutions	Noahs Ark Inclusion Services
Autism Spectrum Australia (Aspect)	Everyday Independence Pty Ltd	Northcott Disability Services
Beam Wellbeing Pty Ltd	Explore and Soar	Occupational Therapy Helping children
Better Rehabilitation	Firefly Therapy Services PtyLtd	Plumtree Children's Services
Beyond Boundaries Rehab Pty Ltd	Firstchance Inc	Promote Abilities Therapy
Busy Bees Speech Pathology Services Pty Ltd	Giant Steps Sydney	Harmony Speech Pathology
Care Squared	Hunter Prelude Limited	Qualia Occupational Therapy for Children
Child First Therapy	Inclusive Education Practice Pty Ltd	Reach Speech Pathology
Cerebral Palsy Alliance	Inner West Paediatrics Pty Ltd	Early Start Australia
Spot4You and Spot4Kids	Inspire Ability Pty Ltd	SAL Consulting Pty Ltd
Clever Bees Paediatric Occupational Therapy Pty Ltd	Jumbunna Community Preschool and Early Intervention Centre Inc	Samaritans Foundation
Grace Children's Therapy	Kickstart Kids Therapy	Sensational Start Occupational Therapy Pty Ltd
Community Links Wollondilly Inc	Learning Links	Life Connective Allied Health
Real Therapy Solutions	Learning, Doing, Living Pty Ltd	National 360

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CompleteOT	Lifestart Disability Services Ltd	Marathon Health LTD
The Benevolent Society	Coastwide Therapy Services	Autism Advisory and Support Service Inc
The Disability Physio	HB rehab	All Abilities Therapy and Support Services
The ORS Group	Head 2 Toe Kids & Family Health	Achieve Therapy
The Rainbow Clinic Pty Ltd	Harpers Health	On the move rehab Pty Ltd
Bridges for Learning	Therapy Connect	CatholicCare Diocese of Broken Bay
Aspire Speech Pathology	Therapy Consultancy Services (See Notes)	Challenge Community Services
Activempowerment	Vision Australia Ltd (VIC)	Take Charge Assessment and Therapy
Illawarra Allied Health Services	Hunter Rehabilitation and Health	Concentric Rehabilitation Centre
Therapy Matters	One Point Health	Growing Early Minds
Lizard Children's Centre	Royal Far West	Umbo

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QUESTION (page 60)

The Hon. SARAH MITCHELL: Careers NSW, the data in here was saying about 2 per cent of service users have disclosed they have a disability. I understand that some people might choose not to disclose when they access that service, but are there any kind of plans in place to improve the number of people with disability who are accessing Careers NSW?

MARTIN GRAHAM: I'm not familiar with the future plans there. I can get back to you with that.

ANSWER

Careers NSW is working with the NDIS, Disability Employment Services and other government and non-government stakeholders to continue to improve service accessibility to all NSW residents who identify as having a disability.

The Careers NSW website has undergone recent transformation to the One CX NSW whole of government site and has achieved a 95.3% accessibility score.