REPORT OF PROCEEDINGS BEFORE

STANDING COMMITTEE ON SOCIAL ISSUES

INQUIRY INTO TRANSITION SUPPORT FOR STUDENTS WITH ADDITIONAL OR COMPLEX NEEDS AND THEIR FAMILIES

CORRECTED PROOF

At Sydney on Tuesday 13 December 2011

The Committee met at 9.30 a.m.

PRESENT

The Hon. N. Blair (Chair)

The Hon. G. J. Donnelly
The Hon. C. Faehrmann
The Hon. N. Maclaren-Jones
The Hon. H. M. Westwood (Deputy Chair)

CHAIR: Welcome to the third and final public hearing of the Standing Committee on Social Issues inquiry into transition support for students with additional or complex needs and their families. Today we will be hearing from Liverpool Migrant Resource Centre, Victorian Department of Education and Early Childhood Development, Catholic Education Commission of NSW, NSW Independent School Association of Independent Schools, academic and special school representatives. The Committee has previously resolved to authorise the media to broadcast sound and video excerpts of its public proceedings. Copies of the guidelines governing broadcast of the proceedings are available from the table by the door. In accordance with Legislative Council guidelines for the broadcast of proceedings, a member of the Committee and witnesses may be filmed or recorded. People in the public gallery should not be the primary focus of any filming or photographs. In reporting the proceedings of this Committee, the media must take responsibility for what they publish or what interpretation is placed on anything that is said before the Committee.

Witnesses, members and their staff are advised that any messages should be delivered through the attendants or the Committee secretariat. I also advise that under standing orders of the Legislative Council all documents presented to the Committee that have not yet been tabled in Parliament may not, except with the permission of the Committee, be disclosed or published by any member of such committee or by any other person. If a witness should consider at any stage during his or her evidence that certain evidence or documents he or she may wish to present should be heard or seen in private by the Committee, the Committee will consider such request. However, the Committee or the Legislative Council may subsequently publish evidence if they decide it is in the interests of the public to do so. Finally, I remind everyone to turn off their mobile phones for the duration of this hearing. I welcome our first witnesses this morning from the Liverpool Migrant Resource Centre.

KAMALLE DABBOUSSY, Manager, Liverpool Migrant Resource Centre, and

PIETTY GREENWOOD, Family Support Coordinator, Liverpool Migrant Resource Centre affirmed and examined:

CHAIR: Would you like to make an opening statement before we proceed to questions?

Mr DABBOUSSY: I would like to make a brief statement but I will not take up too much time. I thought it might be good to put into context who we are and what we do at the centre.

CHAIR: There is no need to repeat what is contained in your submission but an overview would be fantastic.

Mr DABBOUSSY: Liverpool Migrant Resource Centre is primarily a settlement support for newly arrived families, migrants and refugees to the Liverpool local government area. We get the bulk of our support from the Federal Government but we also receive some family-specific support from State Government programs. Liverpool over the past five years has probably received about 3,500 refugees to the area. In the last six months that number has spiked and it is currently running in the equivalent six months over previous years at about 400 per cent to 500 per cent to what we have done. There have been 605 individuals arrive in the last six months to the Liverpool area. The concentration of those arrivals is Iraqis. In the last six months 90 per cent or 91 percent at last count were from Iraq.

The bulk is of a small religious group of the Mandaen community—they are not Jewish, Muslim or Christian; they are an independent group—and they faced particular persecution. Australia now houses the largest number of Mandeans worldwide settled, and they are primarily in the Liverpool area. One of the features of that community in particular is the high level of persecution that they faced in their countries of first origin or first asylum, whether it be Jordan and Syria, and they have often not been allowed to work so they have had to survive in difficult circumstances. They have been denied health care, denied protection by legal authorities and faced deportation. I think they have been identified by New South Wales Government health authorities and by the University of New South Wales as some of the most persecuted communities ever to arrive in Australia, and we are dealing with them in the Liverpool area at the moment.

In addition, we have a small number of Afghans and African communities arriving in the Liverpool area as we speak. The services that we provide to family support structures are predominantly through playgroups; they have been running for about seven years. Currently in the playgroups we have 130-odd families and on the waiting list we have managed to bring that down slightly from 88 to 61 families waiting for the services we provide through that program. But due to budgetary constraints we about to peel back some of those services, and we anticipating about 110 families to be on the waiting list come February 2012. I think that suffices as an overview.

The Hon. HELEN WESTWOOD: I acknowledge the discussion in your submission about cultural differences and that concept of disability. What do you think are the greatest issues facing the families that you deal with in terms of children with special needs entering our education systems?

Mr DABBOUSSY: I think the primary issue is about identification I suppose in that issue of special needs. Many of the families that come to us are obviously facing severe issues of trauma. The way that manifests in children takes its toll in many different ways. For example, we had a lot of Sudanese refugees who arrived in previous years where the Egyptian Government had used food as a weapon against the communities and the impact of that on the development of those children. When they arrive it is where that intervention needs to be to support those children. Who has the capacity to deal with them and is it identified? The issue of special need and the way it is identified through the existing structures does not fit very neatly within refugee populations. There are issues in respect of lack of education, lack of access to health care and that trauma is not well acknowledged within the existing structures of what special needs are. Those services are not developed in trying to identify that, in trying to address that in transition to the school exercise and in what extra support those families need.

The Hon. HELEN WESTWOOD: Ms Greenwood, would you like to add to that?

Ms GREENWOOD: I agree very much with what Mr Dabboussy is saying but I do more of the hands-on. I also work in the playgroups. I get the opportunity to see many of those families obviously on a daily basis. What we classify as families with additional needs fall under the category that Mr Dabboussy was saying: trauma. The trauma could be presented as families having depression. Some of that depression could be already a diagnosis of it, others is just seeing how the family operates on a daily basis. All that affects how the child behaves, what they child does, how they interact and how they see the world. The issues about lack of food and clothes, those family pressures also take a toll on children and their lack of confidence, and not being able to speak the language as well.

You were asking about what would be the difference to these children to other children that are entering the education system. We run a school readiness program and within that program we see many of the students have very poor fine motor skills. We recently did a pilot project and the school readiness teacher went to visit the 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. So we try to work within two hours per week to try to provide all these opportunities for children. So the gap is just too great for many of those children. They are not accessing children services for many reasons—they may not have the money or they do not know how to access them. The social and emotional skills of those children if we compare them with other children even within the playgroup from other different refugee backgrounds, we see them to be below those children. It is the lack of skills by the time they go to school that may not be the same as other children.

The Hon. HELEN WESTWOOD: Is the school readiness program for children of preschool age?

Ms GREENWOOD: Yes.

The Hon. HELEN WESTWOOD: Can you tell us of the experience of those children who arrive here of school age transitioning to school?

Mr DABBOUSSY: The experience has been a chaotic one—I suppose that would be the best way to describe it. We at the centre do provide a couple of sessions per year about supporting parents in that transition to school and in some schools there are some very committed people who are trying to help those families and who are looking to identify the needs of those children. But from our experience and to my knowledge there is no systemised program to assist those children in screening and supporting to see what those extra needs are in the primary school exercise. In the high school exercise there is the intensive language centres, which would help identify some of those things. But with primary school issue it is straight to the schools; there is no systemised process. If somebody picks it up, that picks it up. If it is picked up then the question is where do they go? That is where our difficulties are because we get a lot of referrals and a lot of questions come back to us for intervention to assist families. We do not have that capacity for direct intervention; ours is a different model.

The Hon. HELEN WESTWOOD: Are you aware of any services that can support these families and provide the programs or resources needed once their children are diagnosed as having special needs?

Ms GREENWOOD: We are looking at the moment at the early childhood models because I work more with the children and the families. It is not a question of where there are services. The question is do families know that those services exist and do they know how to access those services? That is one. It is a question that the concept of education is very different for families from diverse cultural backgrounds. In particular for families from refugee backgrounds, they believe that the teacher has the answer to everything. Here it is very much empowering the families to go and see what is best for the child. They are presented with a very difficult model and they already feel disempowered when they first come into the country. If a family is connected, for instance to one of our playgroups, obviously we will make those links, but not every family is connected to the program and there are many families that are not accessing those services. That is where there is a very big gap as well.

Once the children are with us we run a school readiness program but that program is not actually funded. We identified in the playgroup that there was a need to help those children the year before they go to school and we employ a teacher. She started work in country areas so she is a very down to earth person who can engage the children very well. We do that if the children want a transition. We work alongside the families and the children supporting them for 12 months and liaising with the Department of Education if the child has an identified diagnosis. I think that is what you were asking. If the child has an identified diagnosis it is much easier to link to a service. It is more the child who lacks the language or the child whose fine motor skills are very poor and there is not a diagnosis by a paediatrician; those children are the ones that fall behind.

Mr DABBOUSSY: If there is a diagnosis and a recognised disability such as autism or even broader global developmental delays there is a pathway. I am not saying it is necessarily adequately resourced. 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 firsthand—I think it is one in two in the Iraqi community who have seen a major injury or death of a family member before leaving the country of origin. 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. I will illustrate that with an example that we dealt with very recently. There was a woman whose husband had been kidnapped and she was unaware of his situation. She had also had a one-month old child kidnapped from hospital and she had come to Australia and was not aware of the outcome for her husband or the child.

We did not progress very far at all with the education of her children—one was seven and the other was nine. We had to address the housing issue because the daughter, who was the subject of an attempted kidnapping in the country of origin, would not go past the second floor of a building because the kidnap attempt was on a sixth floor. We had to fix the housing issue to be able to even address the other issues, and we could not address it. It is a very difficult issue to address. There is no recognised disability but there are severe traumas. Where do we go to assist those families?

The Hon. HELEN WESTWOOD: Are you saying that the schools in the area perhaps do not have additional resources to deal with children with the special needs you have just described?

Mr DABBOUSSY: It would be safe to say that in the first instance the level of demand on schools and services far outstrips what could be provided and, secondly, the level of speciality and the capacity to deal with some of these really severe issues do not exist within the structures. That is my understanding.

The Hon. GREG DONNELLY: My first questions are contextual to enable me to understand the dimensions of the problem. Is the Liverpool local government area the part of the greater Sydney metropolitan area that absorbs the highest proportion of refugees entering Australia through New South Wales?

Mr DABBOUSSY: We are currently ranked the second highest local government area for arrival of refugees in New South Wales. All projections put us as the highest arrival point within the next six to 12 months and we suspect that probably will be sustained for an extended time. There are four main arrival areas for refugees in New South Wales: Liverpool, Fairfield, Blacktown and Auburn. We know that Auburn, because of sheer availability of property, is no longer going to be a primary settlement point. The Liverpool Macarthur area is increasing its numbers.

The Hon. GREG DONNELLY: Is that projection in the immediate future because the arrivals to Australia are from the same cohort that you are currently absorbing?

Mr DABBOUSSY: Yes, primarily. The Government has committed to settling like communities and families together as a priority under the offshore immigration program, therefore we expect that to be the main reason to build the numbers in the Liverpool area.

The Hon. GREG DONNELLY: Obviously over time, decades, people have been coming to Australia to settle in a range of circumstances no two of which are the same. In that time have we as a country been able to develop cumulatively a body of knowledge or expertise, for want of a better description, that enables us to manage the way we deal with families who have children with special needs, or are we still learning about how best to go about doing this?

Mr DABBOUSSY: The short answer is we are always learning because the circumstances are changing and developing all the time. It is well acknowledged that the level of complexity with the clients we have currently has not been seen before. Every service we talk to tells us the same story.

The Hon. GREG DONNELLY: That is the cohort arriving now given the nature of the circumstances of coming to Australia; it is very complex.

Mr DABBOUSSY: It is extremely complex. No family is approaching us with single issues. There are usually at least three issues and they are quite complex issues that we are dealing with across the service as a whole but certainly within the families that is the pattern that exists. Australia as a whole has the capacity and the knowledge that have accumulated and developed in a very sophisticated way to be able to deal with this. The capacity has grown enormously. We have a very good settlement support structure in Australia that is much more developed than in many other places. Canada is about the only country that might have a comparable level to Australia. We have a very strong settlement support program and I think the knowledge and capacity is there to deal with the families. I do not think it is necessarily keeping pace with the current developments.

The Hon. GREG DONNELLY: What do you recommend should be the Government's priorities to best address the needs you face week in, week out in the work you are doing? Governments can prioritise a range of different things they can do. I take into account your earlier comments that much of your support and funding comes from the Commonwealth. From a State Government point of view, which is what we are talking about, what should be our priorities to help assist you to carry out your role better and more effectively?

Mr DABBOUSSY: The thinking in the State Government—I know it has moved a little bit—is the concept of early intervention, which is a fantastic thing to work with. However, early intervention and refugee families do not necessarily sit comfortably together. When families are arriving with issues you need to go through a therapeutic and remedial exercise with them and early intervention does not necessarily sit very neatly with that. Where does that remedial and therapeutic work sit? When families first arrive they build a relationship with the non-government organisation because we are involved with picking people up from the airport.

We provide them with orientation to accommodation and do all the initial orientation and awareness exercises. To then have to refer them out and put them on a waiting list for something else to happen further down the track in relation to the children, where specialist and remedial work may exist, is a disjointed exercise and does not work very well for families. I think more support needs to be given at the grassroots level right across the non-government organisation sector where that rapport is being built with families to be able to provide more therapeutic and remedial access. That is the shortest and most concise answer I can give as to what we would require to be able to deal with more of these issues with families.

The Hon. GREG DONNELLY: Looking specifically at the example you gave earlier, the demand for playgroups exceeds your ability to supply the places so an obvious thing to do would be to improve the capacity to provide additional playgroup places.

Mr DABBOUSSY: It is not only the playgroup places; it is also the quality of the playgroups. Five years ago we had two workers per playgroup. At the moment we need four people per playgroup for the same number of places because we are dealing with higher needs children, we have a school readiness program and there are safety issues. If children are throwing knives at staff we need to be able to see what is going on. We cannot leave staff unsupported in that exercise. It is not just the additional places, it is recognising there are higher needs in those playgroups that need to be addressed and we need to be able to support the staff working with those high needs students. I point out also that the school readiness program that we are running at the Migrant Resource Centre was started with some very small seeding money from local government for two or three years. Despite the obvious success of that model we are not getting any more support for it. That is something we are funding ourselves from the organisation, which is unsustainable in the long term. The only school readiness exercise we have is in serious doubt of continuing over the next couple of years.

The Hon. CATE FAEHRMANN: Thank you for appearing today and for the great work you do in Liverpool. Is it correct that most of the refugee students attend school when they get to school in the Liverpool local government area?

Mr DABBOUSSY: Yes.

The Hon. CATE FAEHRMANN: Are there refugee-specific transition programs at any of the schools in the local government area? Do you know of any?

Mr DABBOUSSY: Within primary school?

The Hon. CATE FAEHRMANN: Yes.

Mr DABBOUSSY: Liverpool Public School is the only one we are aware of that has a specific program working with refugee children. That was a project that we initiated with the school or the school initiated with us. Certainly it was a pilot that we did together. Because of our resources we have been unable to continue that and another agency has stepped in and is doing some of the work with Liverpool Public School.

The Hon. CATE FAEHRMANN: Does that program have a name?

Ms GREENWOOD: My understanding is the school employs a community liaison officer and that person is employed to target refugee communities but she also has to work across all the communities within the school. Families will approach her for support and need. If she is not able to provide it she might come and seek some support from us as well.

Mr DABBOUSSY: The short answer is I am not familiar with the name. It is also limited to a degree because they work only with siblings of students that are already in the school. If there are already children in the school and the family has other children starting next year they will work with that family.

The Hon. CATE FAEHRMANN: Are you aware whether the community liaison officer develops a transition plan or something similar for those students?

Mr DABBOUSSY: No. That is where the gap exists. A transition plan and case management for high needs students do not exist. We are not supported to do that. We do some of it on a high needs basis but there is no dedicated plan for families with those needs.

The Hon. CATE FAEHRMANN: Are your playgroups open only to children up to a certain age?

Mr DABBOUSSY: School-age children.

The Hon. CATE FAEHRMANN: You gave the example of a refugee family with a nine-year-old and a seven-year-old. How is it decided when they are ready to transition into school? How does that work?

Mr DABBOUSSY: There is no transition process. They are put straight into school.

The Hon. CATE FAEHRMANN: Do you mean in the first week?

Mr DABBOUSSY: Basically. The registration for children happens as soon as practicable. The process with a new arrival family is that the first issue is Medicare, and then establishing their identification, bank account, Centrelink, and a health check. The school would be the fourth or fifth item they would be looking at for the children. It happens pretty much in that initial intensive exercise of settlement.

The Hon. CATE FAEHRMANN: Ms Greenwood, you spoke previously about access to services and you said that families found it difficult to know what is available out there and that that is part of the problem. This is something that we are hearing from a number of witnesses. What do you suggest as to how the level of knowledge of those families can be improved? What could be done to make it easier for them to access existing services?

Ms GREENWOOD: Firstly, you have to ensure that those funding opportunities continue because once families build up trust with a service, it is much easier to link them to other services. Our experience is that it takes six to twelve months before a family is willing to talk about a child who might have additional needs and it will take up to two years for us to work with that family and say that there are services there that can support them. It is necessary to have consistency of service delivery for families who might otherwise be shopping for services and going to different places to access services. The other thing that would be helpful would be to have services come to the playgroup, for example, at the earlier stages. That would lessen the fear because they would see a face that they can feel comfortable with, making the transition easier and smoother. What I am suggesting is that a speech pathologist, occupational therapist, dietician or a paediatrician should attend a playgroup so that the families understand that there are services available to them that will make a difference to the future of their children.

The Hon. CATE FAEHRMANN: At the moment that does not happen. It would require a partnership with State Government services to enable visiting health professionals to attend.

Ms GREENWOOD: It does not happen as far as I am aware. From time to time someone will come and give an information session but they do not work with the family or do screening. It depends on what level you come under. My understanding is that if it comes under Federal funding, some services might get that level of support. In our instance, we are New South Wales funded through Families NSW, so we have partnerships but there are boundaries drawn as to how much can be done to give support within the playgroup. So if you ask what would make a difference, I think that would make a great difference.

Mr DABBOUSSY: I will make an associated comment—not directly related—but I will extend the point about consistency of services because that is an important issue we face. We need to have consistency of services that is close to the ground. If we look at the experience we have where agencies outside of Liverpool are funded by services in Liverpool, it often means that Liverpool will get the poorer service because it is not where our base is. As an example, we have an agency in Fairfield that is coming to Liverpool. We are disappointed with that. The other issue with the provision of services is that Liverpool and Fairfield adjoin and yet Fairfield tends to get a higher proportion of services.

The NSW Refugee Health Service, which is based in Liverpool, has a nutrition project for Fairfield that they cannot bring to Liverpool. If we want to access that nutrition project, we have to take our clients from Liverpool to Fairfield. The requirements of external bodies impact on areas of service provision as well and that is a real issue. If I look at the Brighter Futures program, there has been a major injection of funds into Fairfield and Bankstown and yet Liverpool missed out on that injection of funds in recent times. It confuses me as to why our area would miss out, considering that it is clear we have a high need.

The Hon. CATE FAEHRMANN: Could you give some detail to the Committee about what problems are manifested as a result of refugee children arriving and transitioning almost immediately into schools without much support, as you are suggesting, some of whom are perhaps heavily traumatised. How does that manifest itself in the school environment, when they are not transitioned successfully? What are you hearing and seeing?

Mr DABBOUSSY: The issues we are seeing are poor attention rates of students within schools. The transition from primary school to high school in particular has become a real issue for us in the area. We have had an incident recently in which a 15-year-old Sudanese boy was arrested attacking other young people in the area with batons. One of the issues that we are facing is that there has been a lack of support in that community in addressing the family issues which the families keep coming to us and talking about. We are also seeing violence increasing through the schools and in families. We are seeing a spike in family violence in a lot of the communities we are dealing with, whether they be Sudanese or Iraqi families. That is my initial impression as far as the social impacts that we are facing, without support for those students.

The feedback I receive from teachers is that a lot of the students are disadvantaged with the transition into school. They are not at a level where educators feel they can work with them appropriately. They are telling us that the students are disadvantaged, even by the fact that they have no technological experience. There are students who have never used a computer—they do not even know how to use a mouse. That is impacting on the development of schools in terms of where we are expecting them to be at the moment. They are the broad issues I am hearing.

CHAIR: I wanted to pick up on the point that you were making earlier that often the earlier intervention is offered by services like yours, so you are the first point of contact that some of these families are seeing. If you identify other issues that you believe some of these families require, particularly to help them transition to school, do you, as an organisation, know where to go to get the right information and assistance from, for example, the Education Department or health practitioners?

Mr DABBOUSSY: I will provide a brief answer and perhaps Pietty will provide some further information. There are some refugee-specific support officers within the education system and if we are confronted with a family whose sole issue relates to education, we will make contact with some of those specialists. More often it is the community liaison officers within primary schools who we will contact. If there were a specific trauma-related issue and the family is having trouble with the school, we will then rely on STARTTS (Service for the treatment and rehabilitation of torture and trauma survivors), to work with those children. The service that STARTTS can offer can be quite limited. There are some things they cannot do. They do not respond to an urgent situation, rather they work long-term with the family. Lastly, the trauma issue exists also with the transcontinental health with respect to refugee-specific issues. As far as the more generic stuff—

Ms GREENWOOD: From working with families with children under the age of five, the question is, do they know where to go for help? In Liverpool something that we do well in the women and children's services and family industry is that workers within that industry meet regularly, we have meetings and support services. So in terms of knowledge base, I think we do have that knowledge. It is more the question of a child who has not received a proper diagnosis from a paediatrician or whether the service can support that child. They will support the child if I can tell them that child has been diagnosed with autism. There might be a waiting list, they might have to wait, but there are support services available to them. The child Kamalle is talking about is the invisible child who has a lot of emotional issues and trauma. Unless there is a diagnoses, it is harder to say, "I have a child with these issues, where do we go?" Services tell us to first see a paediatrician or some other specialist and then they can offer support. Compounding the problem, there is a waiting list and people might have to wait for a period of time. Services do try to do their best to work together and engage those families.

Mr DABBOUSSY: Another example is a family with a child aged six or seven who had spent three years in a country of first asylum or a camp, where the child had no education prior to coming to Australia. We would not know where to go to get remedial support for that child. It would rest solely with the school to address that issue.

CHAIR: From your evidence this morning, it sounds to me that we have the early childhood support, through your playgroups, we have the intensive English programs for high school students but there seems to be a large gap for children who are entering into Year 1, through primary school. What sort of services could we look for in those areas?

Mr DABBOUSSY: I think the existing thoughts are that we would provide support to the families to work with those children. I think that model has to change and that there is a requirement for direct intervention with children in a wholistic manner. There is some ancillary support provided from settlement services, but that remedial work with the children has to be a partnership between the NGOs, the schools and the Government services. That needs to be recognised and systemised.

CHAIR: Are the children coming into the primary school years buddied up with a child from the same cultural background to provide some guidance within the school?

Mr DABBOUSSY: In the experience at Liverpool, having such a large concentration of Iraqi families coming through, that cultural awareness exists and there is a fair amount of capacity and network in language-specific support in the school grounds. The other difficult area is the less common languages—the smattering of Dari speakers, the even smaller number of West African languages and the one or two families of Burmese or Korean speakers—they are isolated and I am unaware as to how schools deal with them.

CHAIR: I understand that there is not even a program for schools to hold a special orientation. Are these kids coming straight into the service on their first day when they turn up to the school?

Mr DABBOUSSY: In simplistic terms, yes—maybe not the first day, but certainly in the first week, they will just turn up at school and get registered. We do two sessions a year in which we provide orientation for children enrolled in the school for their first year. There is intensive support from the Humanitarian Settlement Services, which has introduced an orientation program relating to some local issues. Because the offshore students orientation program is Australia wide, there are no State specific issues, so there is some attempt to try and pick that up at the local level. Sometimes that can happen three to six months after arrival; it is certainly not happening within the first few weeks of their arrival. There is some information provided to the families but in the midst of trying to establish a new life, finding a house, working out health care issues and reading a pack of information, even in their first language, it is not the primary issue to be dealt with.

CHAIR: Through the arrival process, is there no assessment of a child for their gross or fine motor skills, their actual capacity to deal with the English language, the technology, the ability to transition in the school, prior to them turning up and enrolling at a school?

Mr DABBOUSSY: No, unless the child has gone through the playgroup, there is no assessment provided to the child other than that there may be a health assessment done. In the overseas processing it may have been picked up that the child has a health issue, asthma or anaemia or something of that nature. In that case the child may be flagged for an initial health check. As far as educational support and needs, there is no screening or assessment done on that level.

CHAIR: Those assessments would be the task of the teacher, once the child enters the class, to find out where their abilities lie and then to try to create a learning plan around their special needs?

Mr DABBOUSSY: Yes.

Mrs GREENWOOD: Our experience is that we have teams, even though we are a play group, in some of the schools among the teachers. So when the 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. I think that would really help them.

CHAIR: So a transition plan?

Mrs GREENWOOD: It is a transition plan if they would value our services helping those children. Even in something as simple as a play group there is a history that has been developed. It is not always necessarily obvious under a particular model that a child has a need. We do see children who are very clever and who have great potential and could do so well, but they have to wait with the other 30 children before they are supported in the school system. So I think there is a big gap in that communication. We certainly have made some attempts, but I do understand that the schools are very busily involved in their own processes.

CHAIR: Unfortunately, we have run out of time this morning. There may be other questions that Committee members would like to pose, and we will put those in writing to you. We will inform you of the return period for responses to those questions. On behalf of the Committee, I thank you for your time this morning and for your submission. It will help us in compiling our recommendations.

Mr DABBOUSSY: Thank you very much for your invitation.

(The witnesses withdrew)

MICHELLE LEE TOWNSEND, Researcher, Centre for Children and Young People, Southern Cross University, affirmed and examined:

CHAIR: Welcome, Dr Townsend, to the hearing this morning. Would you state your full name, job title and agency?

Dr TOWNSEND: My name is Michelle Lee Townsend. My role is researcher at the Centre for Children and Young People at Southern Cross University.

CHAIR: Would you like to make an opening statement?

Dr TOWNSEND: Yes, thank you. I would like to give you a little bit of background to my study. About five years ago New South Wales Community Services established a number of scholarships to look at improving outcomes for children in out-of-home care. One was done in partnership with the Centre for Children and Young People at Southern Cross University to specifically look at education of this group of children. I was fortunate to get a scholarship to do a PhD study over the past five years. As part of that study, I looked at educational outcomes in terms of the basic skills tests in years 3, 5 and 7, as well as outcomes in years 10 and 12. A particular focus was on transitions that children in out-of-home care experience and how those relate to their education. So I looked at entering care, changing placements once children are in care, and then returning home to their parents. I also focussed on two educational transitions in particular. One was school change and the other was transition to high school.

I will give you the key findings of the study. One was that out-of-home care transitions that children in care experience entering care, changing placements and restoration were significantly associated with changing schools as well. So many children who undergo those transitions in care also are required to change schools. Another finding was that most children can cope with and adjust to a certain level of changes, but that there comes a point, particularly in the school setting, where both their academic and behavioural functioning deteriorate, in particular by the time they are in years 7 or 8 if they had attended four or more schools throughout their childhood. That includes their time both with their parents and in the care system.

Because I was looking particularly at higher school transition, it appears that for children who have had a lot of changes the effect of the changes is cumulative, and that school engagement of children in the high school setting who experience a lot of changes both in school and in their home environment is much lower than that of other children who have been a lot more stable. They have difficulties in undergoing that transition, and this can lead to their leaving school earlier than other children. The findings, really, point to the need for a priority to be placed on this group of children—which they do not always have now within the school system—and also to try to reduce the number of changes that they experience or to support them as they undergo the changes.

The Hon. HELEN WESTWOOD: You made a point about the changes in schools that add to children's transition experiences and lead to support outcomes. Is there any simple way around that? Do you have any models that we could follow to reduce the number of transitions that these young people experience?

Dr TOWNSEND: One of the key challenges comes back to the out-of-home care sector and that there are not enough placements available for children in care. So children often move geographical area, and are then required, for transport reasons, carers' preferences, sometimes even children's preferences, to change school. I worked with children in regional New South Wales as well as in metropolitan areas. In regional New South Wales children will travel an hour or more on public transport and no-one thinks twice about that, whereas here if they have to move through a couple of suburbs they will change schools. That will be the first consideration, not spending that time in travel. So sometimes the decision to change school is probably made quicker than it needs to be. The consideration should be more about the children's preferences. And 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.

The Hon. HELEN WESTWOOD: In your study did you find any reason why that had not been considered by either the Department of Education or Community Services, which I assume most of these children were with, or whoever the provider of out-of-home care was? Did any of them look at this and recognise it as a problem?

Dr TOWNSEND: I think they recognised that it is a problem. The caseworkers I interviewed were very clear that wherever possible it would be good for children to be stable both in their placements and at school. But for them placement is priority that is putting a child in a bed, and that that surpasses consideration given to keeping them stable in their schooling. I guess that is coming from a different perspective about what is the most important them. For them, it is having a placement that is suitable for the child, as opposed to how to work to ideally try to keep the child in the same school.

The Hon. HELEN WESTWOOD: I know that many children are provided with transport door to door by the Department of Education. Do you know whether or not that has been considered as an option?

Dr TOWNSEND: I know that some of the carers in my study had sought that sort of support, because many children in care also have disabilities, and they were able to obtain that support. But it is not common, and for most children I do not think there has ever been any thought or application of that.

The Hon. HELEN WESTWOOD: Were there examples of students whose outcomes were not as poor because they had been provided with some type of support program, or because there had been a different approach to those young people as they were transitioning in and out of schools?

Dr TOWNSEND: Some children were when they came into care quite behind in their schooling and had received support, often from the carers, because there is a group of carers who have a real commitment to education and some experience as well that enables them to intensively tutor the child. There were lots of examples of that. Also, some schools have been able to put in extra programs around remedial-type work, and for some of the children it was within schools in the non-government sector. But overall, a lot of children were still behind by the time they had reached high school. It is very haphazard I guess.

The big difficulty is, particularly in the State education system, that lots of the remedial programs, like Count Me In and Reading Recovery, are quite set in when they are offered to children. It may only be available in term 3, and if they have changed schools halfway through term 3, or they are in the wrong school year for when that program is being rolled out, they will miss out. So even though it is quite clear to the teachers and everybody else in the school system that they really need these sorts of supports, it is very structured as to when these programs are actually available to students. That was one of my big things: because we have so many children going into the high school setting who are quite behind academically, that year before really needs to be a focus year in terms of getting them high school ready academically, because if they get into the high school system when they are not academically ready they really struggle and end up going down the pathway of doing life skills programs because there are no other opportunities for them to catch up.

The Hon. HELEN WESTWOOD: The Committee has heard from witnesses at other hearings about children with disabilities and their complex needs. Their advocates are saying it is obviously beneficial to have a transition plan, but that it would be useful to have someone, be it a caseworker or case manager, to monitor the implementation of the plan and ensure all those programs are happening. Can you see a use for that for young people who are in out-of-home care?

Dr TOWNSEND: Yes. There are two challenges that we have. You are working across professions, so we have caseworkers who are not particularly confident about working with the Department of Education, and then some in the Department of Education who do not necessarily understand the out-of-home care issues. Only three-quarters of children in out-of-home care have an allocated caseworker. They tend to change caseworkers. So there is a group who are not allocated caseworkers. To have that responsibility sitting with a case manager means some children will miss out.

My preference is for schools to take on more of the case management in terms of the academic side of things within the school system, and that each school with a child in care should have a designated staff member that takes responsibility. It may well be the deputy, which it often is in terms of student welfare, who will watch over the child in care and seek the programs and supports. There has been for a while an out-of-home care program within the Department of Education, and in regional offices they have been rolling out for all students in care an individual education plan. There is hope that that will bring the two departments together and have other people working more closely. But there needs to be someone in the school taking a close monitoring role for each individual child in care.

The Hon. GREG DONNELLY: Thank you for coming to give evidence today. To give a definitional frame to the discussion for the benefit of those who read the transcript, would you define the meaning of "out of home care" in the context of your research?

Dr TOWNSEND: Out of home care children are children who have been removed from their birth family due generally and almost always to abuse, neglect or parental incapacity and they have been placed into out of home care by the Children's Court in New South Wales. The majority of them are under the guardianship of the Minister for Community Services but some are placed under the guardianship of family members.

The Hon. GREG DONNELLY: One of the points you touched on which goes to the difficulties experienced by these children and young people is the movement through different schools. For children experiencing out of home care is this, to use the generic term, turnover between carers a major issue? Where they move between carers sequentially, is that a major feature of children experiencing out of home care in this State?

Dr TOWNSEND: Most children in out of home care will experience more than one placement. Children when they enter care often will be placed somewhere initially when they are first removed from their families while the court is sorting out what is going to happen and then they will go into a longer term placement depending on what the plan is—whether they are going to be restored home or go into a long-term, rest-of-their-childhood-type placement. But even with children who are placed for the longer term, often there is placement breakdown.

The Hon. GREG DONNELLY: I am being the devil's advocate here but I am interested in your thoughts. In terms of policy prescription that governments can develop to address issues, with respect to that turnover can government do more through policy to mitigate the number of movements between carers? To put it the other way around, are there things government is not doing that is facilitating greater turnover than otherwise might be the case if it were done differently?

Dr TOWNSEND: If we support the children a whole lot more in terms of government policy and make sure that their needs are met we are much more likely to have less placement break down. Whether it is their health needs or their educational needs or any other sort of needs they have, if it is dealt with and responded to rather than left until they become such a big issue in terms of carers not being able to cope any more I think we would have less breakdowns. Currently it is still the case where carers and even caseworkers can struggle to get children in out of home care who have identified needs both educationally and healthwise to get priority access to services in New South Wales.

They can be put on a waiting list for months and months and months. Carers I spoke to really struggle with that. The other big one for carers is the suspension issue. That is a very big issue where they are expected to then take on caring for a child 24/7. Over half of the group in my study, which was 56 children, at the time of transition to high school had been suspended at least once, a few had been suspended more and some had been expelled as well. Carers are then taking on a very big caring role with a child that sometimes has a range of complex needs.

The Hon. GREG DONNELLY: That position you just put I gather is addressed by more resources by government to identify particular aspects of the needs of these children who are living in out of home care. What is your view about how those resources are best deployed to identify those issues? Are the current structures in place to enable that to be done and, therefore, it is a case of enhancing those structures or is it the case, in your view, that the framework is not there to address these issues and, therefore, we have to take a step back?

Dr TOWNSEND: I think the framework is there already or it is in the process of being developed and implemented. Currently we have a system where all children will get a health assessment. Once that health assessment is done there has to be timely action on the outcomes. A lot of children certainly have health needs that need to be met. So it means not putting them on a waiting list for seven months before their hearing is attended to or any other issues. The one thing that is missing, I think, is that the educational assessment happens as every child comes into care and then at key transitional points, particularly entering school and transition to high school, where we look at the holistic educational needs of this child and what services need to be put in place to be able to support the child.

There are a range of different plans. There is a case plan for all children in care. There are health plans for children with identified health needs and there is now the educational plan that will be rolled out for all children in care. But if we do not have a case worker, which I referred to before, it is very hard to have someone overseeing the journey of a child in care, particularly when their carers and their schools may change along the way. That stability and a key liaison person are very important.

The Hon. GREG DONNELLY: I take it from what you have just said that those efforts have been deployed across the three government policy areas of Health, Education and Family and Community Services. Is that a good summary?

Dr TOWNSEND: Yes.

The Hon. GREG DONNELLY: In your view do those areas still work too much in silos and not laterally to enable the best deployment of those efforts and resources to assist these children in care?

Dr TOWNSEND: Yes. I think there are still lots of difficulties. 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. One of the things that came out was that the Department of Community Services funds teachers' aides to keep children in the school system. A lot of caseworkers felt very angry about that because they saw that as something that Education should do but Education did not have the resources to be able to fund these teachers' aides to support the children in out of home care.

The Hon. CATE FAEHRMANN: Thank you for appearing today. What are some of the success stories that you discovered in your research, perhaps young children who had good transitions or better transitions due to a program or service that was in place?

Dr TOWNSEND: In particular, children with behavioural needs are the students who get picked up in out of home care a lot more than other students. The ones who are struggling academically or socially do not get the same level of attention. But children with behavioural needs where teachers and the school system are struggling often will get considerable support through the transition to high school, which I will talk about particularly. These children would spend much more time than your traditional orientation program of a couple of visits to the high school and maybe have some people come back to the primary school setting. They would have time where they might go over once a week for the last term and get to build a relationship with some of the teachers and staff at the high school, they feel very confident about layout and setting and they have an opportunity to take part in different activities over there.

The thing that I found being in three different New South Wales regions was that the high school orientation is very different and each school sets what sort of orientation the children are going to experience. The staff and the carers that I spoke to, what they appreciated most was a planning meeting that developed a transition plan for children as they transitioned to high school and one that started early on. Part of that was often about selecting the best high school because in many areas there is often a choice of different high schools and they would work out which one was going to be the best for that child.

The Hon. CATE FAEHRMANN: Was that transition plan instigated by the school or a transition support worker?

Dr TOWNSEND: Caseworkers talked about it as really good practice but when you asked them if they instigated it they did not because they did not feel confident enough. Often it was the out of home care program teacher who was involved in the case because there were usually behavioural issues.

The Hon. CATE FAEHRMANN: Did your research cover students who are leaving high school?

Dr TOWNSEND: In terms of interviewing them no. I looked at their educational outcomes with a matched sample of children from the New South Wales Community Services and the Education Department data but I did not interview that group of children.

The Hon. CATE FAEHRMANN: You have given a couple of examples of it being done effectively. What about some that were done poorly and what were the barriers to those cases being a success? How did they play out?

Dr TOWNSEND: One of the biggest challenges faced by Education and schools and Community Services is when children's placements change during the transition period. They may well have undergone orientation for one school and end up going to a completely different high school and they show up on day one of year 7 not having undergone any orientation whatsoever for the school, or they start a bit after. Often when children change placement, although there is a bit of an emphasis on not doing this as much, there will be a space in between because the schools have an enrolment process. You have to say that the child is in out of home care at the time of enrolment. Many schools will then investigate the child's history and make assessments about what sort of support they need. That can take time and sometimes quite a while and children will be outside the school system while they are waiting for that to all go through. Sometimes schools will say that unless they have a teacher's aide or some sort of support and assistance in the classroom the child cannot start until that is secured. That requires a funding submission and to go through the processes. So there are some delays.

The Hon. CATE FAEHRMANN: In a submission we received from UnitingCare it is stated:

> Under the Government's Keep Them Safe policy principals are responsible for ensuring that within 30 days of entering out of home care all children and young people in care must have an individual education plan prepared for them.

They say that the implementation policy by schools is variable. Has that been your experience?

Dr TOWNSEND: I was undertaking my research as that was coming in. So I cannot comment to say yes or no that there is a delay in terms of the rollout.

The Hon. CATE FAEHRMANN: That policy came in later?

Dr TOWNSEND: It was coming in. The policy was being implemented as I was concluding.

The Hon. CATE FAEHRMANN: One of the ongoing recommendations from many witnesses is a person-centred approach to transition planning. In relation to young people in out of home care, we have talked with families with young people with disabilities who are strongly involved in ensuring that their children are transitioned successfully and are involved with the school. It clearly takes a great deal of their time. Is that an additional burden for young people in out of home care that the carers they are placed with may not have the time to be able to do that? Does it then fall on a case worker or a good case worker to ensure that person transitions successfully?

Dr TOWNSEND: That is right.

The Hon. CATE FAEHRMANN: So that often they do not have the family attend the school with them?

Dr TOWNSEND: In terms of the birth family or the carers?

The Hon. CATE FAEHRMANN: The carers.

Dr TOWNSEND: The carers are not always involved. Some carers are and some are not. Some carers have a very strong educational background and are able to go in and feel confident to advocate and others do not. Lots of kinship carers I spoke to said that they found the school system very confronting, particularly once the child hit high school, so they would have great difficulty. In an ideal world every child would be allocated a good case worker, as you said, who could go in to bat for them, support them and monitor them along their care journey.

The Hon. CATE FAEHRMANN: How did you find the resources, particularly regionally, in terms of the caseworkers who are able to work with all the students and young people you interviewed? Did you find there was a resource gap there?

Dr TOWNSEND: There is a resource gap both in community services and the education system in terms of meeting this group's needs. Talking to education first, one of the key things, which the previous witness spoke about as well, is that complex trauma or trauma is not given as a funding criteria. So children have to fall into a very clear diagnosable disability. Many of the children who have experienced abuse and neglect are suffering trauma and have great difficulties in the school system but they are not able to be supported in that regard. For the out-of-home care system there are some real differences on what I guess the department manages and staff believe are their responsibilities to fund. I have made a case that for children in out-of-home care, certainly tutoring for any child who has fallen behind is very important, as well as basic educational resources because some of the families within the care system, carers, certainly do not have those to provide, and that every child should have access to a computer at home. That is very important. The children who were in the non-government school sector also wanted their school fees paid for if that school was in their best interest.

CHAIR: One thing you mentioned earlier was the final year of primary school being imperative for that academic preparation for high school. Are the assessments that are done in year 5 enough to assess the ability of that child through year 6 to move into high school or should there be another assessment point, particularly for this group that you studied, at the start of year 6 and regular assessments through there to get them high school ready?

Dr TOWNSEND: Yes, I think there should be more broader educational assessment at that point, in addition to the NAPLAN. You would take the NAPLAN results into account but it has to be much more broader and also looking at the social side of things for that child. I think it has to be quite a holistic assessment about their high school readiness and then with that intensive "let's give everything we possibly can to them" in terms of catching up because we know—the outcomes from my study show that children in out-of-home care basically perform the same as Aboriginal children in terms that they are significantly poorer than any other group of children. Aboriginal children in out-of-home care, however, are significantly poorer than Aboriginal children who live with their families. So they are among our most poor performing students in Australia.

CHAIR: With the implementation of an education plan, along with the health plan and the case plan, does that give us the ability to be able to constantly assess the education plan against any other assessment that we do on the child then to alter it as we go through to maybe be a transition plan from that point from primary school to high school?

Dr TOWNSEND: Yes. Part of the transition plan has to be the child's input. What was important to the children in my study was that they wanted a say in what high school they went to, rather than, as some said, DOCS made the choice.

CHAIR: One question I had is how much is the child involved in their education or their transition plan and particularly in those older years and who else should be involved. I think you mentioned in one of your submissions that we need to get school counsellors involved, particularly in years 10, 11 and 12. Who else should be involved in assessing and helping with these education/transition plans?

Dr TOWNSEND: The years 10, 11 and 12 the careers advisor I think is critical because for this group of children we know they are such a high risk of dropping out. A quarter dropped out of the School Certificate and a quarter dropped out of the Higher School Certificate. The biggest group in terms of going on to successfully attain those qualifications was in life skills program. Obviously in the school system that is a very supported pathway whereas the group that is not often struggle on the way. They do not have necessarily the role models either within their care system or in their birth families to support them. I think that it is important that you have carers on board with any of the planning, and that does not always happen. The practitioners I interviewed, some of the education staff really believe that only education needs to be involved in the primary school and the high school and that was the extent of that, whereas caseworkers obviously wanted to be involved and they felt that carers should be involved as well. So there are some different perspectives about who should be involved in transition planning.

CHAIR: And the child.

Dr TOWNSEND: And the child, yes.

CHAIR: One previous witness said that the success for a good transition plan to be implemented is that the high school takes ownership of the plan, rather than the primary school just handing it to the high school. Other witnesses have said that there are these great plans but they are never actually—for want of a better word—enforceable and there is no-one checking up. What is your view on the high school actually taking ownership of that plan and having someone there to make sure that it is being followed through?

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.

CHAIR: At the moment how is that happening from primary school to high school but also between the changes of schools? We have these three plans now: the case plan, the health plan and the education plan. How well are they being handed from one to the next?

Dr TOWNSEND: I still think it is quite haphazardly. It is not a streamlined process.

CHAIR: Is that because of the turnover of caseworkers?

Dr TOWNSEND: I think the turnover of caseworkers could be part of it but also there is still a lack of understanding within the school system about this group of children and their needs and the fact that children go into care through no fault of their own and because they often come to the attention because of behavioural issues so that the focus is in that area as opposed to a much more holistic approach.

CHAIR: How do we overcome that? What are some areas that we need to work on to ensure that if we are going to all this effort to develop all these plans how do we overcome that? Is it something that lies within the schools and educating the schools themselves or is it the department or community services?

Dr TOWNSEND: I think it is both in terms of an understanding about what each other stakeholder is going to bring or what each department is going to bring in terms of supporting children, who is going to fund what, who is going to do what. I think ultimately it has to be the caseworker, whether it is within the non-government sector, which it soon will be—it has to be the one that takes carriage of all three plans but the education plan, like the responsibility and the monitoring, it needs to be someone designated within either the primary school or the high school setting who is aware of the other plans and knows who is involved in the case and knows the child but they will ultimately make sure what is in that plan around that transition or that ongoing individual education plan is implemented and monitored regularly and reviewed.

CHAIR: We have heard some pretty scary statistics around suspension days and compounding suspensions, particularly for young children in primary school. Do you have any recommendations as to what we do with this group who you were talking about when it comes to suspension? Once the suspension occurs, do we need to go back and review the plans, et cetera, at that time? How do we stop this compounding effect of these children on that roundabout?

Dr TOWNSEND: I think we probably need to go back a bit further and review the policy. In South Australia they have a zero policy around children who are in guardianship of the Minister and the schools have to develop some strategies that are supported in terms of ensuring that these children are not excluded from anywhere else. Whether it is through in-school suspensions, which some New South Wales schools do but other schools refuse to even consider it, or looking at what sort of supports and yes, it may well be going back and reviewing the plan, working out what is not working but looking at what other ways this group of children wherever possible are not excluded from something else.

CHAIR: Did any of the children in your case study go to any of the suspension schools around the State?

Dr TOWNSEND: No but some of the carers had other children who were in the suspension schools and they have been suspended from there as well.

CHAIR: Suspended from the suspension school?

Dr TOWNSEND: Yes.

The Hon. HELEN WESTWOOD: Are there any other jurisdictions in Australia or overseas that you think we could look to that provide a better model in terms of better academic outcomes for students in out-of-home care?

Dr TOWNSEND: I guess you could take a few—South Australia has a priority access system in terms of meeting all the needs of children in out-of-home care so that children who are in guardianship of the Minister, other departments can be, I guess a request made of them to provide services and they have to do that and children basically in the care of the Minister go to the top of the list in terms of any waiting list. Both Victoria and Queensland have partnership agreements that are very clear around putting the responsibility within the education system around this group of children in terms of ensuring that their educational needs are met and well resourced. When they rolled out the education plans for all children in Queensland, a bit lot of money went with that as well. It is all well and good to do individual education plans but if you do not have the resources to fund all the things you are going to work out this child needs it is a bit pointless. I guess they are the two jurisdictions in Australia that have done a lot over the last seven years particularly around improving educational outcomes.

The Hon. HELEN WESTWOOD: Are you aware of any jurisdictions overseas?

Dr TOWNSEND: Yes, I am aware. In England they have done a lot of work in terms of trying to—it has been I guess a research area and a policy area for a number of years now around improving educational outcomes. Their big priority is around ensuring that children attend high achieving schools. Children who are in out-of-home care can choose to go to any—I mean, the people making the decision can choose to go to any school even if the school is full. They are able to be enrolled in those schools and they have the funding that goes with the child in terms of supporting their educational needs all the way through to university.

The Hon. HELEN WESTWOOD: Is one of the glaring gaps in New South Wales that we do not have that stream of funding for education that goes with that child?

Dr TOWNSEND: The resources both within Community Services to pay for educational things and within Education is a big lack in New South Wales. There is not enough money to be able to meet the educational needs of this group of children and young people, particularly because so many of them have experienced abuse and neglect at an early age but often over a prolonged period of time and that has interfered quite profoundly with their attachment skills and learning and development skills. They are already, before they come into the care system, educationally on the back foot and then to be able to try to catch that up in the absence of having any extra support and resources is challenging.

CHAIR: Thank you for your submission and your time this morning. Your evidence has been valuable to the Committee. The Committee may choose to put more questions to you in writing. That will be coordinated through the Committee staff and they will let you know the timeframe in which we would like those answers returned.

Dr TOWNSEND: I am happy to do that.

(The witness withdrew)

(Short adjournment)

ALAN GRANT WILSON, Acting Manager, Disabilities and Educational Support Program, Victorian Department of Education and Early Childhood Development, sworn and examined:

CHAIR: Would you like to make an opening statement?

Mr WILSON: Yes. I have put together a brief statement that summarises the situation in Victoria. The Victorian Department of Education and Early Childhood Development recognises that transition points can be a challenging time for students. For a student with additional learning needs, joint planning between educational settings, the student's family and, where possible, the student is required to prepare the student for the challenges ahead. Planning is also necessary for their educational settings to prepare the appropriate strategies and accommodations to support the student's individual learning needs.

In Victorian government schools the key element of all targeted support for students with additional needs is the Student Support Group. This cooperative partnership of parents, school representatives and professionals is the essential means by which coordinated support can be planned for a student's educational needs. The Student Support Group does this through the development of specific educational goals and a tailored educational program which identifies the support and adjustments required for a student, including support for transition.

The department has a number of protocols, resources and systems to support students. These protocols and resources also support families and school personnel to ensure successful transition from, to and between educational settings. Some of these apply to all children and young people and some are tailored to specific needs. The foundational transition resource is "Transition: A Positive Start to School Initiative" and its comprehensive "Transition Learning and Development Statements". This initiative also forms the basis for a number of specialised transition support protocols and resources. "Sharing our Journey" protocols and planner are supplementary resources designed to assist schools to use the transition statement in a specifically targeted way for children with disabilities transitioning from preschool to school.

For students with autism spectrum disorders transitions can be times of particular stress and difficulty. The transition statement has also been specifically tailored in partnership with Monash University and incorporated into a transition support program both for primary and secondary transition of students with autism spectrum disorders. The focus of these programs is to establish and assist transition teams to work together to develop a shared understanding of the student and prepare comprehensive transition plans. These programs are not intended to be a crash course in autism; rather, they provide an overview of basic information about the core features of autism spectrum disorders and equip staff and families with relevant and useful resources to assist in the transition planning.

Another useful and universal platform that is beginning to show great promise in regard to supporting transition is the Ultranet. The Ultranet is a new online learning system with a number of tools and spaces and includes: express spaces where students can keep learning portfolios and learning goals; collaborative learning spaces for students to take part in activities set up by teachers, such as blogs, Wikis, message boards and polls; design spaces where teachers can collaborate and plan with colleagues within and across schools; learner profiles where students, parents and teachers can view a detailed profile of students' individual learning progress; and community spaces where students, parents and teachers can find the latest school news and events and get involved in school-based groups or activities. The Ultranet has enormous potential to improve educational outcomes for all students. All teachers now have access to the Ultranet and schools are bringing parents and students onto the Ultranet in line with local implementation plans. Soon the Ultranet will connect 50,000 teachers, 500,000 students and 1 million parents.

Strengthening primary to secondary support for students with disabilities is an identified priority for the Victorian Government. Further development of primary to secondary transition support for students with disabilities is planned in 2012, incorporating the Ultranet's information sharing and collaboration capabilities. For students with additional needs, all of the protocols and initiatives build on and depend on the cooperative partnership of the student's family, school personnel and professionals—the Student Support Group. The aim of all transition programs or resources is to facilitate effective and timely communication between education settings and families to ensure continuity of support and targeted high quality teaching.

The Hon. HELEN WESTWOOD: I am sure you are probably already aware that the Victorian model has been recommended to us by a number of our witnesses, particularly in terms of the better coordination of support that students with special needs require. Are you familiar with our New South Wales system?

Mr WILSON: No.

The Hon. HELEN WESTWOOD: I was going to ask you where you thought it was different. Does the Victorian department have a special stream of funding for supporting students at transition points?

Mr WILSON: No. The transition support is incorporated into general funding for students with special needs, so it is part of the whole package of support that is provided under that.

The Hon. HELEN WESTWOOD: Can you explain to the Committee the enrolment process for students. Once they have been diagnosed what is the enrolment process for those students into either mainstream or specialist support classes or programs?

Mr WILSON: The Victorian government education system has 80 specialist schools throughout the State. Eligibility to attend those is approved by the regional director in each region and it is dependent on eligibility under the Program for Students with Disabilities under that category. The Program for Students with Disabilities is a targeted funding program for schools to support students with moderate to severe disabilities and it supports about 3.9 per cent of students. Specialist school options are only available for those students with moderate to severe disabilities. It is a matter of parent choice. Just over half of students supported under the Program for Students with Disabilities attend mainstream schools, 55 per cent, and 45 per cent attend specialist schools.

It does not cover the whole cohort of students with disabilities which you could estimate at maybe 20 per cent of students if you count all disabilities under the Disability Discrimination Act. It is a specific program. Usually what happens is that eligibility is determined in the six months prior to the student attending school. Assessments are gathered, a Student Support Group is convened and an application is put in under the program. Then the results of that application are reported back to the school and parents depending on when the application has been received, but the aim is that it is reported back to parents during term three so that then there is time for transition planning.

The Hon. HELEN WESTWOOD: The application is submitted to the department and then considered by whom? Is there a panel?

Mr WILSON: The resources coordination group considers the applications and they are compared against the eligibility criteria that are publicly published. The resources coordination group is comprised of central and regional representatives. One of the key readers is the regional disabilities coordinator. Part of the benefit of that is that the regional coordinators then have information about all students within their region who have made an application under the program. So they read the applications independently and then they come to a consensus opinion about eligibility under the guidelines of the program. There are also opportunities for schools and parents to provide additional information if there is anything that is not covered in those applications.

The Hon. HELEN WESTWOOD: If parents are unhappy with the outcome of an application is it appealable? Are parents able to then take it further or have it reviewed?

Mr WILSON: Absolutely. There is an appeal process; however, there is no discretionary flexibility within the program. Eligibility is dependent on meeting the eligibility criteria that are quite clearly set out. So there will be a number of students with mild disabilities who may not be eligible under this program but that does not mean they are not eligible for additional support from the school. There are student support services available to support all students—the transition to school kit is available for students, not just the students identified under the program—but if a student is not eligible under this program then it means that the school does not receive those additional targeted resources. It also means that the student is not eligible to attend a specialist school.

The Hon. HELEN WESTWOOD: You talked about parent choice. I am interested in choices for deaf and hard of hearing students. Are there support classes or programs in Victoria particularly for those students whose parents have chosen to raise them bilingually with Auslan and English?

Mr WILSON: There are. I am sorry I cannot tell you the details of the number of deaf facilities that are auditory-oral compared with Auslan, but certainly there are education facilities that have Auslan as their predominant language. There are some stand-alone schools for deaf children. There are also deaf units in a number of schools that have a small cohort of students and they are provided with a funding ratio, which allows for a higher than average staffing for those units. So they give some flexibility for interpreters or—

The Hon. HELEN WESTWOOD: Do you know if they have National Accreditation for Translators and Interpreters [NAATI] Auslan interpreters or teachers who have high level Auslan skills?

Mr WILSON: I do not know specifically whether they have to be accredited; I suspect not.

The Hon. GREG DONNELLY: I take you back to that part of your opening statement concerning the student support group. I could not quite link that in with other aspects of the Victorian programs. Will you give me a précis of what the student support group is, its history and how it links in with the other aspects of the Victorian programs?

Mr WILSON: The student support group is the sort of basic strategy for all students with additional needs. The members of the student support group are the parents, guardians or carers of the student, the school principal and the classroom teacher of the student—they are the core elements of the group. In some instances there will be an advocate that supports the parent as well and the principal may delegate his role to a special needs coordinator or an assistant principal but the general composition is always the same. The student support group might also invite other professionals, as appropriate, to be part of their group.

It is the core planning group, if you like, for all students with additional needs. Any application that comes in under the program for students with disabilities needs to be implemented by the student support group. So part of the process of putting in an application is to convene those people together, look at the student's educational needs, look at the individual learning plan for that student, and identify the resources and strategies that are required to support that student. That is the strategy that is recommended for not just students with moderate to severe disabilities but for students with individual learning needs of any kind.

The Hon. GREG DONNELLY: You have mentioned that there are 80 schools that specifically provide for children with disabilities in Victoria. Is it true to say that the body itself is quite a large body compared with a school that perhaps might have a relatively small number of students with special needs?

Mr WILSON: Absolutely.

The Hon. GREG DONNELLY: Is the establishment and ongoing operation of peer support groups mandated in legislation in Victoria?

Mr WILSON: Not in legislation but in policy.

The Hon. GREG DONNELLY: That is the policy of the Victorian equivalent to what we would call the Department of Education and Training in New South Wales?

Mr WILSON: Absolutely.

The Hon. GREG DONNELLY: So it is embedded in policy?

Mr WILSON: It is a requirement under the program for students with disabilities; so it is part of that process that schools go through in order to access additional funding for students with disabilities.

The Hon. GREG DONNELLY: I might be misunderstanding part of the tenet that underpins the position in New South Wales—and I stand to be corrected—but as the Committee has been going around visiting schools, speaking to witnesses and hearing from experts there seems to be a theme of mainstreaming as far as practicable.

Mr WILSON: Yes.

The Hon. GREG DONNELLY: Obviously that is not always easily done because of circumstances—for example, it could be a remote school or whatever the case—but there seems to be an underpinning mainstream philosophy. Is mainstreaming an important philosophy underpinning the approach taken in Victoria or not?

Mr WILSON: The approach taken in Victoria is probably better described as inclusive education. Specialist settings are not necessarily seen as segregation kinds of settings. They would also very much say that they are inclusive education settings. Their philosophy would be about connecting with the local community and providing opportunities for students to have educational opportunities commensurate with their peers. No, we certainly would not have a mainstreaming philosophy. Certainly there is a commitment for parents to be able to determine the most appropriate educational setting for their child. So certainly any student is entitled to attend their local mainstream school regardless of their level of disability and resources are provided to mainstream schools at the same level at which they are provided to specialist schools. But there is recognition that for some students the concentrated expertise that one gets in specialist schools is a very powerful means for them to learn and it could be the preferred option of their parents.

The Hon. GREG DONNELLY: The Committee recently had the opportunity of visiting a school in regional New South Wales. Through Building the Education Revolution funding that school had the opportunity to build some special-purpose classrooms specifically for young students. Some of the young students we met were autistic—probably at the upper end of the spectrum. I gather from speaking to the principal and the teachers of that school that the four classrooms were discrete on the broad public school campus but that in due course it is hoped to mainstream those students, if possible. On the face of it those students would probably fit into one of the Victorian specialist schools you have described. Is the Victorian approach very much underpinned by providing the parents with information and options and allowing them to come to a conclusion about whether to place their child in a specialist school or in an orthodox public school with some special resources for providing support for their children? Is it very much a question of: These are the possibilities for you to reflect on and come to a conclusion?

Mr WILSON: Absolutely. Again the student support group is the group that would discuss those options and consult with professionals about what the best setting would be for a student. In Victoria as well we are looking at a number of different specialist setting options. We have established some satellite classrooms, which are overseen by specialist schools but located in mainstream schools; the object being that it is not a separate unit but part of the mainstream community. So not only do the students in that unit benefit from being in the mainstream but there is a continuum of need in the mainstream as well. So having a specialist teacher located in a mainstream school can be a really effective way of getting that special education experience into the mainstream setting. Inclusion support programs for autism are another thing we are looking at where we have a specialist autism teacher who oversees the program for students with autism within a mainstream school. It is getting that balance right between access to specialist teaching and access to an inclusive setting.

The Hon. GREG DONNELLY: Does the Victorian education system experience any problems with the supply of teachers who can provide this specialist teaching to students with needs? Is there a shortage of teachers or an excess of teachers or are you satisfied with the supply at the moment?

Mr WILSON: There is always need for more qualified teachers. A couple of years ago some funds were committed to providing 100 scholarships for teachers to undertake a graduate diploma in autism teaching over four years—four lots of scholarships. Every year general special education scholarships are offered to teachers to undertake postgraduate training in special education.

The Hon. CATE FAEHRMANN: Following up the education of teachers for students with special needs, we have heard that in New South Wales it is optional for teachers in the mainstream setting to have further education in relation to students with special needs. Is that the situation in Victoria as well?

Mr WILSON: There would be requirements for ongoing professional learning for teachers but not specifically in special needs.

The Hon. CATE FAEHRMANN: I would like to explore the culture of the Victorian Government and how you got to the point of ensuring that transition is effectively mainstream in your department rather than an add-on program or add-on service, which is what we are hearing is the case in New South Wales. It is not integrated. How did you get to where you are now? Is this a long history or is it relatively recent?

Mr WILSON: The "Transition: A Positive Start to School" kit began in 2009. An important part of the landscape in Victorian education is that schools are highly autonomous in terms of their governance and a number of decisions that they make about supporting students. The responsibility for the care of students falls to the principal rather than an education authority, so there is a great deal of recognition of local decision-making and responding to local need. Initiatives like A Positive Start to School are provided as resources and guidelines rather than mandated practice so that people do not do them out of a spirit of having to go through a process to do them. Whenever something like this is provided it is done with a whole lot of professional development, resources and research evidence. It is like bringing people on board in an intellectual sense, not just a requirement.

The Hon. CATE FAEHRMANN: But it is a requirement in Victoria, is it not, for each student to have a transition plan?

Mr WILSON: It is a requirement of early childhood providers to complete the transition plan, not necessarily a requirement of schools.

The Hon. CATE FAEHRMANN: For example, the transition from primary to secondary—

Mr WILSON: Schools have individual processes that they use so there is not a consistent formal process that is used.

The Hon. CATE FAEHRMANN: You said at the beginning that you have it in your policy. Is that right—mandated transition planning in the Victorian policy?

Mr WILSON: Mandated student support groups for students who are supported under the program for students with disabilities. Part of what the student support group does is to plan the transition but that is only for the cohort of students who are supported under the program, not for all students.

The Hon. CATE FAEHRMANN: Before 2009 and the start of the Positive Start to School initiative was there a history of pilot programs and services being run on this?

Mr WILSON: Yes. There were a range of practices, some better than others, some formal and some informal, that supported transition but it was not a consistent process as it is now.

The Hon. CATE FAEHRMANN: How does your department work with other government agencies to ensure effective transition planning for students with additional needs? Is there a formal relationship?

Mr WILSON: In Victoria the Department of Education and Early Childhood Development covers early childhood education, schools and skills as well, so the bulk of the information that is provided by early childhood providers to schools is within the one department. There are processes for providing information to the Department of Human Services as well because some post-school options for students with disabilities are provided through the Department of Human Services. That information transfer from one department to another is always with written consent.

The Hon. CATE FAEHRMANN: You referred to the ultranet that is in the process of launching to 500,000 students, which is very exciting. I take it that is largely to do with learning rather than being a portal for students with additional needs to find out everything they need about access to health services, speech therapists and so on?

Mr WILSON: Yes. There are a number of limitations on the ultranet at this point. We are in the process of developing a primary to secondary transition support protocol.

The Hon. CATE FAEHRMANN: Would that protocol be optional?

Mr WILSON: Yes, it would be guidance and advice not a mandated process. The ultranet cannot contain health or medical information about a student. It contains information about a student's learning against the Victorian Essential Learning Standards [VELS] and Abilities Based Learning and Education Support [ABLES] but not information about disability or health. The ultranet can most support transition at the moment through community spaces where schools provide information about their transition programs and opportunities for students to engage with the secondary school before they attend.

The Hon. CATE FAEHRMANN: I am interested in finding out more about the transition teams you mentioned for students with an autism spectrum disorder. Are they a relatively recent initiative?

Mr WILSON: The early childhood to primary transition program has been operating for the last three years and the primary to secondary program commenced this year. They are developed in partnership with Monash University. Dr Avril Brereton and Kerry Bull are experts in autism and autism teaching and they have worked with the department to provide a process for students with autism to support transition.

The Hon. CATE FAEHRMANN: Are these pilot programs to begin with?

Mr WILSON: No, they are offered through all of our regional offices to all students with autism.

The Hon. CATE FAEHRMANN: Bearing in mind that you are just starting the primary to secondary transition program, are all students with autism able to access the transition teams in a timely fashion?

Mr WILSON: I could not say that all students have accessed them. They have been offered across the State. They are being offered by regional offices not by the central office of the department, but I think they are available to all schools.

The Hon. CATE FAEHRMANN: Building on that, what are the transition teams doing? What is their role with the student and their family?

Mr WILSON: There is a workshop initially that is headed by one of the student support services staff from the region—a psychologist, a speech pathologist or a social worker—and they work with the student's family, staff from the student's primary school and staff from the secondary school to develop a transition support plan for the student. The initial part of the session is providing information about autism and transition support. The group works together to develop a plan and then convenes later to discuss implementation of the plan.

The Hon. CATE FAEHRMANN: Is the student involved in that or is it mostly the family and staff?

Mr WILSON: It depends on the individual student but students are involved wherever possible.

CHAIR: Who takes carriage of the plan and ultimate ownership to make sure it is implemented? To put it in context, we have heard that in New South Wales plans are quite often developed but no-one takes ownership of them, particularly at the school that is receiving the child, to re-assess the plan and make sure the outcomes are being met. How do you meet yours?

Mr WILSON: In terms of the autism transition plans—

CHAIR: If you want to go away and check that you can take it on notice.

Mr WILSON: I do not think there is a particular person mandated by the process itself but I think the process identifies someone who takes ownership of the plan.

CHAIR: Referring to early childhood transition, you said the early childhood providers are tasked with developing the transition plans into primary school and that is a requirement for each child. What about the children who do not attend preschool or formal education? Is there another process that captures them? I know it is very hard, but is it not something the school would then look at?

Mr WILSON: So, for students who are transitioning into school but not between settings?

CHAIR: From a preschool, yes.

Mr WILSON: It would depend. Schools do have processes as well, there are Statewide orientation days for students and they run transition programs. It would depend on where the student had come from and at what time they were known to the school. If the student enrolled on the first day of school, then they would have missed the orientation days but schools still do provide information to parents about starting school.

CHAIR: Is this where those patients would be referred to your transition kits?

Mr WILSON: Yes, I think that would be one of the resources that schools would use.

CHAIR: And where do they find that information? Is that through the Ultranet?

Mr WILSON: Yes. Schools are able to provide information about their transition programs on their community spaces on the Ultranet but parents would not have access to that until the child was enrolled. On its public website the Department has information about starting school and transition to school and it has information booklets for parents, if parents have access to the Internet.

CHAIR: I will come back to the kit in a minute. I wanted to go to what you said about the transition plans for children who have been identified as having special needs. You were saying that you like to have them enrolled and assessed and the plan developed by term three.

Mr WILSON: Yes.

CHAIR: So do you have set time frames in your protocols? One thing we are finding in New South Wales is that some parents probably will not even know this week what school their child is going to next year and it is inconsistent across the State. Do you have set protocols whereby you must receive information by a certain date so that you can have that assessment?

Mr WILSON: We do but there is flexibility as well. The closing date for applications is the following year, so the target date for those applications to come in is in July. That allows time for the applications to be processed and information provided to schools by term three but we do still receive applications until census date. The time lines are published—not to parents but to schools—and early childhood settings are also aware of our program time lines. The advice is always to get the application in during the early part of the process.

CHAIR: Another thing you mentioned was parents' choice. Can you explain that? In New South Wales we have an assessment team that places children in certain schools. So are you saying in Victoria there is more flexibility for parents to choose?

Mr WILSON: Yes. Children are not placed by a team. Parents enrol their child either at their local school or children can attend any mainstream school if it is not full and children can attend any specialist school if they meet the eligibility requirements for that school. It is just a matter of the parent having a conversation directly with the school principal.

CHAIR: They can access that special school directly?

Mr WILSON: Yes.

CHAIR: And then go through the assessment process?

Mr WILSON: Yes.

CHAIR: One thing we have been told is that in New South Wales we make parents go to the nearest public school, go through the enrolment process, then get told that they have to go through the placement panel process. The feedback is that they are required to tell their story a number of times. Can I confirm that in Victoria parents can go directly to a special school and enrol their child there? They can start the process and be assessed there?

Mr WILSON: To start the process there, yes. Some specialist schools will refer the parent back to their local mainstream school for the assessments to be done. The reason for that is that the school does not have the capacity to assess all the students that come to them. But most specialist schools will start the application process at the school. Specialist schools are able to provisionally enrol the student for the following year while the application is being put together.

CHAIR: Could you describe to us what is in the transitioning kits that you have been referring to? What sort of information is provided?

Mr WILSON: Yes—I did bring a copy.

CHAIR: Can you table that for the Committee?

Mr WILSON: Yes. The *Transition: A Positive Start to School,* I guess the major section of it is the Transition Learning and Development Statement. It is a form for the early childhood provider and the parents to provide information about the student. There is also a resource kit that provides information and advice to parents and schools about what supports are applied for transition and there are some other guides and general information about those as well. I will table those.

CHAIR: So the early childhood provider would provide that kit to the parent and in conjunction with the parent, the provider and parent would fill that in to then take to the primary school?

Mr WILSON: The process would be that the parent and early childhood provider would start filling those in early in the year. For a student with a disability, towards the end of the year there would be a Student Support Group meeting, where the parents, the early childhood providers and a representative from the primary school would meet to discuss the student's needs. I feel that I am not being clear. There is the *Transition: A Positive Start to School* which is general for all students. The *Sharing Our Journey* planner is a supplement to that for student with disabilities.

CHAIR: That supplement would trigger that meeting?

Mr WILSON: Yes.

CHAIR: Whereas the other one would just be information that is provided to the local school?

Mr WILSON: Yes and the *Sharing Our Journey* planner also identifies responsible people to ensure that the process is followed. It lists contact details, it outlines a number of issues that are likely to arise and suggests ways to prepare for those.

CHAIR: Can I then go to the protocols that you are developing for the primary to secondary transition. Can you outline those protocols for us, if it is not too early in the process?

Mr WILSON: It would be a very similar process. The idea is to facilitate information-sharing from the primary school to the secondary school and to identify the supports that will be required for the student once they start secondary school. One of the difficulties is that until the student is actually enrolled in the secondary school and starts, sometimes parents change their minds and take the child to another school. So, a lot of preparation can go into transitioning to secondary school but it might not be the right school that it goes into.

CHAIR: So you have a similar tool—was it a pathway tool?

Mr WILSON: *Sharing Our Journey*—it will be a similar tool. We are also developing a design space on the Ultranet that will provide resources and advice for schools to help them to develop protocols for students transitioning to their school.

CHAIR: Do you have any plans to then take it to the next transition, the secondary to tertiary or to the workplace?

Mr WILSON: Yes, we are also piloting a program in a number of schools with students with disabilities, so we are using a number of tools to help to identify students' needs and to support their transition into post school options. That is something that we will be rolling out next year as well.

CHAIR: To give you the time to prepare them, at what age does that kick in?

Mr WILSON: That is at the start of the student's final year at school. In Victoria we have managed individualised pathways for all students. That kicks in in Year 9—looking at their post school options, helping them to plan for work experience, subject selection and those kinds of things.

CHAIR: Is that done with their career adviser?

Mr WILSON: It is.

The Hon. HELEN WESTWOOD: The students who are diagnosed later and are already in primary school, what then happens with those children, in terms of the kit you have talked about and the process after diagnosis and in preparing the transition plan? What happens with children who are diagnosed part way through their schooling?

Mr WILSON: It is not uncommon that a number of students with mild intellectual disabilities or autism are not picked up until they come to school. So the annual round process of the program for students with disabilities picks up those students each year for support in the following year. Victorian Government schools have access to speech pathologists, psychologists and social workers and often those professionals would be the first step for schools and parents to go to for further assessment. We also provide an assessment service for applications under the program, so there is an outsourced assessment provider that would do IQ assessments and language assessments, if it was felt that a student might be eligible for support under that program. They will then be picked up in that annual round process and that can happen pretty much at any time during the school life of the student.

The Hon. HELEN WESTWOOD: When you say that schools have access to social workers, speech pathologists and so on, is that because the department employs those specialists?

Mr WILSON: Yes, I think there is about 500 full-time equivalent staff in the Student Support Services program. They are employed by regions but the current Government has committed to placing that staff directly in schools. It is unclear at this stage how that will work but it looks as though each network of schools will have access to a particular number of professionals who are able to provide assessments and advice to students with additional needs.

CHAIR: Thank you for coming along this morning and for your direct answers to questions which has enabled us to get through quite a lot of information that I think is going to be valuable to this Committee and its recommendations. Thank you for your time and for tabling those documents.

(The witnesses withdrew)

ALLAN WILLIAM YOUNG, Chief Executive Officer, Elouera Association (Inc), affirmed and examined:

CHAIR: Mr Young, welcome to our inquiry. Would you state your full name, job title and agency?

Mr YOUNG: My name is Allan Young. I am the Chief Executive Officer of Elouera Association in Cootamundra.

CHAIR: Would you like to make an opening statement?

Mr YOUNG: I will make a brief statement. Hopefully, it will be along the lines of the inquiry. We operate the Elouera Special School, which is one of only two independent special schools in country New South Wales. Our school will have 18 students in 2012, and has 15 currently, all with a moderate to severe disability or autism or multiple disabilities. We also operate five Australian disability enterprises in the towns of Cootamundra, Young and Coleambally, plus day services through Transition to Work, Community Participation and Life Choices. I have been in the disability sector for 26 years, originally in Western Australia and on moving to New South Wales 13 years ago. All students with a disability have huge challenges when it comes to transition points. We need to manage these periods well, and our systems sometimes do not really support these transitions or the periods that we do in transitions well. I give some examples. All independent schools receive the supervisor subsidy, which pays for our teachers.

This subsidy actually ceases once the child turns 18—in the actual term that they turn 18, not the year that they turn 18. So we have a position where a student may turn 18 in their final year, in the first term, and then be no longer counted for the rest of the year, when going through the major transition to work. We have good programs in Community Participation that commence at the end of the year that a student turns 18, so we need to be sure that there is actually a seamless transition in the funding as well as for the children with a disability. 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.

We have a number of city versus country issues that affect us. More accurately put, it is probably organisation versus organisation. 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. We have a situation where the Board of Studies has an individual-based system, but we have a funding system that is based on organisations, not disability times.

Our individual planning system is good. Under Board of Studies accreditation, we are required to produce an individual education plan that meets the needs of individuals—something that we have always done, and something that we strongly agree with. However, largely the education system is a one size fits all system. We are looking at education which may encompass many personal needs of the children while they are at school. I have firmly believed for many years that the individual's needs to attend school should be dealt with separately from their actual education needs, because they can be extremely complex and individual by nature. When a child is in early intervention, in Community Participation or employment—so, basically, the other periods of their life—their individual needs will be assessed, and they will be funded on the basis of their individual needs. The same just does not occur in education.

One of the most difficult periods that a student will face is transitioning from school to work, or to day services. There is no doubt that we have excellent choices in open employment, employment with an Australian disability enterprise. We have transition to work and we have community participation. All of these are very interesting and different choices. So it is extremely difficult to transition at the end of year 12 and decide: Which one of those do I want to take? At Elouera Association we operate a very successful transition program where we allow students in year 10 to start work experience two hours per week at one of Australian disability enterprises, or a local business. In year 11 this increases to half a day in the first half of the year and a full day by the end of the year.

Finally, in year 12, this may increase to as much as two days per week, and we also introduce wages in the second half of the year, so that we can establish a true employee-employment relationship with the individual, rather than a student attending work experience. This same sort of procedure is available for students who may want to access day services, and we have offered it to other schools in the region. Currently, we have two students attending our employment and day service outlets from Temora High School. So it is a well accepted program, and it does work very well. Transition programs need to be gradual. They need to offer real choices and sampling of options available. They need to take the fear out of making a choice by the individuals and their families.

CHAIR: I think I might have been served by some of your students in a café in Coleambally some time ago.

Mr YOUNG: That is certainly one of our Australian disability enterprises.

The Hon. HELEN WESTWOOD: Mr Young, I am interested in the funding issue that you raised. Obviously, that comes with each student. Is there a different amount of funding for students in non-metropolitan areas, or is it the same regardless of where they live?

Mr YOUNG: There are a number of different forms of funding, one of which is the supervisor subsidy, which comes from the State Government for wages for teachers. The legislation around that allows the three organisations that I mentioned to receive a ratio of 1:3 or 1:5 for students with autism. There is no argument: that is needed. The problem is that although we offer the same students the same services, we are not named in the legislation, so all of our students with autism get 1:9, along with all other students with an intellectual disability or other form of disability. The anomaly within the legislation is that it specifically names schools or organisations. One of those three organisations could set up a school right next door to ours and receive double the funding for the supervisor subsidy, effectively take half our students but get the same number of teachers that we do for the full school. That is an anomaly that occurs.

The Hon. HELEN WESTWOOD: Has that been raised with government over time? If so, what response have you received?

Mr YOUNG: I raised it with Mr Adrian Piccoli when he was shadow Minister, and I met with him at the café in Coleambally and discussed the matter at length. He did ask me for a report on this and other areas of funding that I raised with him on an actual case-by-case basis. I have a copy of the report that he asked me to prepare, if you would like a copy of that.

The Hon. HELEN WESTWOOD: That would be useful for our purposes. Is the Department of Education aware of the anomaly? If so, has the department advised either the current Minister or the previous Minister to amend the legislation?

Mr YOUNG: I have no idea what they have advised the Minister, but I do know that when I have raised it with them they have been pretty specific that their hands are tied because the legislation is written in such a way. It is not autism-specific; it is organisation-specific, for example. So I do get a hearing, but the wording is pretty rigid.

The Hon. HELEN WESTWOOD: The Committee visited Dubbo last week and heard about some of the issues that western New South Wales service providers face from lack of services. Are you finding, because you are one of the few organisations that provide the services that you do, that families are moving to you, or are you having to look at trying to provide satellite services or mobile services from where you are?

Mr YOUNG: We probably have a larger population of people with a disability than one would expect in a town our size because the school has been there for 40 years and families have been moving there, and the other services have then grown to meet those needs over time. I do know that a number of families with students at the school have moved to Cootamundra specifically because the school is there and had vacancies available for their children.

The Hon. HELEN WESTWOOD: What about access to other support services that students will need during those transition times, such as speech pathologists, psychologists, et cetera?

Mr YOUNG: I had a parents meeting earlier in the year, and we were talking about the greatest needs that families have, and the biggest single one that came out was lack of access to speech therapy, for example, and professional services within the region. We have a lot of early intervention types of services and services coming out of the ADEC [Action on Disability within Ethnic Communities] sector through non-government organisations. The actual professional support that we require, whether it be for students with a mental illness or speech or numerous things, is extremely limited, and we do struggle with that greatly.

The Hon. HELEN WESTWOOD: I know that many of those services are likely to be provided through Health rather than Education or ADHC. Do you have any consultation with the department in terms of planning or providing those services at a regional level? Have you been consulted about that?

Mr YOUNG: We do meet with the department from time to time and their staff do visit our school. A lot of the problem comes from positions not being able to be filled by the Health department. In a lot of cases they would provide the services if they could secure the staff to do so. We have a bit of a revolving door in that area. You get a good speech therapist, they do some work and then a better offer comes along and off they go. I understand the Health department's frustration in this as well. It is not entirely through not wanting to provide the services.

The Hon. CATE FAEHRMANN: Do you ever transition students from Elouera into mainstream settings?

Mr YOUNG: We generally take on students who have moderate to severe disability. In a lot of cases the families have looked at numerous options. We do get approached from time to time to enrol a student and when we do an assessment we work out very quickly that they are able to handle some or much of the mainstream curriculum. Our school having the Life Skills curriculum, it is very important that we only enrol students who fit into that curriculum and are not missing out on an education they otherwise could achieve. We tend to have a group of students who will remain within the school. However, sometimes we recognise that students may benefit from either moving to a mainstream school or a Catholic school in the area or doing some subjects there. We have had a lot of support in putting students in one or two lessons or getting some time in the other schools during either sport or some other activities. It is quite supportive in that area.

The Hon. CATE FAEHRMANN: Are you primary and secondary?

Mr YOUNG: Primary and secondary, yes.

The Hon. CATE FAEHRMANN: The transitioning work you need to do with students is largely coming into the school to begin with and then moving into the workplace or community participation?

Mr YOUNG: That is right, they are the two largest. We have a junior and a senior section in the school which came about recently with the new buildings. Between the primary years and the secondary years we will give a student a chance to spend some time in the other class so it is not just immediately changing when they arrive on the first day of school. We are quite heavily involved in the transition from school to work. Obviously having our own workplace makes that a lot easier. We do get involved with the local community on transitioning into school. A student coming from an early intervention service, for example, may spend five mornings at the school in term four prior to them coming to the school for the first time the following year. That gives them a little bit of an idea where they are coming and who is there and it is not so scary, for the parents as well.

The Hon. CATE FAEHRMANN: Who is involved in the students coming in for four days and developing that transition plan? Are the family and other carers and workers involved with the school or is it just the school, the family and the student?

Mr YOUNG: It is generally the head teacher of the school meeting directly with the family or with the family and early intervention, if they are receiving those services, which a lot of the students coming to our school do. They are very familiar with what we do and help the family through that period as well. It is sort of a three-way support.

The Hon. CATE FAEHRMANN: At the other end of the school spectrum, transition to work, what are your views on the effectiveness of the Transition to Work program? Is there anything that could be done to make it more effective?

Mr YOUNG: We as an organisation can run transition to work. I have always been of the view that that should not occur the day they finish school; it should be occurring whilst they are still at school. We can offer a student that is not quite work ready transition to work and continue on with support during the transitional period or give them just a few more years to mature or increase skills. My biggest concern with transition to work per se is that it is occurring following year 12. That is why we spend so much time transitioning students during years 10, 11 and 12 because we will get a greater benefit over a much longer period of time.

The program that we do we provide the school with reports on their progress in the workplace. If there are any gaps in skills the school can support that in the classroom. We even provide reports that go home to the parents so that they can see how they are progressing. It becomes part of their school report in the final three years. It should be something along those lines. I believe transition to work should be offering something along those lines, not just straight out of school support.

The Hon. CATE FAEHRMANN: In relation to assistance for businesses that are taking on some of your graduates, not your own workplace but others, do you believe there is enough support to businesses to enable them to employ people with additional needs or disability?

Mr YOUNG: We do have the DEN [Disability Employment Network] providers that do that. We do not currently offer those services. There is some very good work being done in that area but, again, it is occurring following the school years. The funding kicks in for those providers once a student leaves school and registers with them. Again, that is the big step that we are having problems with.

CHAIR: You said that by year 12 the students doing this transition to work and work experience are getting a wage for their work. Who is funding that?

Mr YOUNG: We are. When I say a wage, in the Australian Disability Enterprise the entry rate is 15 per cent of the award. It is a basic entry wage of about currently $2.25 an hour. It just establishes that relationship that "You are being paid now therefore you have to listen more closely to the instructions". It is a little difficult for some students to establish that understanding when they are just viewing it as an activity during the school day.

CHAIR: I was interested in your comments about separating the need to get the individual to the school and then providing the education. Can you define that again? You said that funding and services are available for early intervention and post-school but there seems to be a gap.

Mr YOUNG: It seems to me that early intervention looks at a child's needs and they provide them with support at that level. When you leave school and you go into community participation you may be funded at one of three funding bands and in extreme cases you can apply for even more funding. If you go into employment under case-based funding your support needs are assessed and you are funded at one of four bands from $3,500 up to about $15,000 per year. So you have this really good system that is looking at individuals and their support needs but in the education system you are looking at the educational needs in providing education.

I think there is a gap that you are not looking at the individual support needs, such as their medical needs, their toileting needs, their feeding needs. These are all life supports that they will need whether they are at school or not. Therefore, they should be funded or viewed quite separately. Then the educational support comes down to teachers' aides and teachers and the supports to gain the education, which can be quite separate for somebody who has multiple and complex disability needs that they need to just get through the day.

CHAIR: Can you give an example where the system just looks at the educational needs and is missing out on the individual support needs?

Mr YOUNG: I have not seen the formula exactly how the block funding comes through but I believe the complexity of an individual is looked at there. I do not know how much that varies the funding we receive because we just get a total amount every year. If we have a student coming to the school who has autism but is fairly high functioning and can operate well in the classroom independently, feeds themselves and takes care of their own needs they are funded pretty much at the same level or very close to the same level as somebody in a wheelchair who may need tube feeding, full toileting and lifting as well as physical therapy. So we have two extremes there. The actual education support of both students, they are probably just as capable as each other and probably only need the same level of teaching and support from an aide but their own personal needs are significantly different. I question whether the education system is the one that should be dealing with those needs or whether it should be ADHC through Stronger Together where they look at a package for an individual to enable them to more successfully attend school or attend the school of their choice.

CHAIR: Does ADHC do those other two assessments through those bands you are talking about after and before school?

Mr YOUNG: After school and before, yes. It seems that we have exceptionally good funding supports from preschool and post-school but during school I believe there is a gap. It is dropping out while they are at school and picking back up when they leave school.

CHAIR: I am interested in your comments earlier about the difference in the ratio funding and the support kicking in when the individual turns 18, not the year they turn 18. Do you have any recommendations about measures that would assist people in this area?

Mr YOUNG: We have a system that is basically saying that a child goes through school, they hit the age of 18 and then one of the funding pools that we have stops. The danger is that because it is ratio based you can have a situation where one child loses funding but the school loses funding for an entire teacher. That is the case that has occurred at Biala this year where they had 22 students with three teachers but because four of those students turned 18 early in the year they lost funding for one teacher although they still had to support those same students through to the end of the year.

Other students may not finish school when they turn 18. They may finish school when they turn 19 because kids start school at different times, particularly kids with disability, or they may have repeated years. Again, with the supervisor subsidy we cannot apply for a student to be included in the ratio where they may need one more year and you can see that one year will make a huge difference as to whether they succeed or fail when they leave school. I have one student next year we have allowed to go through to her nineteenth year because she is able to achieve her Higher School Certificate. She will not be counted for an entire year but her education will be greatly enhanced by us allowing her to go through that final year.

CHAIR: You are one of three such schools?

Mr YOUNG: There were three. We had a special school in Young, Belhaven, which closed down unfortunately. So now there is only Biala and Elouera in country areas. There are some satellite classes obviously in mainstream schools and different government schools but as to purely independent special schools, as far as we are aware, there are only the two of us left.

CHAIR: How do you survive so far as funding is concerned? Is it fees based for parents plus access to external funding?

Mr YOUNG: We pretty much run entirely on external funding. Our students, a lot of them, come from fairly low socioeconomic backgrounds. We have a very minimal fee of around about $200 a year, simply because if we were to charge more it would not make a great deal of difference but it would to the families. We are operating predominately on government funding as well as some support from our organisation. If we run a deficit year the other parts of the organisation that are commercial can top that up. As well, we have some fairly large funds available to us from bequests that are rolling over and providing some income to the organisation.

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CHAIR: How do you find the sharing of information between different departments? You mentioned particularly ADHC and a few others. As a provider of these services that is relying on different departments, how do you find it? One thing we have been told a lot about is families having to tell their stories over and over again.

Mr YOUNG: Certainly it is a problem for families. I do hear that as well, that families are constantly telling it. Each time they go for support anywhere they have to go through the whole process again. We are fairly fortunate in the fact that we can communicate quite easily with the different departments. Often I ask families to come to my office, because I head the organisation, and I will try to get through that nightmare for them, because quite often we can point them to the right person so they are not having to do that. There have been changes in how information is shared from school to school, and that has dramatically improved the amount of information that we have then passed on or we are able to pass on to other schools more easily. So that has been a good move as well.

CHAIR: Can you outline what that change is?

Mr YOUNG: When a student moves from one school to another there used to be quite a big question about how much information you can forward on. These days we are allowed to move students' files and information from school to school fairly easily, whereas previously there was always a question of whether you were breaching the privacy provisions. That has been clarified, which makes the sharing of information much easier.

CHAIR: Do you have any recommendations? You seem to be the one who helps families navigate through the complex web of government services. If a family did not have access to someone like you, is there a way that we may be able to assist a family like that to, first, find out about and, second, access the services that they need?

Mr YOUNG: I said in my opening I came from Western Australia. In Western Australia I worked for a large organisation, the Activ Foundation. The system over there had a local area coordinator program where a family could go to the local area coordinator who would point and assist them through the network of organisations, supports and the like and assist with their planning for pretty much every stage of life. 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.

The Hon. HELEN WESTWOOD: Do you have any students of Aboriginal families?

Mr YOUNG: I believe one at this stage. Cootamundra, for some reason, has a very low Aboriginal population. Generally, we may have one or two students at any one time but it is not a large population by any means.

The Hon. HELEN WESTWOOD: What about students of non-English speaking background?

Mr YOUNG: Not as yet. We have a lot of students who have trouble speaking.

The Hon. HELEN WESTWOOD: I know that you provide services for children from school age on. What about preschool children? Do families come to you, having had that experience of trying to get their children into preschool programs or any sort of support programs prior to primary school—that is after they have been diagnosed?

Mr YOUNG: Not myself personally. They may have contacted our head teacher for advice at different points, but we do have the Kurrajong early intervention that do outreach to our region and they are fairly well known and they are doing a pretty good job in that area.

The Hon. HELEN WESTWOOD: So from there, would those families be referred to you?

Mr YOUNG: Largely. What Kurrajong does when they are looking at education is they introduce themselves to all the schools and all of the people and sort of take the family through the process of identifying the different options available. We are just one of the people they contact so that families have all the choices available to them.

CHAIR: The use of individual plans is obviously occurring with early intervention, and you have mentioned the process where they meet with your organisation. You have also got the post-work plans. Do you also have an individualised education plan for each of the students as they are going through the transition for year to year as well?

Mr YOUNG: Yes, we do. Each student has their own file with their own plan. We recently had an audit where the Board of Studies asked us to improve how we were documenting that. However, every student's plan is very precise in the classroom. The teachers have a very good handle on individual student's needs. They could be doing a single subject, for example, with a class but each child's workbook may appear quite different. They are doing the same information but their actual class work is customised to their own needs.

CHAIR: One final question from me is around continuing professional development and access to quality teachers who understand special needs. In particular, we saw some amazing teachers last week in Dubbo and some of the work they do. On the issue of getting access to teachers with those skills in regional areas, one example I thought of this morning was that at one stage the Victorian department offered 100 scholarships for teachers to do post-graduate training in special needs, particularly autism.

Mr YOUNG: We do not actually recruit very often. Fortunately we have had a very long-term staff in our school. I have a teacher who is leaving at the moment who has been there for seven years, and replacing her, I think from all the applications I have read, only one of them has formal education in the area of special education, but to have extensive experience it becomes a case where frequently we are looking at the actual history that the teacher presents, more so than their qualifications, because it is difficult to get that specialty teacher within our region. Many have, however, worked with units or other schools of a disability nature.

CHAIR: You mentioned the funding disparity between regional and metropolitan institutions. What are some of the other issues that would be barriers for students in regional areas to gain access to a service like yours?

Mr YOUNG: Many of our students travel from outlying areas via the department's taxi service, which is a good service but it is becoming difficult to access that service if you are at a distance beyond about 50 kilometres. We had a parent last year who approached us who lived between Young and Cowra, and it was just beyond where they were prepared to travel. Yet that family wanted to send their child to our school. That becomes a bit of a barrier. Where do you draw the line and say that you cannot transport beyond a certain point? Should it be a kilometre barrier or should it be a needs barrier? That is a little of a concern. I have a family now who are moving to Young next year and they want to send their child to our school. That is becoming a big consideration; they are actually house hunting on the basis of whether there will be a taxi available. That is one area I think we need to have a bit of a review: How do we provide those transport supports where a family is keen to get their child to our school but their work might require them to live in another area?

CHAIR: What is the formula for an individual to gain access to those support services you mentioned earlier for early intervention or for post? Is there a formula? Does it use kilometres or a needs basis in some of the other areas that, say, only do assessments?

Mr YOUNG: The taxi transport that I am talking about is only available to students. It is not available for other services. The opposite end of that is we may have students in the town itself who require support to get to and from school, and often the families are told that they are within walking distance. So they can be too close to the school; if they are about 1½ or 2 kilometres from school they are told you can walk. With one family we had last year we had to appeal that and they have two children with autism and walking just was not a practical option. We have other families where transport is an issue because they may not be reliable in getting their children to and from school.

CHAIR: Can I confirm that the criteria about the proximity to school is an education department requirement?

Mr YOUNG: It is an education transport division requirement. I am not exactly sure how it works but there is a division within the education department that does the assessments on whether a child gets the taxi service to and from school, and they have a criteria. I think one of the big issues is that they are running—the maximum distance or time a taxi can run is about 1½ hours, but if they are sending it to two or three locations then it very quickly uses that up.

CHAIR: How was that appeal? Did they successfully appeal that?

Mr YOUNG: The family that were walking successfully appealed. The one that lived beyond Young did not so they went to a unit within Young which is a good school but it was not their preferred option. It comes down to: how far can you take choice? If a family wants to send their child to an independent special school and they drive past a government school on the way, where is that obligation? Should the family have to make a commitment to travel or should you be able to access the government transport scheme? They are bigger questions than I can answer.

CHAIR: Thank you for your time today. Again, I think it has valuable to what we are trying to achieve. The Committee may put further questions on notice to you. The Committee staff will liaise with you to organise and facilitate that response. Please take back the message that I enjoyed my toasted ham and cheese sandwich in Coleambally so great service.

Mr YOUNG: I will certainly let them know.

(The witness withdrew)

(Luncheon adjournment)

In camera evidence, published by resolution of the Committee 13 December 2011

Evidence in camera by **GREGOR MACFIE**, Director of Policy and Research, New South Wales Commission for Children and Young People,

MEGAN GOLDINHAM MITCHELL, Commissioner, New South Wales Commission for Children and Young People, and

WITNESS M, University student, affirmed:

WITNESS M: I am currently a university student and I identify as having a disability [evidence suppressed by resolution of the Committee].

CHAIR: Would you like to make an opening statement before we move to questions?

Ms MITCHELL: I think both myself and Witness M would like to make a few comments. First of all I would like to thank the Committee for the opportunity to talk about this important issue. As the Committee is aware, successful educational transitions are extremely important for all children; however, they are crucial for children with additional or complex needs, including those with a disability. Proper attention to all major educational transitions is necessary to address any educational disadvantage, ensure that appropriate support is in place and contribute to positive educational experiences and outcomes for these children and young people.

In order to ensure that such planning is occurring, and in a consistent manner, the commission considers it important that an individual plan is developed for each child with a disability which affects their capacity to achieve their potential in the early childhood and school settings. This plan should follow the child through their education, be subject to regular review and place emphasis on educational transitions. It should also be developed and reviewed with input from the child and their family. Ideally, consistent input from educators, counsellors and others is also desirable.

The commission considers it important that children are involved in transition planning appropriate to their age and level of development. The principle that children should be actively involved in making decisions about matters that concern them is one under which the commission operates and is set out in our legislation. It is also a principle in the international Convention on the Rights of the Child. This is particularly important in the transition to year seven and the transition from school and leads to much more successful post-school outcomes for both the child and the family and also for the community as a whole.

WITNESS M: First I would really like to thank everybody for allowing me to speak and also thank the commission for inviting me to give evidence with them at the same time. I really appreciate it. I am sure you understand that it is a matter that I hold close to my heart that has been an ongoing struggle for me personally. [evidence suppressed by resolution of the Committee].

I have four diagnosed disabilities: attention deficit hyperactivity disorder [ADHD] diagnosed at 14, a major depressive disorder diagnosed at 17, and a disorder of written expression and a reading disorder both diagnosed at 18 which I jointly refer to as dyslexia just for ease of purpose. I would like to note that I would really prefer to give public evidence but because I am actually in the formative stages of my career and because of the discrimination that I have seen other people receive I think it is necessary to maintain my privacy, which I am actually very upset about because I prefer to be a vocal and public advocate.

I was not diagnosed with a disability until I was 14 years old when I was diagnosed with ADHD. Even once diagnosed I did not qualify for services through the Department of Education because my disability was not considered a severe impediment. I have many memories of struggling through high school, nearly failing and experiencing extreme amounts of anxiety because I could never live up to the expectations of my peers, my parents, my teachers and myself. Had I received disability support even for things as simple as assignment extensions, assistive technology for reading and writing and extra time in exams—like I currently do at university—I believe this anxiety could have been significantly reduced and my marks considerably increased.

I went to a Department of Education and Training [DET] public school. In senior high school I did receive a lot of unfunded informal support in the form of regular counselling sessions and flexible assignments. They were all well aware of my disabilities. I also received five extra Universities Admission Index [UAI] points under the educational access scheme and got special adjustments in my formal Higher School Certificate

[HSC] exams. I did really well and got into the course I wanted. However, transition support from high school to university was nonexistent.

When I went to university I did not seek special assistance, or any assistance, for my disability. I did not want to apply for special help. I felt that there was a stigma associated with this. I needed to stand on my own two feet and I had to compete against others who did not have the problems that I had. I did not see access to such services as my right. I had not been educated as to those rights in high school. I had not actually even been told that my disabilities qualified as disabilities. I had no understanding that the educational system had an obligation to be responsive to my needs.

It was not until I was about to drop out of university in my second year that I made contact with disability services at the University…. That was a matter of luck more than anything as the lecturer I happened to reveal my problems to had previously been a disability support worker. She put me in touch with the services at the university and it was actually not until I spoke to the services themselves that I actually became conscience of my rights. I was able to get my reading problems diagnosed and received assistance such as extensions with assignments and assistive reading technology.

Not receiving services meant that I was not able to achieve my full potential. Indeed, I have heard of many cases and I believe myself to be an example of a student who when coping with a disability is not eligible for funding or support. However, I believe every student has the right to achieve their full potential; not just to cope. Indeed, disability does not discriminate on the basis of intelligence. Allowing students with moderate disabilities to simply cope—achieve around average marks— not only sells the student short but also society as in the long term a student who simply copes will not be able to give back to the same extent as a student who thrives.

I think this is best illustrated by the case of Hurst v State of Queensland in 2006. In this case the Federal Court found that the refusal of a school to provide an Auslan interpreter for a student amounted to indirect discrimination as, despite her good grades, it meant that a disabled person's inability to achieve his or her full potential in educational terms can amount to serious disadvantage.

CHAIR: The information that you have submitted is also available for us to read.

WITNESS M: Yes, but I have made a few little changes. I apologise for that. I am actually not saying the rest of it.

CHAIR: That is okay. I just want to make sure that we have got plenty of time to ask questions about the submission. Thank you.

WITNESS M: Schools can and need to do better preparing students with a disability for further work or study. Simple things can easily be done. Telling people that their disabilities can be classified as a disability is a good first step. Telling students that there are support services that they are entitled to at university or TAFE and telling students that there is financial support for workplace adjustments for people with disabilities are also very simple.

I also must note that transition is not assisted by the discrimination that students face at university. I have heard many examples of this throughout my time. I believe staff at universities need to be more aware of the issues students with a disability have and they should receive education in this regard.

I think it also must be noted that disability is a dynamic and fluctuating state. The Department of Education and Children's Services [DECS] eligibility criteria for services does not actually take account of this properly. Impairments can worsen or improve on a regular basis. If a plan were developed for a child with a disability in the educational system, it should have the capacity to change with those fluctuating needs.

Another point which seriously affects students transitioning to tertiary education is the difficulty accessing disability support services. Mistakes due to the underfunding of these support services disproportionately impact on drop-out rates for students with disabilities. Even to get an appointment with a student liaison officer can take weeks. Moreover, students need a lot of supporting documentation before they can even get to an appointment with disability services at a university, including specialist documentation which they have to pay for.

Lastly, there are problems with the diagnostic criteria which also can exclude children with disabilities from transition support. I would like to note that in my experience it is the funding and know-how rather than disinterest that are the most limiting factors in providing students with disabilities with quality education and with adequate transition support. It has been my experience that if you are a student with a disability, how knowledgeable and pushy your parents are and how good your school counsellor is greatly determines whether you get access to services and are able to succeed at school. This should not be the case as the education system should be assisting students to achieve their full potential, including students such as myself who are not regarded as having a serious disability. We all have a right to achieve. This right is in Australian and international law but currently funding and policies inhibit this occurring in reality.

The Hon. HELEN WESTWOOD: Can you tell the Committee what you believe are the key elements of successful transitions in the different stages of transition from school to post-school and employment?

Ms MITCHELL: I will have a go. From what we have heard from Witness M and others it is very important for people to know what is available out there. Clearly even some of the smartest people and the most forthright parents are not able to find that out easily. I think one of the first things is having information about what is potentially out there to support people. The next thing I think is that there really needs to be a commitment to have individual plans developed. It seems to me that part of the problem with individual plans is that it is the luck of the draw as to who you might butt up against in the education system. The extent to which the responsibility for developing, maintaining and advocating around those plans is something that is intrinsic to the school system or outside the school system is something I think the Committee could usefully explore. Because one of the problems about having it located within the school system is that as soon as you leave that particular bit of the school system or change schools 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.

The other issue I would raise here is the restrictive criteria that is obviously interpreted very narrowly and is preferenced to children with quite severe or profound disabilities. I understand the rationale for that would be about targeting resources; however, if you have a disability that comes and goes in its severity or that, regardless of how it is classified under the World Health Organisation definition, has a serious impact on your educational outcomes, which should be the focus of the criteria rather than a diagnostic approach, you are, in a sense, neglecting as a system those children who need support and planning throughout their entire school career and, in particular, around those important transition points.

Mr MACFIE: Broadly in terms of what we are looking for in transitions, I think it is that people are ready and supported for the change that is coming ahead of them. So they are able to grow and develop through that transition or change rather than being thrown in at the deep end where they start to struggle, and they are supported through those changes. Therefore they can enhance their social outcomes and the educational outcomes one would be looking for in the school or educational setting. Likewise, the transition from school to work can be a huge change particularly for people with complex needs. There needs to be those supports around them so they can thrive in that new environment.

WITNESS M: I noted in what I have given to the Committee that specifically students transferring from high school into work or into tertiary education need to be aware that their difficulties even if the department does not technically classify them as a disability still count; specifically when you are in a tertiary institution. I did not classify for any funding or support for my reading problems even though they were known about since I was seven years old. There were significant difficulties throughout my whole childhood and high school career because of my reading problems. I was not eligible for support with regard to those reading problems until university. Having simply been told that you will be eligible would have been fantastic. Being educated about my rights and that there were provisions for me would have been great. Simple things like having a letter sent to me explaining how to access the Federal funding that there is to adjust my workplace to take account of my disability would have been a massive help.

Another point I want to make is that any transition is eased by your performance as a student in general. So had I received better marks it would have been a lot easier to get into the course I wanted. For instance, there would have been less stress and anxiety around that transition. In reality a very simple way of achieving those better marks would have been getting assisted reading technology. Being dyslexic—I will put this in a quantifiable way—as soon as I started reading with an assisted reading program the time it took me to read cut done to one-fifth of what it used to be. So if I had five hours of weekly reading for my tutorial, suddenly it was one hour. It changed my life. Had I had that I might have been able to do four unit English because in reality my analytical skills were there, I just did not have access to the text because my eyes would be funny and I could not stop the words from moving around on the page. So I could have had far more options with my university career had I had very simple adjustments in high school.

The other point that I would like to make is that support in the selective high school test would have been extremely helpful in year six. I, despite having a very high measured intelligence quotient, did not make it even onto a waiting list for a selective high school. I attribute a lot of the anxiety and disengagement with my high school curriculum from going to a comprehensive high school and not a selective high school with peers who understood my difference and embraced my diversity. Simple things like the extra time that I now get in exams at university, had I gotten that doing the selective high school test it may have changed the outcome and, ultimately, my time as a student at high school.

The Hon. HELEN WESTWOOD: You said that once a student moves out of a school no-one is responsible for overseeing the implementation of individual plans. Do you have a view about who should be responsible for those individual plans?

Ms MITCHELL: We do not have a firm view but we have been thinking about what some of the options might be. One option could be the student welfare network that exists in New South Wales, which could follow the student. But that is devoted to the public school system only. Another option is to move it outside the education department and potentially locate that kind of responsibility in a department such as community services, human services or even the disability department, although I am loathed to suggest that because it is a non-mainstream solution.

The reason we are thinking in this way is that you can handle those transitions better if you are removed from it and any movements of schools. However, it obviously needs to be resourced and there are a considerable number of children with disabilities that we know of in the school system now, and they are increasing over the years. We need to think about how to properly resource school plans. It could be, for instance, through one of those departments engaging a non-government organisation to do that kind of planning with the key players: the education department and the disability department if that is needed, and with the health department if that is needed as well. It seems to me that you need a bit more of a team approach with the family and the young person that embraces what is going on in their life as well as their educational settings.

Mr MACFIE: I think the idea of some kind of brokerage arrangement where someone has the capacity to knit together the network of supports and also the prospect of the national disability insurance scheme is potentially going to lead to some quite significant changes in the way in which the package of services might be tailored around a person. It is very much a live issue and one that State Government departments are going to have to engage with as well.

The Hon. HELEN WESTWOOD: Do you want to add to that?

WITNESS M: Not really because to be honest I do quite like the idea of a plan but I do not know who.

The Hon. HELEN WESTWOOD: Ms Mitchell made a point about mild and moderate disabilities. Do you have any sense of whether the national disability insurance scheme is going to be looking at services for people with mild to moderate disabilities?

Mr MACFIE: We do not. One of the issues we have really grappled with in looking at this inquiry is where do you draw the line? I think that is the point that has partly been made. Services and supports come according to where you draw the line about who falls in and who falls out. But we are certainly aware of a large range of children with different and complex needs that may not classify as someone with a disability but who nevertheless in terms of disengagement from education are at high risk, and certainly the national disability insurance scheme would not be picking up children of that kind.

Ms MITCHELL: I might add to that. It does have the opportunity to release a considerable amount of resources so if we are thinking about what a comprehensive scheme might look like it would be quite desirable to have that as part of the discussion. In terms of the Federal Government there is a very large bill at the moment with people on disability pensions—they get there through various pathways, including from being a child and not being able to have meaningful work. I think it would be of live interest to the Federal Government as well to have this discussion about these kids who are on the cusp of moderate and mild disabilities as well as the more profound and severe disabilities in order to cut the cost to the community generally and particularly to those individuals.

The Hon. CATE FAEHRMANN: This morning the Committee heard from a representative of the Victorian education department. He told the Committee about some of the things Victoria has in place for effective transition planning. The Committee was interested to know how it is done in Victoria because some witnesses have put the Victorian model up as a good model. In your submission you mention the need to legislate or mandate transition planning. You talked about the United States of America and Scotland as two jurisdictions that have legislated or mandated transition plans. Interestingly, Victoria does not mandate transition planning and focuses on the principal and the school being empowered in some way to make decisions around that. The department of course said that that system worked quite well. Are you aware of the way the Victorian model works and, if not, what is your view of mandated versus protocols, putting good transition planning into protocols and allowing the education system to do its own thing?

Ms MITCHELL: I am not familiar with it but I know Victoria has a different culture and you cannot always replicate that in other States. I do not see why you could not do both. Without a mandate there is no necessity to do it. 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. As an alternative, increasing the accountability and the monitoring of information about what is happening is another way of keeping people honest in terms of a commitment to transition planning for all children let alone kids and young people with additional and complex needs. I would advocate for both a mandated requirement and policies and protocols that are embraced in the school or other settings.

The Hon. CATE FAEHRMANN: Similarly, your submission recommends discrete funding for the purpose of transition planning. When we asked the Victorian Department of Education about this they said they do not have discrete funding; it is incorporated into their overall budget. Transition planning just seems to be part of the way they do business there. Knowing that that is an option, what is your view about treating transition planning as a discrete function that we need to get right versus incorporating it into our overall education model? Do you think one is better than the other in New South Wales?

Ms MITCHELL: Obviously we recommended that resources be devoted to it. Again, it is not clear how the resources are currently being used and we do not have any way of finding that out easily. Potentially you could trial earmarking some resources for that purpose and also looking to map exactly what is or is not going on at the moment. That is part of the problem. You are starting from a point where you have virtually no information in the New South Wales context about how planning and transition planning are going for these kids. Without having done that initial work it is very hard to comment on how you would move from a system where there is no information to a system where you could put more resources into it without having any accountability around what was happening in the transition area.

The Hon. CATE FAEHRMANN: Can you expand on what you mean when you say you do not know how the resources are being used at the moment? Is that resources across the board for young people's education or resources for young people with a disability? What would you recommend to make that more transparent? You said you do not know how resources are being used, which seems to indicate we are not very transparent in how we spend the resources that are currently allocated.

Mr MACFIE: It is certainly not clear the way school counsellors or individual teachers are being used in the schools themselves. Our understanding is that it seems to fall to in-school supports that are already there. We are unclear about the extent to which the various policies and guidelines are being implemented and followed up. There seem to be a number of policies but we do not know how they are being implemented or which resources are being expended on them—existing resources like school counsellors or individual teachers.

The Hon. NATASHA MACLAREN-JONES: What is your understanding of where students and families currently go for information and how could that be improved in an ideal world?

Ms MITCHELL: I will ask Witness M to comment on that.

WITNESS M: Informal support networks—the people you know, the people you trust. It is as simple and as obvious as that. 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.

Mr MACFIE: We have done a little analysis of the Department of Education and Communities surveys as to students' help-seeking behaviour and that absolutely reflects what Witness M has just said. Peer support and family are the places that children themselves go to for information and assistance and relatively few go to people such as school counsellors.

The Hon. NATASHA MACLAREN-JONES: What would you like to see in an ideal world to enable students and parents to access information? Where do you think would be the best place?

Ms MITCHELL: It would be really good if parents had some idea before the child even went to the school, so open information that is available on school web sites and that kind of thing would be a welcome addition. Also, some clarity is needed around the requirements and the guidelines for transition planning for all students and kids with a disability, because they are not clear. We have done a trawl of some of the policies and guidelines and they do exist but it is very unclear how they are implemented and their advertisement is very patchy. Some consistent information is required. Certainly the Department of Education can assist in that as well. They have lots of communication tools. There needs to be a starting point for parents so they are not on the back foot when they are trying to get their young person or child into school in the first instance. Obviously there are advocacy organisations that can serve as a vehicle for information for parents and young people if they are connected into them. Is there anything else that would have helped you, Witness M —a place you might have gone to to look for information?

WITNESS M: Not off the top of my head. The vast majority of students I have come in contact with [evidence suppressed by resolution of the Committee] do not know that they have a disability and do not know they are entitled to a lot of the help that is out there already. Something simple like a two-week module in years 9 and 10 health class or Personal Development, Health and Physical Education [PDHPE] talking about what is a disability and about their rights and the obligations of various institutions in relation to disability, so that the whole of society but in particular those students with a disability are empowered enough and knowledgeable enough to know that there are people they can ask for help that are not in their informal support networks. Being empowered to know you have a disability, and thus have these rights to equal access to education and such things, is a really important first step.

CHAIR: Some of our previous witnesses have mentioned the importance, particularly for older children, of being involved in the transition plan themselves. This might be a good opportunity for you to comment on how you see that importance.

Ms MITCHELL: It is something we are particularly interested in promoting—that children and young people have agency and they best know their own needs and issues. Often they come up with simple, cheap and practical solutions that adults do not even think of. If Witness M had got her assistive technology, which is not an expensive option, earlier she could have avoided years of anxiety and some disengagement from her school setting. We are lucky that Witness M managed to get herself on track and is doing well but there are many kids who do not have her forthrightness or her family's forthrightness that would end up in much inferior situations, moving into the juvenile justice system, disengaging completely at school, and being expelled and suspended. These are the common pathways of kids who do not get the right support at the right time. So, engaging kids in their own solutions is absolutely critical. It also empowers them and gives them confidence and respect. You can be respected even though you have difficulties. You can also acknowledge your difficulties and look for solutions together. Involving the children really helps them to know they have people they can trust and go to when they need to, when things are not going well for them, and they can speak up about what is going on. On every level the participation of children is highly desirable and delivers better outcomes.

Mr MACFIE: In relation to our proposal for some additional supports for transition planning, although the participation of children in those plans can be very effective in terms of better outcomes for them, and a good investment, it is also something that needs to be done properly. It is very difficult for an individual teacher or school counsellor to do that kind of thing without some additional support.

WITNESS M: When I was in years 8, 9 and 10 at my comprehensive high school I was at serious risk of disengagement. In fact I was disengaging. I was regularly pretending to be sick so I did not have to go to school and I was looking for other options—how to get out of there as fast as freaking possible. Had I been engaged, had someone asked me what I would like to do and how I could best go about it because of the problems I was facing, it would really have re-engaged me. It would have really helped. I am extremely lucky that I had parents who helped me in an informal way. To minimise the risk of disengagement, letting the young person have a say in any plan is integral.

CHAIR: I took a lot of that from that seminar the commission did on the missing years of children aged 9 to 14, especially the videos of the kids talking about what they were thinking, which were very good.

The Hon. GREG DONNELLY: Obviously the science of determining a person who has a non-physical disability is not clear-cut. Looking at the items you listed as disabilities, Witness M, they start with a diagnosis at age 14, a further diagnosis at 17 and then two more at 19. What is exercising my mind is that being able to address and provide the support that you would have felt very helpful and been appreciative of would have had to be underpinned by a diagnosis, would it not? In other words, this is something you have; this is not something you are imagining. You are not just having an off day or an off week. Is it the case that there is a requirement for medical experts to provide a diagnosis? If there is not a diagnosis it becomes speculative, does it not, as to what you are experiencing and how you are dealing with it?

WITNESS M: Absolutely. I was actually talking about this specific point with my mother on Saturday. My mother is a school counsellor so she is one of the people who makes a diagnosis. She says that with any diagnosis there is always a weighing-up of the pros and the cons. Is the con of giving someone a label, a box, or an expectation to live up to a self-fulfilling prophecy, if you will? Does that outweigh the pros of the support that they would receive? When I was seven years old I undertook an IQ test and various other tests and it was evident that there was a severe disparity between my reading and decoding skills, as there was for all my other abilities. At 11 years old I had another IQ test and again I was placed in the 99th percentile but my reading skills were found to be those of a six-year-old. Again, because I was still performing at average for all respects and purposes within the school system, I was not considered to have a severe impediment and did not qualify for Department of Education funding or support.

The Hon. GREG DONNELLY: Is that a dichotomy, that the testing that took place indicated an issue that was quite clear to a medical expert in the area but with respect to the education system there was this disconnection?

WITNESS M: Absolutely.

The Hon. GREG DONNELLY: Was there a reason for the disconnection? Was the medical not talking to the educational?

WITNESS M: Because even with the evidence that was found from all the various tests, I was not eligible for funding under the Department of Education and Training criteria because it was not a severe impediment. They refused to diagnose because they did not want to give me a label. The cons outweighed the pros in that particular circumstance and for that reason I was not formally diagnosed. So, in effect, you have a system where the criteria informs the diagnostics and for that reason I was not given any formal support in the education system or any diagnosis.

CHAIR: We have run out of time but I think we will submit some more questions on notice to you, if you are happy to answer those. The Secretariat will liaise with you on the response and the time frames associated with those questions on notice [evidence suppressed by resolution of the Committee]. On behalf of the committee I thank you for your submissions and your time this afternoon. Hopefully we might get some more questions to you.

(The witnesses withdrew)

(Conclusion of evidence in camera)

(Public hearing resumed)

In camera evidence published by resolution of the Committee 13 December 2011

NADIA SAMPERI, Systems Advocate, Family Advocacy, and

BELINDA EPSTEIN-FRISCH, Systems Advocate, Family Advocacy, and

GINA WILSON-BURNS, Member, Family Advocacy, affirmed and examined:

CHAIR: Would you like to give an opening statement? If you would try to keep it brief and there is no need to repeat anything from your submission.

Ms EPSTEIN-FRISCH: I will give a brief opening statement and then I will call upon my colleague Gina to talk to you about her personal circumstances. I think that will be useful to the Committee. Family Advocacy works to enhance the voice of families in speaking out on behalf of a family member who has a disability. Education has been a key focus area for us for the 20 years that Family Advocacy has existed. Our general practice, when we are preparing submissions, is to communicate with our members to see what issues are of concern to them. We develop a view on the issues from our day-to-day experience but Family Advocacy always goes to our members to hear their voice. Within 48 hours of sending out details of the Inquiry, 35 families had written to us, or communicated with us and many more added their voices afterwards, giving their personal stories, insights and experiences. That is what we have drawn upon in preparing our submission.

One of the three key issues that we have been asked to share with you is about accessing information and resources and the ad hoc way in which that happens. We have made proposals in our submission that we think will help to systematise that through some sort of resource centre that will keep up-to-date information which families can access. Another of our recommendations—one that other organisations may not make—is that we think that it would be important for the Government to fund non-government agencies. The unique voice that we would like to add to this is that we believe it would be difficult for a big government department—the Department of Education and Community Services—to support families in the partnership that is so important if there are going to be effective transitions.

Families want to build positive, strong relationships with their school. It is an important part of their child's learning but families need assistance to do that and we think that would happen better in the nongovernment sector. Families can then obtain reliable information from all the sectors, they can hear the stories and experiences of other families and they can have available an expert guide to help them to get information and evaluate it. Building those partnerships is consistent with that. Another important recommendation we make—education is a bastion of expertise and in other areas of adult life you do not see it quite so much.

In education there is one group who knows it all and another group that is somehow perceived as empty vessels to be guided on a path. That does not help the education of children or the transition into school and we feel that the Department of Education and Community Services needs to move beyond that view and to acknowledge the unique and natural authority of families to facilitate meaningful planning relationships and to develop a more welcoming attitude to all students. We think the recent School Learning Support program of the Department of Education and Community Services provides a useful way to help schools to have expertise at a local level. It is not just welcoming attitudes and values but knowledge and expertise that will help schools to provide a welcoming and inclusive approach to all students.

The other key theme is around early planning and preparation. The Department of Education would find it difficult to plan for a child's education for much more than a year before the child starts school. Families are thinking and planning ahead from the birth of their child, particularly when different needs are emerging and they need assistance with early planning and preparation. We need to be finding a place for that to happen. The expertise exists; it does not have to be invented. From time to time on Departmental websites there are planning frameworks displayed which we would like to see implemented. There is one here from the Department's website which I am happy to table because it was not included in our submission. There they divide transition into four stages: preparation, transfer, induction and consolidation; over five issues: administrative, social and personal, curriculum, pedagogy and management of learning. It is our assertion that, in the majority of cases of students with disability, the best transition they get is preparation at an administrative level. So the framework is there, it is not reinventing the wheel. I will table that document.

I will now hand over to Gina. Gina is an active member of Family Advocacy. Her son Mac has the dubious label, as she has been told, that he is the most disabled student that has ever been integrated into New South Wales schools. We bring her with us, not because she has a terrible story to tell but because she has a really positive story about processes of transition. It is not the experience of many families that are in touch with Family Advocacy but through her story we may discover what makes a successful transition. We do not want to just be critiquing but to be suggesting forward processes and suggestions that will strengthen it from others. Gina's story is powerful.

Ms WILSON-BURNS: The most disabled child ever to be mainstreamed—courtesy of the Department of Education—quite a title. Retrospectively, I think it was meant to lessen the anxiety of the school, perhaps to assure them that it will not get worse than this. We did not take it too personally, we just decided we would stay vigilant, ensure a smooth transition into kindergarten for Mac, the school and for us. Transitioning to school was not really something we had considered in depth. In fact my husband, Shawn, and I were not that presumptuous; we were not even sure if Mat would survive his infancy.

When Mack was six months old he caught that youth's flu, and on his ninth day in hospital simply "crashed". He survived, but not without significant collateral damage. His brain had been denied oxygen for too long. His prognosis, while conducive to life, would mean significant disability and impairment. Mac would be profoundly disabled. Our world was being turned upside down. We felt in Australia people with disabilities were thought of in terms of their warehousing costs, not as potential contributors. So we promised Mac we would help him be who he could be. This probably is not any different to what other parents do; it was just more intentional and "out loud".

A big problem with having a severely disabled child is that you are constantly trained to focus on their deficits. "He won't, he can't, he'll never," was the mantra trotted out by the professionals time and time again. It is very hard not to believe them; they are the experts. We were under no illusion as to the severity of Mac's cerebral palsy, and it was hard at times to envisage what a good life might look like for him. What we did not realise at the time, but do now, is that we have for most of Mac's life had a pretty clear vision, one he was instrumental in forming.

Mac attended early intervention, a segregated setting he never really got any real benefit from, nor enjoyed. He spent most of his sessions wrenching his body to hear the children in the preschool next door. It never occurred to us he should not attend day care, the same one his cousins attended. They had experience with a little girl with cerebral palsy, so it seemed logical to enrol Mac. What a contrast. Mac loved it. This was an environment he could grow in, and he thrived in it. Children are naturally inclusive; it is not that they do not see the difference, it is just that they don't care. So this little boy with no real communication actually showed us what he needed. We now knew what a good life looked like. But how could we achieve that beyond preschool?

We talked a lot about what we thought of the concept of special education. We read an article in which someone had written "special education is a service, not a place." That made perfect sense. Segregation would never lead to an inclusive or mainstream life post school. But what school? Mac was completely immobile, has cortical vision impairment, can eat puree if fed, has to drink via a feeding tube, has no purposeful movement, can't shoo a fly from his eye, and he can't talk and needs assistance for everything. Who would take him? And how would it work?

We researched, read, questioned and queried. We attended a Family Advocacy seminar run locally which was invaluable to show us how Mac would fit into a mainstream class and what it would look like. It also helped us understand how the Department of Education in New South Wales works. We attended subsequent weekend seminars in Sydney, and those gave us further examples and more confidence. I trawled through the Australian Government's 322-page document on "Improving Learning Outcomes of Students with Disabilities". It helped me understand what is possible, acknowledge that it may not all be a reality, yet, but confirmed to me that our choice of mainstream was both valid and viable.

From here everything became quite intentional. We realised so much of what we needed was building the capacity of our community for Mac, creating relationships, partnerships and highlighting that we do no not need the special, weird or expensive; we just need appropriate supports. We built up his days at long day care. We added a day at the preschool near the school that he would be going to. Much of the strategy on our part was to demystify Mac and build familiarity. We had started meetings with the school to see if they were prepared to take Mac. We were fortunate our zoned school had a reasonable reputation, and we knew that as part of Department of Education policy they could not actually refuse to take him. We knew the regional Department of

Education officer responsible for his transition socially—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. We offered our skills and knowledge about Mac as a free resource, and hoped that those would be used.

Our goals were not lofty. If Mac could get a yes, a no and a help by the time he left sixth grade that would be huge. Our other goal was to see him become an independent learner, so that he maybe only needed personal care support. We learned it was unusual for parents to strive for less support. Mac's teacher for the first year was the neighbour of my brother; in fact her husband had been my sixth grade teacher. It was a familiarity that gave her the confidence to put her hand up for the job and made for a smooth and welcoming transition. I knew the teacher's aide, and by this stage 14 of the 40 kindy kids had been to either preschool or day care with Mac.

Our orientation days were a great success. We hired one of Mac's day care aides to attend with him and save him the embarrassment of his parents tagging along. A lot of the children knew the aide, and that gave many of them support and comfort too. I enjoyed dropping him off and walking away just as the other parents did. Some of this was to highlight that Mac is not "super precious" or that he was in need of excessive care. Some was to send the message that I am a mum, not a support worker. But mostly I did it because I could. He was in an appropriate environment and his needs were being catered for. Mac has enjoyed a very positive time at school. It has not all been smooth sailing, but any issues we have managed to work out with the school.

Life for Mac changed dramatically in the last term of kindergarten, when we travelled to Victoria to get assistance with communication from Dr Rosemary Crossley of DEAL Communication. She identified in just a few hours that Mac could use his feet to trigger switches and answer yes/no questions, provided we held the switches for him. With practice, he could move to auditory scanning for communication. This was enough to set us on our way. He showed he was learning at an age appropriate level and could now move from being a passive participant in life to an engaged little boy with something to say.

Because Mac has spent more than two years on waiting lists for speech and occupational therapy services in New South Wales, all the assistance to the teachers and aides with him accessing the curriculum has come down to me, my best friend the Internet and Twitter. This highlights the need for schools to recognise the expertise and the natural authority of the family and for us to work together.

CHAIR: Excuse me, Gina. Have you got much more information in that statement to go through? One option is to table the rest of the statement if it is already prepared. That would then be incorporated by Hansard, enabling all members to read the statement. That would give members of the Committee the next 25 minutes to ask specific questions.

Ms WILSON-BURNS: It is not in a prepared state. I have probably five minutes to go, if you can cope with that.

CHAIR: Yes.

The Hon. CATE FAEHRMANN: Yes. We just wanted to make sure we could ask you some questions.

Ms WILSON-BURNS: Through my involvement and good collaboration with the teacher and aide, in less than a month they taught Mac to type morse code with his feet. He does most of his work in school typing in morse code and, as far as he's concerned, he's "awesome at morsin". He kept the same teacher for grades 1 and 2, to again tap into the benefits of continuity for him and his teacher. This was a joint decision between the teacher, the school and us. Up until this year, any problems have happened behind the scenes and have not really had any impact on Mac.

This past year has been a little rougher. He has had to contend with a three-way job share with a teacher's aide, and that has been far from ideal for Mac, the class teacher and I dare say the rest of the class. But through a number of meetings with the school and help from regional office, we hope we have resolved it. The school has done well. It has agreed to advertise for a full-time aide for 2012. Having already decided on Mac's teacher for next, the school, to its credit, put sole responsibility for selecting the aide down to the teacher and myself. We collaborated on the advertisement, conducted the interviews and have secured a 24-year-old male in the final year of his teaching degree to come into the role.

Both Mac and his 2012 teacher have had time to get used to the idea of working together. In fact, the teacher has already said he thinks most of Mac's homework will be preparation work to allow him greater participation in the class. I think by week one in 2012 they will literally hit the ground running, and rolling in Mac's case. The teachers also considered that by having a fourth year undergraduate in his class he can share that teaching role in the classroom more fully, and he will be able to assist the students with more needs. This is a job that normally goes to the untrained aide, but I think they are certainly on track for best practice.

In our experience, there is still a way to go to ensure smooth transitions for all students. Even though Mac enjoys a positive experience at school, there is no guarantee that another child at the same school will have that same experience. So much comes down to the intention of the individual teacher or principal. Teachers do need support, training and insights, but mostly to understand that they already have many of the skills that they need to each all students. 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. Planning and intentional instruction negate the need to retrofit class activities. Teachers need quality people that they can call on for assistance; but they do not always need to be professionals or experts, they can be parents, peers or mentors. The experts they need do need to be well trained, enthusiastic, proactive, learning and teaching focussed, and they need to be based within each school.

So how is the "most disabled child ever to be mainstreamed" doing academically, after three years of school? Having just completed second grade, Mac is working at the same level as his peers. He is above his chronological age for spelling and maths. In fact, his greatest complaint about school is that there is not enough maths. At a meeting last week with the school and the Department of Education technology team it was interesting to hear the principal making comment that her expectation is that Mac will complete his Higher School Certificate and leave school with university level scores. If expectation is the greatest predictor of outcome then Mac is in a good place.

Mac has advised he plans to study maths at university—then teach it. A funny little kid who particularly enjoys politics, his "back-up plan" is to maybe take over Laurie Oakes' job. For all your sakes, I hope he starts typing quicker! Good transitions, sound support, ongoing collaboration and a school willing to learn has meant the child whose future once looked like 65 years of day programs on leaving school is now a life without boundary. Mac will be a contributor, but I guess he already is. 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.

CHAIR: Thank you very much for that. It has been very valuable to listen to that story.

The Hon. HELEN WESTWOOD: Each or any of you could answer this question. What do you think are the real barriers to smooth transition points for students with disabilities and complex needs? And are there some points where the barriers are greater or less than at other others?

Ms EPSTEIN-FRISCH: I might start, and then the other can add to that. Chronologically, there are barriers at every point of transition. Getting into school is absolutely critical. My colleagues have spoken about vision and high expectation. That becomes one of the barriers, people's stereotypic attitudes about students with disabilities: that students who look in certain ways have certain profiles et cetera and would automatically go into certain locations. In fact, the IQ assessment that is still there for many students as a confirmation of intellectual disability we see as being quite a barrier. It is not a teaching strategy. It does not give the school or the classroom teacher information for planning et cetera, but it translates expectations into a number, often a demeaning number that leads to demeaning stereotypes. It is about high expectations for all students, and a functional approach to assessment on coming into school would give the teacher and the school a much sounder foundation for planning for an appropriate education. Unfortunately, that IQ assessment can cause conflict in an emerging relationship.

Coming into school, the barrier is that the information for everybody to have is serendipitous as to what you get and what you know, and that is where we think the well-informed guide would help people in making informed choices about their options about going into school. At all levels, between primary and high school and then out of high school, once again it is those low expectations. 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.

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We see that the department is taking steps; we would like to see them happen more quickly. What we think is important is to provide effective support to regular class teachers so that they can teach the mixed ability classes that already exist. 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. Our experience of the school learning support program is also something that we think would reduce those barriers in terms of expertise that exists for teachers.

As an advocacy organisation one often focuses one's point of view at times of elections. In 2007 we ran a campaign that was about help when it is needed, providing that specialist support in every school. When students are not properly supported, when teachers lack the expertise to provide a good education to them, what happens is that children then tend to act out, often out of boredom, lack of engagement or what have you. What happens across most of the State these days is that a teacher is having difficulties in teaching a particular student. They call a regional office and they bring in a behaviour support person. They wait for many weeks—three, four, five, six weeks—for the behaviour support person to arrive. During that time, unfortunately, bad practice is being consolidated and probably or possibly the student has been suspended.

The behaviour support person arrives and after discussion—that person does not know the student other than cursory observations on a particular day—the behaviour support person says, "This student is bored. We need to have a curriculum specialist, an integration specialist who will help you to modify the curriculum." Another three weeks is wasted while you get that person from regional office. Our campaign was around taking those resources that exist at a regional level and bringing them down to the level of schools so that teachers have a colleague in their staffroom. When things have not gone well they can go into the staffroom and say, "Oh my gosh" and somebody is there immediately that afternoon coming in, team teaching, problem solving, helping by both upgrading the knowledge and skills of the teacher and their capacity as well as solving that particular issue before bad practice is consolidated.

The Hon. GREG DONNELLY: Thank you for coming this afternoon. On page 5 of your primary submission under the heading "Recommendations" the organisation states:

> The Department of Education and Communities (DEC) develops a central place where regularly updated clear information and resources can be accessed by family.

Before I ask you to provide more thoughts about that statement, what do you observe is the status quo at the moment? In other words, what is the position in your experience?

Ms EPSTEIN-FRISCH: It varies from region to region from school district to school district. Family Advocacy runs workshops across the State on a range of issues and skills. Some of the workshops target young families preparing for school. We can run a workshop where people have not ever heard that they had a right for their child to be enrolled in a regular class at the local school. That means that the information they have been given by the local school, the regional office or a Department of Education and Communities [DEC] professional they have come into contact with has left them with that view. It is person after person in that seminar. You go to another geographical area and you find that people are much more informed. We are happy to say that at a central level there is a reasonable policy direction but it is not implemented consistently.

The Hon. GREG DONNELLY: What do you understand that policy direction is?

Ms EPSTEIN-FRISCH: It is about choice. It is about informing people that there is a regular class, a support class, a special school and each of those options has different funding and support arrangements in place. Our experience we hear from families is for some children their families are not given that choice. They are channelled. Children such as Mac 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.

The Hon. CATE FAEHRMANN: My question is to Gina. What will you do to ensure as best you can that Mac's transition to high school is as effective and seamless as it can be? Also, what would you like to see from your primary and secondary schools and perhaps the department to assist you in that?

Ms WILSON-BURNS: We have started thinking about high school. Again, we know for Mac's life most things have to be intentional. Our local feeder school pretty much is going to need a monorail if it is to become accessible. So we are probably really not thinking about it as much as one of the local independent schools, which is where Mac has indicated he would like to go to school. I have discussed with him that we are not Catholic and does he know that and he does not seem to think that matters. It is a school with a good philosophy. We have a good friend who is a teacher there and is campaigning for him to come to her school. It is again that community relationship. We have had the primary school say, "High school will be terrible. High school will be so much harder than this". I am not really buying into that because so many of Mac's peers every year they get older improve their own competencies in being able to work with Mac, support Mac and communicate with Mac.

As Mac gets older and his peers get older he keeps moving along with a good group of students. It is being vigilant and making sure we are planning and finding out as much as we can. Shawn and I are fortunate that we have that capacity to do that. We will dig in, we will research, we will query, we will question. Not all families have that capacity and we recognise that. There are times where we still put up our hands and say, "Help. We need someone to help back us up". We are not stressing about it but we know we will need to be very intentional and plan well for it. Mac thinks a high school will be a lot more maths. We are not worried about it at this stage.

The Hon. NATASHA MACLAREN-JONES: Could you elaborate on your comments in relation to the use of functional assessment as opposed to IQ testing?

Ms EPSTEIN-FRISCH: As to IQ testing there is a whole range of literature in the old DET [Department of Education and Training] papers that also critique it. The IQ assessment is normed on middle-class white students. There are a range of students of different cultural backgrounds, let alone different physical and other capacities who do not score well on this sort of IQ assessment. Functional assessment is a kind of basis for planning that any good school and teacher are doing already. The developmental stages of children are well documented. It is about looking at those developmental stages and asking where is the student in relation to those and what is the type of assistance that a student needs in order to progress. In terms of getting funding for students with significant disabilities, you need to pass a gate to have a disability confirmation. We think that is appropriate. We accept there are limited resources and one needs to make sure they go to the appropriate students.

Once you are confirmed though, in order to get funding support there is a whole assessment and planning process that is built on what we would call a functional assessment. It looks at eight or 10 domains of education—receptive language, expressive language, motor coordination, social, emotional, personal care, these sorts of things. By looking at each child in relation to those domains you will get a basis for planning an education. That is functionally useful and it is not demeaning. We find IQ testing extremely demeaning, and the literature supports that. You might take a student and say that they are operating at the same age as a two-year-old or a four-year-old. It is not useful, it is demeaning. Our experience also shows that it depends on the way in which a student is supported in terms of the capacities that he or she has in the school, in the class and in life and community. A student may have a label of challenging behaviour. That behaviour is about a mechanism of a student who does not have good communication skills and the student communicating something. That is not being heard. Whereas if you support that student effectively by a person and teacher who hears what it is and can take pre-emptive steps from time to time, then you will have a very different looking student.

As an example, there was a DET video made a number of years ago about a young student with very high support needs in a regular class in country New South Wales. I happen to know the parent. This student has very high support needs and on an IQ assessment would not come up with a very favourable score. Another parent I know saw the video and said, "It is okay for Alex, he is so capable. My son is not like Alex." I happen to know from what she reported to me about her son that her son was much more capable than Alex. But Alex was well supported in a regular environment where he was acknowledged and he was learning from his teachers and his peers. He had a much richer opportunity for a future than he would have had in a segregated school. It is about the self-fulfilling prophecies that come through an IQ assessment that mean it is not a basis of an educational plan.

Ms WILSON-BURNS: Could I add to that? Had Mac been presented with an IQ test on enrolment he would have received a notation on his file "TLTA", which stands for "too low to assess". If you consider what that expectation would have had on his education compared to university entry level scores in his Higher School Certificate there is a big difference to how he will be treated throughout his education.

CHAIR: I will ask a question of Gina. Will Mac go to high school in Nowra?

Ms WILSON-BURNS: I believe so.

CHAIR: The amazing part of Mac's story is that you are in a regional area. Do you think you got lucky or do you think because you are in a small community and able to have those relationships with the people in the department and school that it helped your experience? Do you think that potentially for another child in Mac's position in a metropolitan area it could have been a very different outcome?

Ms WILSON-BURNS: Absolutely. I think even another child in Max's position in our school could be a very different outcome. We strategise. I do not put much down to luck. We really do strategise and plan. We knew the department's policy inside out before we even enrolled at the school. We knew what TLTA meant if they were going to put that on his file. At the time they did say that they would put "TLTA" on the IQ part of his test. Because I had prior knowledge I said, "I am happy for you to put TLTA if you write it in full". Too lazy to accommodate, they said touche and realised that we had higher expectations for Mac. The community helps. We have a lot of contacts throughout the community. I grew up there.

I did not go to Cambewarra Public School but I am the only one in my whole family throughout the generations who did not. I had an expectation that he would go there because it was our zone school. It is on old farmland of our family ancestors, so I was prepared to fight if we needed to. It has all been planned, and it is with the knowledge that we got probably wholly from family advocacy to see what a child in mainstream such as Mac looked like. We were worried that he might detract from other students' learning and it was not until we could see what it looked like that we had the confidence to go forward. If it can happen for the most disabled child ever to be mainstreamed I think it can happen for everyone.

Ms EPSTEIN-FRISCH: There is a great deal that the department needs to do to make sure that there is consistent information, access policies and what have you but also families need support if they are going to. Ms Wilson-Burns and her family are focused and what have you but we cannot expect that that is the case of all families, as I know this Committee knows. That is where we suggest that funding non-government organisations that are closer to families that help them and are the expert guide to support them in that process of transition will help families to be more effective partners with schools, and over time will we think lead to more effective outcomes.

CHAIR: Thank you for your time this afternoon. I am confident the Committee may submit more questions to you on notice, and the secretariat will liaise with you to facilitate the timeframes and the return of those responses. On behalf of the Committee I thank you for your time this afternoon and also wish you all the best. It is good that you have come along today to share your experience with us because it certainly is a bit different to some of the other information that we have heard.

(The witnesses withdrew)

(Short adjournment)

GERALDINE GRAY, State Coordinator, Special Learning Needs, Catholic Education Commission New South Wales,

IAN BAKER, Director, Education Policy and Programs, Catholic Education Commission New South Wales,

VINCE CONNOR, Director, Diocese of Wilcannia Forbes, Catholic Education Commission New South Wales,

ROBYN YATES, Director, Government Education Policy, NSW Association of Independent Schools, and

MARGARET McKAY, Acting Director, Professional Services, New South Wales Association of Independent Schools, sworn and examined:

CHAIR: Would you like to make a short opening statement?

Mr BAKER: Yes. Because we are from separate organisations, although we obviously collaborate quite closely on many issues of education in this State, I will make a brief statement on behalf of the Catholic Education Commission and then my colleague Ms Yates will make a comment on behalf of the Association of Independent Schools. We want to obviously draw attention to the advisory letter we put to the inquiry. We would also like to make the point that we believe the much more detailed submission that we put to the 2010 general purpose standing committee inquiry into the provision of education for students with a disability or special needs is relevant and there may be points during this afternoon's evidence where we might refer to that earlier inquiry, which we regard as complementary.

I also take the opportunity, having had the opportunity to read the New South Wales Government's submission to this inquiry, to highlight four issues arising from the Government's submission which we would like to also draw attention to. Just briefly, conscious of the time, those issues are, first, funding and service provision for refugee and asylum students. We note that there are some serious issues there which actually relate to Commonwealth matters in relation to visa status where an increasing number of students are entitled to schooling but those schools are not entitled to any funding. That is an increasing public policy issue in relation to refugee and asylum students in our schools who have special needs.

We would also like to draw attention to Pathways to TAFE, which is discussed in the Government's report. We would like to point out that TAFE charges additional costs for students with disabilities who undertake courses at TAFE. We have long regarded that as a breach of the Disability Discrimination Act. Our third point is the universal access to preschool issue, which is canvassed in the Government's submission and the COAG target of universal access by 2013. We point out that if the COAG target is to be met that would require an additional 13,000 places to be created by 2013 and we regard that as a considerable public policy challenge.

The fourth point we would like to make is that there is a longstanding issue of supporting students and families with attendance problems and the home school liaison service. We would like to point out that non-government schools have no right of access to the home school liaison service, and that has been a longstanding issue—dare I say a grievance. Those are the four issues in addition to what we identified in our letter which we have identified from the submission provided by the New South Wales Government.

Ms YATES: AIS NSW, as the peak body for independent schooling, would like to thank you for the opportunity to speak in addition to our submission. We represent a diverse range of schools. Many are faith based and they cover all religions. Whether it be Anglican, Seventh Day Adventist, Greek Orthodox, Lutheran, Jewish, Islamic, we cover every religion that has a school. Obviously we work in partnership with our colleagues from Catholic education. We have schools that have different philosophical bases, such as Steiner, Montessori, Aboriginal schools, community-based schools, special schools, and special assistance schools for disadvantaged youth.

By definition, an independent school is in partnership with the parents and that is particularly critical for us in working with parents of students with disabilities. We recognise the parents' right for a choice in their child's schooling and as far as AIS NSW is concerned the provision of education to students with disabilities or students with additional needs is currently the most pressing educational issue for schools, for parents and for students with disabilities. Regardless of the school sector chosen, the transitions are critical, and schools have a very critical role to play, particularly in developing partnerships with parents. In fact, in our sector many of the schools go from preschool to year 12. While that eases the transition issues in some places, it still highlights the need to support parents and to work with parents as we work through their schooling.

What makes a difference is obviously school culture, and that is across all three schooling sectors—school culture exists—and it is also about the community around every school and the support needed within that community for transitions to work well. I would like to draw the Committee's attention to the fact that transitions occur at many, many stages. There is transition to school, transition between each year, and if it is not done well parents will tell you what the result is. There is obviously the transitions from primary to secondary and then from school to post-school. There has been a lot of theory, a lot of research and best practice models are evident. We know what to do; it is the implementation and the wraparound approach to services that is the issue.

The process is the same regardless of the transition, but in fact the type of transition and the support required and the different level of need varies according to the different transition stages and also the ages of the children and each child. They have to be tailored to the individual. From our perspective the issues are obviously the human, professional and financial support required to make the transitions work, the coordination that is necessary, the cost of accessing services for parents. Many parents in our sector pay for assessments that make a difference as to whether they have the right information to get the service they need, and we are concerned about the cost to parents.

We also need a clear system of support for parents in knowing what services are available and the support for parents needs to be tailored to the individual child by an experienced and trained consultant. The independent sector is committed to the education of students with disabilities and enhancing our capacity to provide a quality education and the transitions that are required within that within partnership with the parents.

The Hon. HELEN WESTWOOD: Thank you for appearing before us today and assisting us with our inquiry. We have heard quite a bit from other witnesses about the importance of transition plans and their implementation. Does either the association representing independent schools or the Catholic Education Commission have a policy on preparing transition plans and then implementing them? There is the preparation of them and then overseeing the implementation of those plans.

Ms GRAY: The commission coordinates the 11 diocese. The commission itself does not have a stated policy. However, we have worked hard in terms of meeting the requirements that we believe we are required to meet in terms of recognised students with disabilities having a plan, and we have worked hard over a number of years to clarify what should be in the plan. Do you mean in terms of plans generally for school-aged children or in terms of transitions?

The Hon. HELEN WESTWOOD: The transitions. It is the planning for transition. We have had evidence from a number of individuals and organisations that talk about plans for each point of transition but also an overall plan. Many have advocated for that but it seems that there are different approaches, depending on the resources of the organisation and its own transition policy.

Ms GRAY: To support planning, we have a project we have been working on for some time in having online plans that support, looking at the support needs of students across domains so you have curriculum needs, you have needs in terms of access to school, in terms of issues related to their safety and the safety of others, support needs in relation to communication, personal care and their social needs. We have worked with the diocese and our congregational schools in understanding a process and we think that they do very well in that area. They are applied as often as they can throughout the year from the beginning of a student coming into school and passed on where they can when they leave school. Our issue would be in our efforts to work out the initial plan and the plan transitioning from a school to school or even a class to class to be able to access a good understanding. So it is collaborative and it is collaborative with the staff and the parents and the people in terms of specialists that might be involved, and therapists.

Coming into school when you have got a student with complex needs who is coming from perhaps an early intervention service, they often have supports from all different areas, different centres. Often those supports are from perhaps government agencies and non-government agencies that have different policies. Trying to coordinate all of that we see as an issue so that you do not have differences; you have a good, clear understanding of the student's needs so that they can be very successful when they are moving on to the next stage.

Ms McKAY: Because the independent sector is independent, schools are all genuinely independent and governed by their own boards, we do not have policy because the schools develop their own but we do advise schools in line with legislation. So we always use the Disability Discrimination Act and the standards as a guide to how they would go about meeting the needs of a student with a disability and that includes if they were transitioning at any crucial point.

The issues that we find are that it is not so much getting a plan together. We support schools. They identify the issues that the student has at whatever transition stage. Once we have identified those issues we would look at what adjustments can be put in place to minimise those issues around their transition and then we support the schools in the action that they take. However, that is the easy part. The more complex part is skilling the workforce within the school, given the capacity that we have to actually do that, in a comprehensive way and to be able to identify what really is important from the reports that other people provide.

As Ms Gray said, if you have a student with a really complex set of needs, what are the most crucial ones of those to take on board? We find that there needs to be someone coordinating to help them identify those things. The plans can often break down when there is a significant issue or indeed a crisis. That is what schools really need support in knowing how to deal with. It is in the complex implementation of what is usually quite a simple plan.

The other thing that is a real issue for us at each stage of the transition point is helping the schools know who to contact. Like the Catholic Education Commission [CEC], we have remote schools where it is almost impossible for them to access people who can help students transition to school, indeed to even get them assessed as to know what their more complex needs are and how to target the issues. We find that we cannot provide that support at the level at which it is necessary for them.

We find that the implementation of plans is frustrating. We know that a collaborative planning process is the best way to do it. There is a body of research that indicates that. That is indeed what the disability education standards mandate that you go through. But the complexity of implementation and parents trying to negotiate the providers at an early intervention stage and at a post-school stage particularly are incredibly difficult.

The Hon. GREG DONNELLY: Thank you for coming along today to give evidence and for your submissions which are comprehensive. I am curious about the comment made about the costs associated with assessment. The general thrust of evidence that has been presented to us is the earlier the intervention the better in terms of providing the framework for parents to provide for their children with respect to education. But I think in one of the opening statements a comment was made about the costs that parents are bearing with respect to assessment. Could you elucidate that with some examples or some general comment about it?

Mr BAKER: Assessment does cost and my colleague Ms Gray might be able to comment on the more general issue of cost of assessment. There is also the issue of access to key personnel to do those assessments, particularly in the rural issues which I know is an issue dear to the heart of Mr Connor here from the Diocese of Wilcannia Forbes. But the specific issue of cost of support of service provisions that I raised was when students with disabilities attend TAFE courses and TAFE charges an extra fee for the provision of disability support. My colleague has some figures on that.

Ms GRAY: We have quite a large number of students accessing TAFE delivered Vocational Education and Training [TVET]. A fair percentage of those students have recognised disabilities and learning needs under the Disability Discrimination Act. If they require extra support because of their disability attending a TAFE course they are charged extra. So above and beyond the costs of the course they are charged for the extra support.

We have a number of students attending discrete courses, so they are a specific course run for disability in TAFE and they are set up with support. They may have either two teachers or a teacher and an assistant for a small number of students but that is the way they are set up. On top of the support charged to other students attending normal TAFE courses, these students are being charged a great deal of money to attend those discrete classes. We have an example of a school where it is costing the school $10,000 more in support than it is costing for their original TAFE course cost. We think that this breaks the Act. It is extremely difficult to come up with the resources to pay the cost.

The Hon. GREG DONNELLY: And at the other end of the scale in terms of younger children?

Ms McKAY: At the other end this applies particularly to people in the independent sector who are not in government early intervention services but may be in private ones. The range of assessments that a child with a complex need requires could range from psychometric assessments to an adaptive assessment that goes with it. A private psychologist will charge between $400 and $600 for one of those reports. Speech pathologists to do an assessment and then write a comprehensive support as to how that assessment would affect the participation of the child in a school again costs around that money. Then they will require perhaps an occupational therapy report.

Sometimes students with autism require sensory audits. There are not a lot of occupational therapists who are good at doing those and the ones that are charge significantly for it. Then you may have associated hearing and vision. Some of that cost is recoverable because it is considered to be medical but the other costs are not recoverable by the parents. They need these assessments at the key transition points of the child's education, so they have to keep paying it.

The Hon. GREG DONNELLY: Just running through the ones you have mentioned, it soon accumulates to thousands of dollars if it is a comprehensive disability?

Ms McKAY: It does. Many of our schools do not have psychologists on staff that have the qualifications to even do the psychometric test. None of them have people on staff that can do the other specialist type reports. So you are looking at lot of money for a student to get funding coming into school. At their key transition points during school it has to be done again. If their needs change and they are seeking more funding for severe disability, for instance, then the parent has to pay it again. There is nobody really coordinating all of that. It is the parent seeking it out. Schools are trying very hard to support and give advice as to who may be able to do the assessments but there is not an easy process that parents can access to do that and certainly no fee relief for them.

The Hon. CATE FAEHRMANN: Thank you for appearing today. A number of submissions have referred to cultures within some schools around accepting students with a disability or additional learning needs. One submission is from the Country Women's Association. They stated that many private schools refuse to enrol children with autism because of a lack of available funding. Do you agree with that statement?

Ms YATES: I would not agree with that statement. I would say that every school—certainly the ones we have worked with—would actually go through the Disability Discrimination Act and the standards and work through the reasonable adjustment process. It would only be if it was an unreasonable adjustment or hardship that they could actually say no.

The only other potential issue could be in terms of the child or other children's safety under the legislation around managing students' behaviour. Otherwise I would say it is a reasonable adjustment process and a planning process.

The Hon. CATE FAEHRMANN: A submission from the Catholic Education Diocese of Parramatta states that not all parents report that schools have been welcoming of their child with additional or complex needs, despite obviously clear enrolment guidelines in the disability legislation. What are your comments on that statement? Do you get feedback from some parents that schools are not welcoming? Further to that, what does the CEC and perhaps your organisation do to encourage and provide information, education and support for students with additional needs and disabilities?

Mr BAKER: I will hand over again to my colleague who works with these issues on a daily basis but I hear what you are saying about the suggestion that schools are unwelcoming. I think sometimes there can be misunderstandings. The process for compliance with the disability standards under the Disability Discrimination Act does require a process and a process to determine what reasonable adjustments are. I could imagine a situation where parents might think that is intrusive. My view would be it is probably more likely to be a consequence of misunderstandings of the process and how the process works to identify reasonable adjustments.

Ms GRAY: I will support that. You can imagine and you probably have heard from parents who go through quite an arduous process of moving into a school, and just choosing a school. The diocese and the department have processes that they adhere to in looking at the needs of the student and how to best meet the needs of the student. As you can imagine, that causes anxiety for the parents. I think that again causes them to misunderstand the process. It would be great if we could work around some coordinated process to make that easier for them. I think we would all be in agreement with that. I have no doubt though that we do have a need to continually work on understanding the requirements of the Act as well as that. I know the Parramatta diocese, for example, would be doing that.

Ms YATES: That is a very good question because I think it is an issue about school culture and it is multifaceted. From an Association of Independent Schools perspective we operate on several different levels to try and deal with it. We run a leadership centre. So part of it is our working with executive, whether that be people aspiring to be principals, newly appointed principals, executive, middle management—we are actually introducing a course for enrolment registrars this year—and we actually work through the Disability Discrimination Act and the education standards as part of our course work for any senior executive. We also deal with that at an individual school level. That is one aspect in terms of professionally upskilling executive because they obviously leave schools.

Another part of it is working with parent groups—obviously the NSW Parents Council—but we also work with a lot of the parent disability groups; we have good relations with them and we would want to continue those because we can resolve a lot of issues if they can contact us and we can contact them. Apart from working with parent groups there is always the individual situation, and that is the one that really matters because a child is at the centre of this. At that point I will hand over to Ms McKay to tell you how we would work with an individual school.

Ms McKAY: We go to individual schools and work with the executive. Often a school will ring us with an issue and say, "We have a child with very complex needs coming in" or "We have a child here but their needs have got greater, could we have some support?" It is often a confidence issue on the part of staff. They feel challenged by somebody with complex needs. They think they do not have the skills. So we go in and we work with them and we soon discover that it is a confidence thing, not a competence thing. Once they have some strategies, once they are able to see successes and they form good relationships with parents, then the culture gradually begins to change. That is a really good thing to see. Having said that, there are some places that are more challenging than others in that regard but, again, as the number of kids with disabilities increase in the schools one sees a change in culture, a change in attitude to new enrolments coming in—that is a great thing to see—again the thing that is missing is the coordination of that in a timely manner that causes the issues.

The Hon. CATE FAEHRMANN: When you say "so we go in and we work with them", who is "we"? Is it a particular transition support team?

Ms McKAY: It is not a transition support team. I head up a team of consultants. At the Association of Independent Schools there are currently four special education consultants across the State; they are generalist special educators. They are the people that go in and respond to those requests and if they are really difficult issues I go in too.

The Hon. NATASHA MACLAREN-JONES: Returning Ms Gray's comment in relation to parents deciding on the appropriate school for their child, what support is currently available to help parents in that process?

Ms GRAY: At the local level across most areas there is a great deal of support. They contact the school, they contact the person in the diocesan office—I will ask Mr Connor to comment on that. All three sectors attend meetings with parents that are organised locally by disability services or Northcott or non-government services in terms of parents of students entering schools. So we attend meetings either at night or during the day to support parents. We talk about the choice they have to look at a school and to decide if that is the appropriate school for their child. So there is some collaboration certainly across the sectors to work with the early intervention services and the disability services to do that. Then they are able to go to their schools and seek the support of a diocesan officer in looking further at the Catholic school they are looking at.

Mr CONNOR: I can speak specifically from the Diocese of Wilcannia-Forbes. It has its own particular challenges given the fact that it covers more than half of the State and in some quite remote and isolated areas. The process along that line would be started by discussion between the parent and the principal. We do have office support that would be engaged often in an after-hours meeting or whatever to determine what might be the needs of the child and it is centred through that discussion. One of the points that often comes through, just by the nature of our system, is around pastoral care—and it is certainly acknowledged by parents—that sometimes we cannot provide some of the more specialised services that they might gain by going through one of the local government schools; however, it is the general school climate that becomes appealing to them.

That is a real challenge to the parents because they have to start weighing up the benefits of one system compared with another. It does cause problems coming into the school.

In my diocese we have 18 schools. One is a K2 school at Wilcannia and the others are K6 schools, so in all those schools it is a transition from year 6 to most often a government school within the area—we only have two schools that have close access to a secondary Catholic high school. One of the problems would be around the discussions that allow for the transition to happen. Sadly that often comes down to personalities and sometimes there seems to be a misunderstanding about the role of being able to go across sector. That would be something that I would hope would come out of this—you talked earlier of protocols—just some sort of protocols that would certainly allow an ease of transition between sectors because that is the reality for the almost 2,000 students in my diocese.

The Hon. NATASHA MACLAREN-JONES: How soon do you think the conversation about the transitional plan from primary to secondary school should begin?

Mr CONNOR: Because the students are well known they are often in our system and it is often known where they are going very early on. Right through the last part of stage three there should be an opportunity to discuss this. Depending on the complexity of the challenge, particularly if it is something around autism or something like that where we know it is about comfort of climate and that sort of thing and school visits, they are the sorts of challenges that need to be very cooperative and collaborative. I would be thinking as early—probably year six is the time that you would be doing it.

Ms McKAY: It is important to emphasise that it really is on a case-by-case basis for a person with a disability. For someone with complex physical disabilities you may need to be looking as early as the beginning of year four as to what the needs are going to be in a different environment. Sometimes students become disabled through accidents and illness and then it is a massive exercise if it has to be done quickly to do their transition. So it really is individual.

CHAIR: I am glad you touched on the point about information transfer from one system to another. The Committee visited Dubbo last week and we heard representations from elders and service providers in the Aboriginal community. Mr Connor, I am interested to learn of some of the things you have done in your diocese in helping the community engage in their transition, particularly for children with complex or special needs?

Mr CONNOR: It is often a negotiation with our Aboriginal education workers. If we go to somewhere like Bourke, for example, where St Ignatius has slightly more than half Aboriginal kids involved, the majority would then transition to Bourke High School. There are certainly some good community programs and we have been engaged within those. The principals from St Ignatius and Bourke public certainly have applied for and have done some collaborative work, particularly with the parent committee.

CHAIR: Do you have the name of any of those programs?

Mr CONNOR: I am struggling to pick up the names.

CHAIR: Will you come back to the Committee with those names on notice?

Mr CONNOR: I will certainly be able to get it for you. It was a program that was initiated through this year and they have a male Aboriginal education worker who has been able to work across both sectors, and it is with regard to engagement of parents in the educational process. Wilcannia is a different issue because Wilcannia has its own particular needs. Our school at Wilcannia is a K2 school. Probably 80 per cent and 90 per cent of the students K2 would be at St Therese's, they then transition to Wilcannia Central in year three. Just with the discussion between the Aboriginal education workers and with the local Wilcannia action group, I think it is called, there is certainly a lot of liaison but I would have to say it depends a lot on the personalities of the principals between the two groups as to how much liaison happens there. As we speak at the moment there is very good liaison and good cooperation in trying to make sure that the students at Wilcannia, the knowledge about their needs particularly around learning, reading and writing and that sort of thing is certainly passed on.

CHAIR: Our individual plans developed for those children?

Mr CONNOR: Certainly. Yes, the individual learning plans are all in place with regard to a program that was initiated through the Catholic Education Office a couple of years ago.

CHAIR: It sounds as if there is reliance upon the relationship between the heads of both of those schools. There is no written protocol or memorandum of understanding as to the process and the procedure to follow to ensure that these plans do go with the children, are reviewed and actually continued to be implemented once they go to Wilcannia Central?

Mr CONNOR: Not that I am aware of.

Ms YATES: I was going to add that the program that may have been mentioned could be the Parental and Community Engagement Program [PaCE]. It is a federally funded project and it is run in communities all round Australia. We obviously involve all three schooling sectors in trying to get local communities involved. Because that links to the Federal—and this State is obviously a signatory of the Aboriginal and Torres Strait Islander Education Action Plan—personalised learning plans are required for Aboriginal students but they go beyond the needs for a student with a disability or additional need; they are about the whole of that child's life. They are very good and a great way of moving forward. But when we are working with Aboriginal families it is really important that they get the same transition and transitioning process for their child with a disability as they would—what I am saying is that it needs to be finer. They need their personalised learning plan but they also need the planning for transition as would any other child—

CHAIR: So the transition is not a separate element within that plan? It is not a separate line item?

Ms YATES: The plans are generic; they are for any child.

CHAIR: So they are not individualised?

Ms YATES: They have to be individualised in how they are done, but then that requires local expertise to then put the transitioning into that plan.

CHAIR: So who has carriage of the plans and ensures that the outcomes that have been identified in the plans are being met?

Ms YATES: Schools have carriage.

CHAIR: All schools across any sector? Who do they report the outcomes to?

Ms YATES: The parents.

Mr BAKER: Can I make a comment? I almost hesitate because I do not wish to be seen to be speaking for Aboriginal people, but I can report that there have been some concerns from our Aboriginal families about plans and again it goes to the issue of understanding. There were some concerns that they could be seen to be punitive—only Aboriginal students need a plan. There are a range of views about plans within the Aboriginal community and certainly some of our schools have had to go to some considerable length to persuade Aboriginal families of the benefit of the plan. The initial reaction of some Aboriginal families has been, "This is punitive. You only make Aboriginal people have a plan." My comment is they can be problematic.

Ms GRAY: There are also varied views in the Aboriginal community as to disability and diagnosis, so there is a need for support and education and handling that very carefully. There is a Parent and Community Engagement/Department of Education, Employment and Workplace Relations program linked to the national autism project, Positive Partnerships, where they were looking at disability awareness of autism within a number of Aboriginal communities. I think that sort of thing is very important. That is ongoing.

CHAIR: Unfortunately we have run out of time. We will potentially submit more questions on notice to you and the secretariat will liaise with you to facilitate the response to those questions. Mr Connor you took a question on notice to provide some information—

Mr CONNOR: That was the PACE program.

CHAIR: Okay, that is fine. Thank you for your submissions and your time this afternoon.

(The witnesses withdrew)

(The Committee adjourned at 4.31 p.m.)