

Submission  
No 34

**INQUIRY INTO CHILDREN AND YOUNG PEOPLE WITH  
DISABILITY IN NEW SOUTH WALES EDUCATIONAL  
SETTINGS**

**Organisation:** UTS Child Care Inc.

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We make this submission to you as an organisation to highlight the barriers we experience as Early Childhood Educators in appropriately addressing the inclusion needs of children with disabilities in our services.

UTS Childcare Inc. is an organisation with a history spanning thirty years. We currently operate two Children's Education and Care Services providing Education and Care to the staff and students of University of Technology Sydney, as well as local community. Throughout our thirty year history, we have supported many children in our services with disabilities and as a team are highly conscious of the challenges and barriers to doing so.

As you well know, The Disability Discrimination Act makes it unlawful for children to be discriminated against in Early Learning Services and creates an obligation for services to ensure children with disabilities are supported to engage in programs alongside their peers with equal access to participation. This obligation is well supported within Early Years Learning Framework, the document which guides educators in their provision of educational programs, and by ACECQA our governing body through fact sheets such as [The Disability Discrimination Act: what do Children's Education and Care Services need to know?](#)

The Early Years Learning Framework addresses discrimination and inclusion multiple times with statements such as:

“Educators engage in critical reflection, challenge practices that contribute to inequities or discrimination and make curriculum decisions that promote genuine participation and inclusion.”

“To support all children's inclusion, they [educators] recognise and respond to barriers that some children face, including attitudinal and practical barriers. Such barriers can be related to disability, family diversity, cultural and linguistic diversity, neurodiversity, and children and families living through trauma and adversity.”

“Approved providers and educators have inclusion obligations under the Disability Discrimination Act and the Racial Discrimination Act and make reasonable adjustments for all Learning Outcomes to ensure learning engagement for all children.”

Despite the best intentions of our governing bodies and guiding documents, Early Childhood Educators are frequently failing in their obligations to create high quality and inclusive environments for children with disabilities.

In simple terms, to address inclusion, services and educators must consider and plan for individual children's needs within their specific program, with consideration to their specific disabilities and the subsequent needs arising from them. This is complex and highly skilled work, requiring educators to be continually educating themselves about a wide range of disabilities and their specific impacts on children's development and learning and applying that knowledge to ensure children can participate effectively in the educational program. Educators have insufficient access to professionals with expertise in disability and inclusion to support them to do this.

The Inclusion Support Program can provide funding for additional educators, dependent on a lengthy and slow application process which is most frequently undertaken after children have already begun attending the service, but the onus to hire appropriate staff remains with service providers. As funding is

capped at 25 hours per week, this presents significant challenges for services providers in hiring staff. Where a child with Inclusion Support funding attends a service five days a week, additional educators are typically employed for only five hours per day. This severely limits the pool of candidates, with few educators able to work such limited hours over a whole week. Additionally, the subsidised hourly rate is \$23, meaning that services must make up the difference between the subsidised rate and the educator's appropriate level of pay. This financial burden frequently results in the lowest level of qualified educators, with the least amount of experience, being hired in these positions. While additional educators are not hired to work one-to-one with an individual child, these barriers actively diminish the quality of support provided as more highly qualified and experienced educators continue to bear the responsibility of supporting all children in the program while embedding inclusive practices.

Enacting high quality Strategic Inclusion Plans requires educators to have strong collaborative relationships with families to best understand children's specific needs and to have relationships with a child's allied health providers or other members of their medical support team to adequately understand the child's development in relation to their disabilities and access additional support strategies from professionals with specific expertise.

One of the most significant day-to-day barriers faced by our educators in achieving this is time. Time to meet with families, time to meet or communicate with allied health professionals, time to engage in professional learning to grow their understanding of children's disabilities and time to embed this information into their learning programs so children with disabilities can actively participate according to their specific needs. This is an ongoing process as Early Childhood Education Programs are dynamic and constantly evolving. Considering the inclusion needs of a child, or multiple children with diverse disabilities, is therefore a process that requires a continual provision of time to be effective.

Data from the Inclusion Support Program: Research Snapshot conducted by the Australian Institute of Family Studies identified that the number of services with Strategic Inclusion Plans at the end of 2020 was 69%, representing increases of 20-30% from June 2017. There are more children with disabilities engaging in Children's Education and Care Services than ever before and yet no consideration has been given to the amount of time Educators have access to when it comes to planning, meetings, and professional development to aid them in their work.

Currently, the non-contact time provided for within the Children's Services Award 2010 for any employee responsible for preparing, implementing and/or evaluating a developmental program is two hours per week. This has remained the same since 2010, through over a decade of changes within the sector, including increases in the number of children attending early learning services and the number of hours they spend in them.

Failure to provide adequate non-contact time in which educators can prepare and evaluate their educational programs has a considerable influence on the provision of high-quality educational planning for all children but it has a disproportionate impact on children with disabilities due to the more individualised nature of planning for accommodations and adjustments to meet the individual needs of a diverse range of disabilities.

Resourcing and empowering educators to effectively implement inclusion strategies must take into consideration the provision of non-contact time in which we can enact partnerships with families, allied health professionals, and inclusion support professionals, as well as undertake professional learning to

support their understanding of disabilities and plan for adjustments to our programs on an ongoing basis.

This requires addressing systemic issues within the sector, such as the minimum conditions in the Children's Services Award and recognising the shortcomings of the current Inclusion Support Program. Inclusion Support Agencies can provide invaluable support in helping services and educators identify barriers and solutions to children's participation, but without adequate time, funding, and skilled educators to enact these solutions services are falling short of their obligations to children with disabilities, despite an overwhelming desire to do their best to meet all children's needs.

In summary, effectively meeting the needs of children with disabilities in Early Childhood Education settings requires:

- Highly skilled educators
- Access to professional expertise, such as allied health professionals and medical teams
- Significantly better time provisions
- Adequate funding to minimise the financial burdens on services
- Less time consuming application processes to ensure provisions to support children are in place prior to commencement of attendance

We respectfully assert that these issues must be effectively addressed through policy and funding if the sector is expected to be successful in supporting children with disabilities to access high quality education and care. Failure to do so is simply setting us up to fail.

Sincerely UTS Child Care