

To whom this may concern

## **2020 Review of the Disability Standards for Education 2005**

Developmental Disability WA (DDWA) was tasked with developing a 'systemic advocacy process for policy and practice improvements in Education systems' through a grant from the Western Australian Minister for Disability Services over 2019/2020.

Direct advocacy for parents in schools was provided free throughout the State and provided the raw data for informing recommendations.

This report provides substantive evidence that the establishment of an independent advocacy service specific to education that can effectively support resolutions and relationships that enable children with disability to access and participate in schooling. Advocacy can avert the need for parents to resort to escalating their concerns beyond the negotiations at the school level to Departmental Complaint management processes, including Ministerial and legal levels.

This report also confirms the finding that reliance on complaints mechanisms to drive compliance with the *Disability Standards for Education 2005* ('the Standards') are generally ineffective and could be complemented with more proactive mechanisms. Throughout the advocacy project it was patently obvious that had schools been aware of the Standards or at least responded in an informed way from the outset, many of the subsequent and complex issues that arose could have been avoided or at least mitigated to some extent.

Entitled 'Beyond Complaints' the report reflects concerns that 'after the fact' complaints management processes have done little to improve outcomes for students with disability. Without processes designed to foster systemic improvement, education authorities appear to tolerate high levels of complaints, often with a high degree of repetition, with little prospect of sustained improvement.

Education authorities (government, Catholic and Independent sectors) appear to be remarkably unconcerned about any adverse consequences resulting from cases brought forward. The paucity of cases and limited interpretation of *reasonable adjustments* has a lot to do with this.

However, the key point is that education providers are not currently required to demonstrate evidence of how they are meeting their legal obligations. While knowledge of the Standards is in evidence, it is obvious that they are not front of mind in schools, nor are they used to guide practice and systems within education authorities or at school level.

A key requirement would be to have education authorities demonstrate how the standards guide practice and systems and that evidence of these activities be required to be regularly reported on.

The suggestion is that more can be done to provide education providers with a framework of key indicators to monitor activity (across all 'Parts') based on 'the measures' that would constitute evidence of compliance with their legal obligations. Some further articulation of 'the measures' as examples of compliant actions would be beneficial.

Experience during the project indicates that while the Standards were a good framework for promoting participation, further articulation of *reasonable adjustments* is needed in terms of service quality. There is little guidance on what is expected in terms of current effective educational practice

for students with disability. Recent research has been particularly informative and contributes to further work in this area (Poed 2016)\*.

It is acknowledged that the Commonwealth has limited options available to influence state-based education authorities or sectors in terms of compliance with the Standards. It is noted that the Department of Education (NSW) has recently mandated training of the Standards for all personnel. This is a promising development, which should be mandated nationally. The Commonwealth could choose to link compliance activities with the Nationally Consistent Data for Students with Disability (NCCD) funding process which applies in various ways across all education sectors. This would further demonstrate an explicit link (which is not clearly recognised in schools) between the Standards and support provided at each level of adjustment through the NCCD.

Thank you for the opportunity to provide examples of recent experiences of students, their families and carers, their education providers, educators and their advocates. I trust this report will provide valuable evidence to further the development of compliance measures in support of the Standards.

**\*References:**

Poed, S. *Adjustments to Curriculum for Australian School-Aged Students with Disabilities: What's Reasonable?* (2016) PhD thesis. Griffith University, School of Education and Professional Studies  
<https://research-repository.griffith.edu.au/handle/10072/365259>

Thankyou

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DDWA acknowledges the Traditional Custodians of Country throughout Western Australia.  
We pay our respect to them, their cultures and to Elders both past and present.



# Beyond Complaints

## AN EDUCATION ADVOCACY SERVICE FOR WESTERN AUSTRALIA

JUNE 2020

# Contents

Executive Summary	3
Section 1. Introduction	4
Section 2. Key Areas Identified	5
Section 3. Analysis of 95 Advocacy Consultations	18
Section 4. Surveys of Parents and Educators	23
Section 5. Case Studies	33
Section 6. Key Summary Recommendations	47
Section 7. Appendices	49

# Beyond Complaints

## AN EDUCATION ADVOCACY SERVICE FOR WA

### Executive Summary

Developmental Disability WA (DDWA) was tasked with developing a 'systemic advocacy process for policy and practice improvements in education systems' through a project grant from the Department of Communities from 1 January 2019 to 30 June 2020.

As part of this project, direct advocacy for parents in schools was provided free throughout the State and this provided the raw data for informing recommendations. Surveys of parents and of educators and real case examples provided human stories to illustrate the practical benefits of a quality education advocacy service.

This report provides substantive evidence that both parents and schools can benefit from advocacy support when negotiating some of the inevitable challenges and obstacles that arise in supporting students with disabilities, despite the good intentions of all parties involved. Effective advocacy supports resolutions and relationships that enable individual student needs to be met and respects the needs of families and educators. This project demonstrated that such a service can reduce the need for parents to escalate concerns to formal complaint levels, including ministerial and legal levels, thereby redirecting the focus back to improving an individual student's educational outcomes in a timely manner.

The data in this report shows that bringing together information from individual advocacy cases provides a strong basis for guiding: systemic improvements, accountability of services and formation of policy and departmental directives.

This report calls for the establishment of an independent advocacy service, dedicated to education and delivered on behalf of both parents and schools alike. Furthermore, that the service is supported and endorsed by the Department of Education, to demonstrate their commitment to problem-solving at the local level.

### Key Summary Recommendations

1. Establish systems to monitor policy compliance and promote active engagement with the National Disability Standards for Education and their application in a Western Australian context.
2. Undertake a public engagement process to establish a new alliance / partnership with parents of students with disability.
3. Establish an individual advocacy service to support parents and students to negotiate education systems and to provide the foundation for reflective practice and analysis of systemic issues.

## Section 1: Introduction



### Learning from parents about what works and what needs to be done differently

Parents negotiating for their child's schooling begins from the starting point of what they understand about their child's unique needs. Parents are the experts in their children, having seen them in varied settings and under all of the natural pressures and freedoms of family life. Parents will hold a general sense of the optimal conditions that their child needs to be able to function well. When parents consider schooling for their child, they then consider how these optimal conditions may be best met in a school situation.

This report is structured to focus on the critical areas of difficulty identified through advocacy support provided to parents over the past 12 months. Critical points of pain or difficulty will be identified and strategies to alleviate these will be proposed. There will be many families and children with disabilities, in many schools across the state where the school journey is everything that could be hoped for and expected. Recommendations made in this report focus on providing the conditions in schools that meet the needs of more students and their families, more often.

It is a truism that *we often don't know what our expectations are until they are not met*. It is then that we start to explore how reasonable our expectations may be against what we understand our children's entitlements to be and the lawful obligations of the services that are being promised by the Education system, whether private or public. Parents will then negotiate, using advocacy assistance where necessary, to secure the best situation for their child, given their particular disability-related needs.

This report reflects that schools are complex institutional settings that will have cultures and processes that work well for some and are not compatible to the needs of others. Diversity and variability in school cultures and practices are an inherent good and are natural parts of the evolution of Education systems, as existing processes are refined and new ideas are tested and adopted. Equally, some degree of minimum standards and policy consistency are also expected.

There are no entirely bad or good schools, simply schools that exist along a continuum of excellence in; leadership, culture, resources and responsiveness to their community's needs. It therefore follows that when a school is found to not be equipped to support a particular child's needs, the option must be available to access a school that can.

Advocacy support, alongside parents who are navigating the challenges for their child in the school system, provided the data to inform the recommendations in this report.

This report explores the growing community expectation that the workers within schools, of all types and at all levels, have the skills and knowledge to support the social and learning needs for children with disabilities. Just as we would not accept hospitals to have staff without skills and expertise in meeting the needs of *all* patients, neither should we accept schools to have staff who lack training in responding to the needs of *all* students.

Icons are used to highlight the critical areas of need for reform that have been identified through the array of activities in this project, including surveys, advocacy, consultations, and collaborative solution forums. Improvement Recommendations are made where appropriate.

DDWA is committed to producing reports that are accessible in terms of language and use of images and stories. Topic areas will be indicated by icons and simple explanations. There is inevitable interplay and overlap in the topic areas and cross referencing will be used when helpful.

## Section 2: Key areas identified

### 2.1 Choosing a school



*Finding a school to enroll a child into, based on factors beyond just local area eligibility*

All children are entitled to enrol in their local school and this is generally best for families in simple day to day terms, as well as good for growing local community connections. However, for parents where a disability, medical or other learning difficulty is present for their child, choosing a school can feel like the first step into a minefield. Parents will have observed their child's development and will often have identified the routines and supports that help their child to be in the best position to play and learn happily. Equally, parents understand what situations and patterns will trigger their child to react with behaviour that may not be easily understood by others. Parents can be skilled in anticipating and preventing distress in their children through their own analysis and with the help of clinicians and others involved in treatments and therapies. Finding a school with the right culture and resources for their child is a challenge that all parents face.

Where a local school is assessed by the parents as not being the best for a child, parents face the challenge of securing an out-of-area enrolment elsewhere and the common experience of needing to 'plead' for their child's admission. The Disability Standards for Education 2005 set standards for enrolment and necessary consultation required. In many cases schools do not appear to engage in an appropriate consultation at the point of enrolment and this process is not monitored to ensure they do. There are no formal appeal processes in place.

- **Education authorities and providers implement processes whereby decisions of enrolment and class placement are documented in a way that can be reviewed.**

### 2.2 Planning



*Describing the practical steps needed to support a child's school journey, negotiated and documented into Plans.*

Planning for children with disabilities is a critical process for building a documented understanding between all people concerned about the child's education. Plans enable negotiations and also accountability. Where a school may say, 'oh no, we



don't need to do a Plan', parents worry that the adjustments their child needs may not be occurring.

Everything related to documented plans are widely variable across the school system, including the process for negotiation, the content and detail, review and refinement and compliance across classes and school settings. The responsibility rests with the school to make the provision for planning for children that need variations to the way the curriculum content is delivered, and how school routines are adjusted. Parents have vital information to contribute to the planning process, as well as a role in coaching their children outside school hours to prepare them for what to expect during their school routine.

Although it can be difficult logistically to get all of the right people in the room to negotiate a Plan, the time spent is an investment that is repaid in many large and small ways. Building faith (strong relationships?) with parents is the foundation for dealing with issues large and small. A Plan that demonstrates that the school sees a child as an individual and understands their unique needs is the best foundation for partnership between families and schools into the future. The Disability Standards for Education 2005 set the standards with which education providers must comply. In many cases the level of consultation in planning programs for students with disability, based on feedback during this project, falls short of that expected in the Standards.

- **Education authorities and providers implement systemic oversight of the level of consultation and the quality of planning for students with disability in line with the Disability Standards for Education 2005.**

## 2.3 Communication between home and school



*Exchange of information between Educators and Parents of children with disability needs to happen daily, weekly, term-by-term and be linked to Planning processes.*

Parents of children with disabilities want and need to be able to send information in and get information back from schools to a far greater degree than parents of children without disabilities. Although it may be difficult to argue for a particular system for communication between parents and schools (as the variety of options is considerable), it is part of the necessary adjustments required as a preventative strategy for conflict as well as to fine tune the approaches being taken to meet a child's needs. Parents need to adjust constantly to the different habits and practices of schools and preferences of individual class teachers around communication. These practices often range from being 'allowed' into the classroom before and after class to chat, or strict adherence to communication books or certain Apps that might be the prevailing policy.

It may be fair for a Principal to say, 'We don't want to tell you every little thing that happens because we don't want to overwhelm you with reports and prefer to deal with as much as we can ourselves'. For some parents this may be a relief, whereas others may worry that they will miss out on important information about their child's coping at school, or that information is being kept from them.

It is the principle of open communication that parents seek, with trust and good faith as a critical component. It is likely that the threshold for what to share will generally be lower for parents than for schools, with parents preferring more information to less. The challenge for schools is to meet these expectations at the individual child level in the context of a whole school community.

- **Education authorities and providers develop further strategies that help to promote effective two-way communications among schools, families, and community members or groups about school programs and policies.**

## 2.4 Adjustments



*Changes to the usual way of doing things need to be made in classrooms, playgrounds and outside school to support children with disabilities to have an equal opportunity to succeed at school.*

Schools operate within policies and processes that apply to general situations with 'typical' children, teachers and environments. When changes need to be made to these general systems, *adjustments or accommodations* are words that signify that a child is recognised as having particular needs. The Disability Discrimination law in Australia requires that changes be made to the way that Education services are provided to children with disabilities and puts this duty in the term 'reasonable adjustments'. Parents and schools find an infinite array of small and large modifications to the way a child is supported to be at school and learn. In fact, parents can build their family life around creating the best situation for their child to get them to school. Schools too can make subtle and more obvious modifications to their processes to support a child to be at school. Good communication between home and school and open and respectful planning can allow both parties to better understand the sorts of changes being made and why, both at school and in the home.

The stigmatising impacts of adjustments for a child or young person can often be weighed differently by educators than by parents and the student themselves. Adjustments that set a child apart from peers can have a devastating impact on their developing identity and personhood and effectively interfere with learning and social safety at school, by triggering anxiety that can be overwhelming. Some adjustments in mainstream settings can undermine the intent and degree of inclusion and parents frequently express significant frustration when advocating for their child in this area.

The step forward in maturity for schools, beyond Reasonable Adjustments as a fairly crude reference, is towards accommodating diversity in children in a far more sophisticated way. A current term to express this is the concept of Universal Design for Learning. This model calls for the application of flexibility in the way information is presented, the variety of ways information can be interacted with; and in creating motivation by making learning relevant to real life. What parents and students know is that flexibility works for all students, not only children with variations in the way that they process information and respond to being in a classroom.

Parents explore such flexibility as a routine aspect of daily life, as they search for ways to adapt the world to support their child's unique needs. In doing so and finding ways to support their child, they see that it can be done and therefore should be done in school settings too.

Education Assistants work as allies to the teachers with a focus on supporting a particular child or children to be able to learn. Parents understand that an education assistant is a form of adjustment available within the school system for children with additional needs. Education Assistants are one of the resources that the Education Department funds for children with particular diagnoses that make them eligible for this form of support. Parents find that a good Education Assistant can make a huge difference to their child's capacity to access the curriculum. However, parents also find that all the decision-making around the allocation of Education Assistants, including eligibility or the timing across the week, is entirely out of their control and heavily constrained by policy. It can often be the case that parents, therapists, external clinicians and educators agree that a child needs an education assistant, but 'Departmental policy' prohibits this being provided. Variability in the skills and qualities of Education Assistants across the school system could be a function of the absence of any formal training programs in WA. To use a hospital analogy, we would not expect nurses to learn on the job alongside trained doctors when providing health services to the community. There is a case for the training of Education Assistants as 'allied Education professionals' so that children with disabilities and their classroom peers, get the best support possible.

- **Education authorities and providers have systems in place to ensure adjustments made are sufficient to meet the needs of the child or on balance, have the fidelity to be effective.**

## 2.5 Travel



*Getting to and from school can be difficult and stressful for children and families. At times, school transport can be the deciding factor in whether a child goes to school or whether they go to the right school for them*

Travel becomes an Education access issue when there is no way to get a child to the school that they are enrolled in. Parents may seek to enrol their child in a school that meets their disability needs and not the local school they are eligible for based upon catchment boundaries. School Bus Services operate according to policy

guidelines that do not take into account the needs of the child or family for an enrolment at a preferred school. At times, 'out of policy' variations can be fought for but these arrangements can be precarious or time limited. Families in country areas face particular difficulties if they enrol their child somewhere other than a local school, where long distances can be involved.

A lack of skilled support or aides to travel on School Bus Services can be the deciding factor for the service refusing to allow a child to travel to school and therefore lead to a loss of educational opportunity.

There are families throughout the state who have to accept their child attending a non-preferred school due entirely to access to transport or School Bus Service policies.

- **The Public Transport Authority ensure services provided for children with disability are based on the functional assessment of individual needs and the most appropriate educational program.**

## 2.6 Social safety



*Social Safety is being comfortable in the school community to make friends, be part of things on the same terms as other students and develop a healthy identity and sense of self.*

Children with disability can experience being different from other children as negative and damaging. Anxiety can exist for children in two critical areas. Many children have Anxiety as the feature that makes them different from others and leads to behaviours that create obvious differences. Anxiety can also arise from being different and from the struggle to feel good about Self in the face of the judgements and attitudes of others. Both of these areas of stress for children require schools to be aware of the need to support children to feel socially safe at school so that they can develop their own identity that is positive and life affirming. This will require adjustments to the way the child is supported and Included in school.

- **Education authorities and providers renew efforts to clarify their position with clear public statements on inclusive education including social safety programs for students with disability.**

## 2.7 Learning



*The skills to learn (read, write and count) and the academic content that children are required to have presented to them are the essential elements of giving a child an Education*

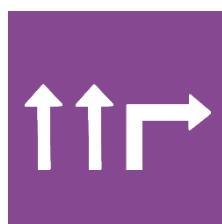
Children with disabilities need the path to learning to be smoothed by careful changes to the way they are taught so that their disabilities do not get in the way of them getting the education that they need for adult life. Children need to learn to read and write and count before they can use those skills to learn about the world.

It is said that we need to ‘learn to read before we can read to learn’ and becoming educated relies on these foundations. Parents with children with disabilities know that *internal* and *external* factors need to be in place first before learning can occur and these need to be supported by everyone around the child.

*Internal* factors relate to the child being anxiety-free and secure enough to learn and participate, including feeling socially and physically safe. *External* factors relate to the school environment being adapted to the child’s needs, including an inclusive school culture.

This advocacy project has revealed that Educators have a natural and committed focus on *Learning* in the context of meeting educational goals, alongside Parents who hold the *emotional safety* and well-being of their child as an absolutely priority. These are not incompatible objectives but can lead to tensions around the best ways to organise the educational experience of children in the context of schools. The project has demonstrated that there are times when Parents and Educators benefit from skilled liaison and mediation (advocacy) to support the negotiation of arrangements in schools for children with disabilities.

## 2.8 Mainstream or ‘special’ education



*Two streams of education settings exist, with the dominant, general education setting being regarded as ‘mainstream’ and an alternative for some children with disabilities termed as ‘special education’*

First and foremost, Parents will seek the best and safest setting for their child in school, balancing their current school experience with their hopes for their child’s future life. Most parents will hold mainstream education as a high order goal, as a Human Right for their child and based in the view that as citizens, their children are as entitled as any other child to have an Education service provided that meets their needs. In the best possible world (where their child’s needs are met) parents will recognise that it is best for children to be socialised in regular settings and therefore be enrolled in mainstream/general education programs.

However, parents may elect for segregated education for an array of reasons, generally related to the inability of mainstream settings to adjust teaching and other routines to their child's needs. Not all children with disability-related educational needs will be eligible for access to a non-mainstream setting, despite their parent's view that this may be the only setting within which their child can be safe and secure enough (socially and physically) to learn and gain an education.

An alternative way to view the two settings of mainstream and segregated education is to consider a continuum along which adjustments are made that are particular to that child's needs, regardless of where they are in the school system. An example may be a child with significant disability, who is non-verbal and attends regular classes with their age peers in a suburban high school. Adjustments need to be made to enable this child to learn, with both the child, school and parents participating in making this a success.

It may be that a different school setting struggles to make adjustments needed for a child with a different disability, in order to support them to learn and participate.

There may be factors relating to the school, the child or the parent/s that influence the ease with which a child can be supported to learn and participate at school.

- **Education authorities and providers explore further avenues to increase the level of flexibility in choice of schooling.**
- **Education authorities and providers continue to promote and adhere to the current universal / inclusive design brief for all new schools.**

## 2.9 Lawful absence from school



*Children with disabilities may be out of school during term time, for disability-related reasons. Sometimes these reasons may be due to the school environment being intolerable to them or a parent's decision to keep a child away from school or a school compelling the withdrawal of a child, either formally or through informal agreements*

It is generally accepted that children are entitled to 12 years of schooling (or 13 years for children with disability) from around 9am to 3pm each weekday during school terms. Parents are required by law to have their child attend school for these periods. Children can be absent from school, but this needs to be for good reason/s and is part of a routine school process, including where a child may be suspended.

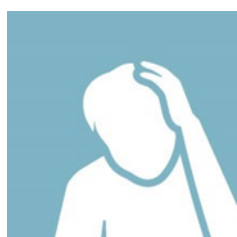
Absence from school for children with disability can become a complex and distressing reality for children and families and threaten a child's educational journey. In the first instance, parents may remove a child from a school and look for an enrolment in an alternative school, when it is clear that it is not possible to continue at a particular school. Where a family must commit to a particular school because there is no choice or it is necessary to do so, absences from school can be a



strategy used to find a balance between being at school and participating, or reducing stress for the child or demand on the school.

Negotiating a child's absence (or presence) at school can be extremely tricky for parents who are balancing family, work and other commitments as well as their legal obligations to their child and the concern for their child's individual needs. Starting a child later in the day or leaving earlier may work best for the child but needs to be accommodated in family routines. Some parents are forced to leave the work force to be available for their child or the school to respond to variations in their child's school attendance. Some parents are pressured to remove their children completely from school and to look for alternative enrolment or home schooling.

## 2.10 Understanding behaviour



*All human beings can behave in ways that seem outside regular norms when there is some discord between their needs and the environment around them. "Challenging behaviour" is a term that reflects the challenge to others from an individual's actions, reflecting a need to look at both the environment and the individual interactions*

The behaviour of children with disabilities in schools needs to be responded to through a contemporary understanding of 'behaviour as a means to communicate unmet needs' or as an expression of a child's inability to meet the expectations placed upon them at a given time. This profound paradigm shift away from 'naughty children' who need to be punished, is slowly being recognised in school communities. Currently schools operate along this continuum, from a deep understanding of human distress and anxiety as this is expressed through behaviour, and as such operate with compassionate and intelligent policies from leadership to classroom; to repressive and punitive practices, with seclusion and restraint rooms still in operation in some WA schools.

Between these extremes there are many experiences faced by children and parents in response to children's behaviours. Poor planning, poor communication between home and school or poor engagement with therapists and other specialists, can lead to escalation of distress and loss of faith between family and school. There can be explicit or implied pressure for parents to remove their child from a school based in the general terms of, 'This may not be the right school for your child'. Parents experience such statements as an outright declaration that their child is not wanted and that the school has no commitment to providing an Education service to their child. This wide range of response to the behaviours of children with disabilities in school settings exists across all school types, including Catholic, Independent and State schools.

At a classroom level, a simple behaviour of a child who makes small vocal noises can be challenging to other students or the teacher. In a playground, a teenager who seeks to hug other students without consent can be difficult for others to deal with. The response to these sorts of behaviours will be the measure of the maturity and depth of a school community's appreciation of the child at the centre of these

situations. A compassionate and responsive school leadership will react in a measured way, seeking early involvement of family and supporting others in the school community to recognise the reality that Inclusion demands tolerance of difference at all levels of engagement within the school community.

- **Education authorities and providers ensure the provision of continuing professional development for teachers and education assistants that addresses/deepens understanding of behaviour and approaches that support inclusion, functional behavior assessment, engagement and collaborative proactive solutions with the child.**

## 2.11 Skilled and responsive workforce



*Contemporary skills and knowledge about responding to children with Disability are critical to supporting children to be included and to learn. Parents learn about their child's disability related needs and reasonably expect Educators to be informed and skilled as well.*

Schools have multi-layered workforces, with staff trained at different times along the historical developmental of Educational theory and practice. Some historical ideas and practices, as well as policies and rules, are outdated in respect to responding to the needs of children with disabilities. Parents will generally seek the latest and best information about their child's disability and their needs and will want to have their school respect this knowledge and seek to use it. Schools have a duty to respond to the information brought to them by parents, relating to the current knowledge and best practice for supporting a child's needs. Equally, schools need to maintain the professional development of their staff so that there are high levels of knowledge and consistency in the application of disability awareness.

The most critical area of shift in thinking in schools, communities and families is in respect to behaviours that arise from disability as opposed to outdated notions of naughtiness or non-compliance. Where teachers and schools are open to new ideas and ways of working, especially in collaboration with parents, the best outcomes can be achieved for students with disabilities.

- **Education authorities and providers (working in partnership with higher education institutions) renew efforts to provide compulsory pre-service training for teachers and continuing professional development on effective teaching and learning approaches for students with disability.**



## 2.12 Medical needs



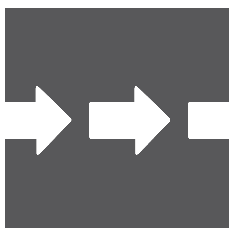
*Some children require clinical or health monitoring, care or management during their school day, in order to stay alive and well.*

Medical needs of some children with disabilities in schools can have life and death implications and add another layer of complexity to parents' efforts to keep their children safe when the child is in the trust and care of their school. Children can have complex medical conditions that have disabling effects that are viewed as Medical or Health conditions, such as cancer, degenerative neurological conditions or epilepsy. Some children with disabilities have a medical dimension to their disability such as the need to administer medications, suctioning or to be fed through a device.

Nursing expertise is also needed directly or indirectly through aides, for positioning, hydration, pain management, ensuring circulation and prevention of pressure injuries.

Only Special Education schools have nurses fulltime on site. If there is no nurse available at a mainstream school, this rules out a child with health care needs attending a regular education setting. A family may be fully committed to an inclusive education for their child, but be compelled to have them attend segregated schooling, for the sake of sustaining their life.

## 2.13 Transitions



*Transition is the term used to describe the process of moving from one place or activity to another place or activity. For children with neurological differences in respect to information or sensory processing or high levels of anxiety, adjusting to change or changing place or activity can require very specific routines to be observed.*

It can be generally understood in school settings and by educators, that some children experience acute anxiety relating to changes (transitions) and can only participate if these anxieties can be accommodated. Education Plans are the place that these particular transition needs can be described and agreed between parents and the school. Where parents know what the school day will look like for their child and the ways that the school has agreed to work with their child, time can be spent at home preparing the child to know what to expect. When planning is done but not followed, or communication between home and school is not effective, parent involvement in supporting children to tolerate the constant changing processes at school can be disrupted.

Transitions can be micro activity shifts within a classroom, physical moves between classrooms or life-stage shifts from year to year and within the school community. Poor support for children in transitions can put their entire educational journey at risk because the child's reaction can be to lose control of their emotional state and suffer social shame before their peers. It is this emotional and social dimension of transitions that causes the greatest worry for parents and children because of the harm to identity development and the trauma that can be caused by the reaction of others to anxiety behaviours.

## 2.14 Parent choice (sovereignty)



*Parents seek to be in charge of the steps along the path of a child's schooling, including; where they are enrolled, the best teacher or class composition, whether/when the child repeats a year and inclusion or exclusion from certain activities*

Parents and children are the recipients of Education services provided under State laws. Education services are rarely framed in terms of a contract between two parties where the powers of each party to dictate the terms of a service are made explicit. School services operate largely by negotiated consent between a family (citizens) and a school (a state agency) with compromises and adaptations along the way. When a parent seeks a particular outcome, such as their child repeating a school year, the powers of both parties can come into clear conflict.

Educators and school leadership may have a position on a child repeating a school year that can be argued in Educational and Child Development terms. Parents may argue their own child's unique needs, including their social development, diagnosis profile, or capacity to cope. The final word in most of these negotiations will be with the school with parents required to submit to the will of the school or Education Department decision-maker.

- **That future amendments to the Education Act review the appropriate balance between a principal's sole discretion on matters of enrolment and class placement and other equally valid constructs and viewpoints and provide access to independent review.**
- **Education authorities and providers improve the transparency of decision making by developing appeal processes specific to students with disability.**

## 2.15 Advocacy



*Advocacy is the involvement of a supportive third party for parents or carers in their negotiations with school for their child's education, with advocacy provided in person or by other means of communication*

Parents of children with disabilities or other types of difference will be required to engage with Educators, including teachers, school leadership teams and other support staff on a continual basis. This negotiation is a constant part of the child's school journey and some parents describe this as 'forever going into battle' for their child. At times, these engagements can become difficult or conflictual or simply a bit overwhelming. School meetings can be stressful for parents who can be alone in a meeting with numerous school staff, required to deal with both the content of the meeting (the agenda) and the process (how the meeting runs).

An advocate with an understanding of both Disability issues and School systems can provide an independent third-party presence that is supportive to parents and able to provide some mediation of different perspectives. Advocacy provides a mechanism for reducing the stress of meetings, finding mutually agreeable outcomes and avoiding the escalation of issues to complaint processes or Ministerial appeals.

Advocacy is not *representation* (seeking for or under instruction) but support, liaison, mediation, witness and attending. Advocacy based in a solid rapport with a parent can allow for robust testing of ideas and clarification of issues. Advocacy based in compassion and fairness can support discussions and agreements that balance varied interests. Advocacy provided across an entire Education service system can identify system issues that can be responded to in an organised way.

- **The education authorities and providers consider the importance of and review levels of support for professional advocacy services as part of a renewed alliance with parents of students with disability.**

## Section 3: Analysis of 95 advocacy consultations

During 2019, 95 advocacy consultations were conducted through this project. In addition to advocacy sessions, the project also provided a central point for the collection of data from Disability Coalition members, families, students and educators on advocacy in education settings.

Data was collected based on a 'thematic grouping' of issues identified through Education advocacy prior to the commencement of the project, allowing for the recording of issues raised within each advocacy matter to be identified by the advocate.

The data form is attached at Appendix 1.

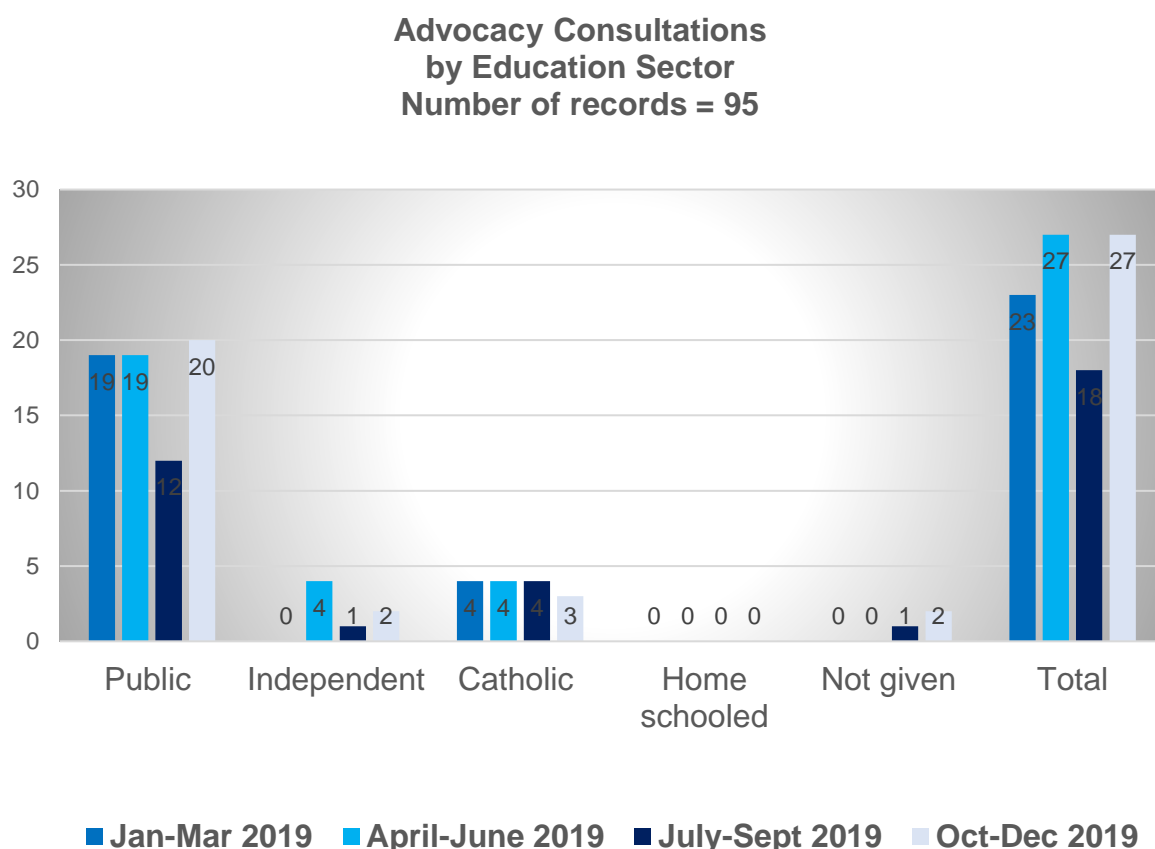
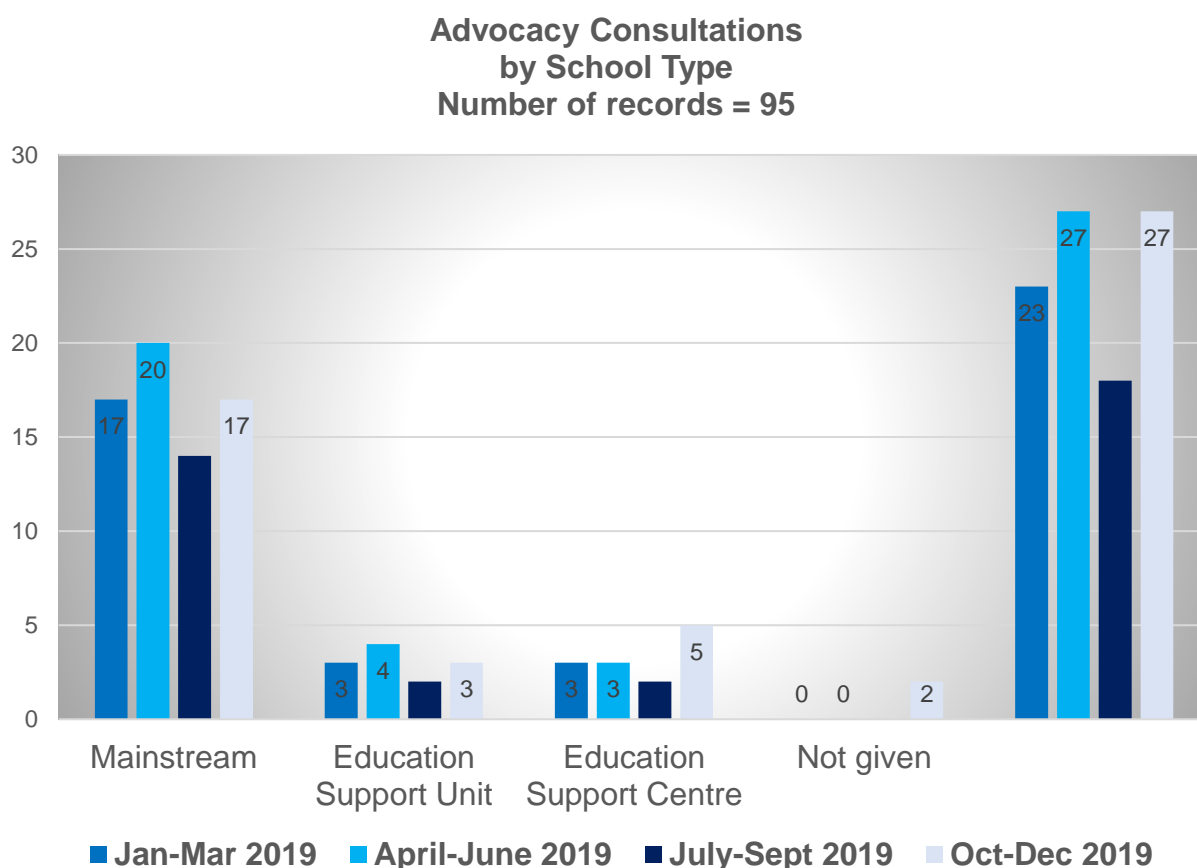


Figure 1:



*Figure 2:*

It is clear from the data that the role of advocacy in the educational context has a place in every school and every classroom. Of parents requesting advocacy assistance, 73% reported their child was enrolled in a public school, 12% in catholic education and 7% in an independent school. (Figure 1).

In terms of school programs reported, 71% of children with disability were enrolled in mainstream classrooms, 13% enrolled in an education support centre or school and a further 12 % enrolled in an education support unit or equivalent setting (Figure 2). Requests for advocacy assistance broadly reflect that most students with disability attend their local primary and secondary school and that advocacy support is best provided at a systemic level irrespective of sector or school setting.

Periods reported correspond to each school term. Requests for advocacy assistance follow a uniform pattern throughout the year with slightly fewer requests during Term 3 of the school year. During the project, the majority of requests for advocacy assistance were from parents located in the Perth metropolitan area (92%) the remainder in country or regional locations. (Figure 3)

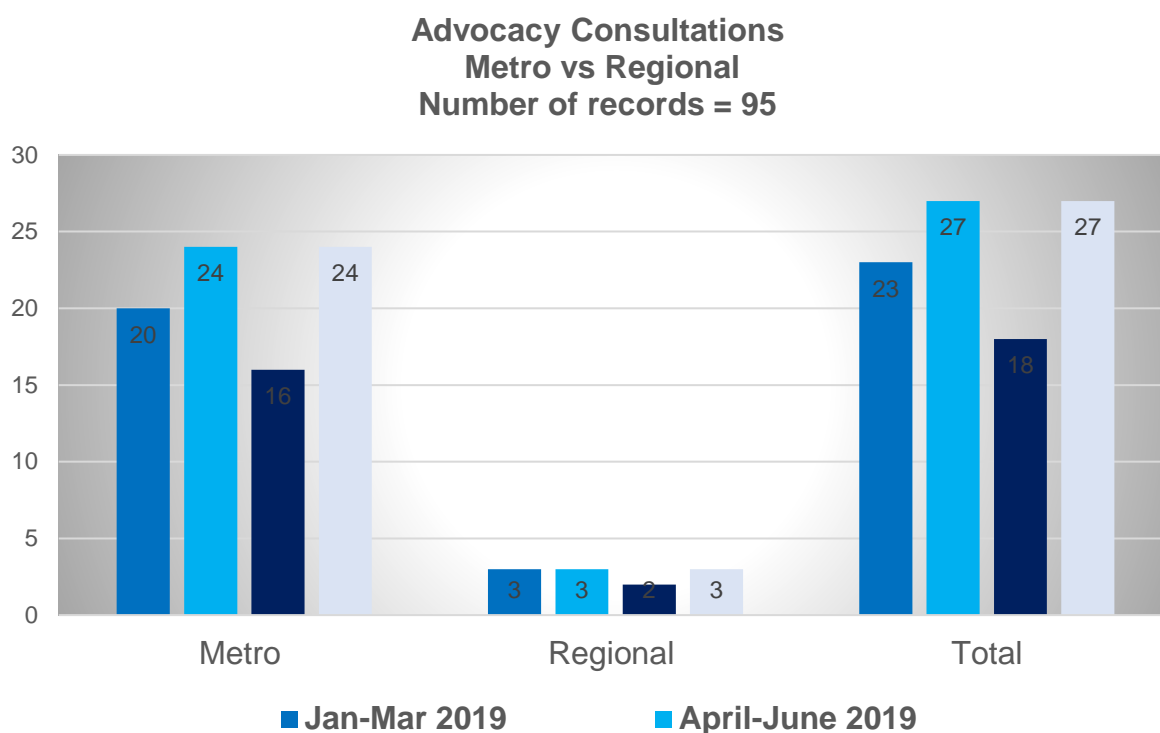


Figure 3:

## Issues identified during consultation

As a component of the data reporting process during advocacy support, the main issue or issues presented were identified. In terms of requests for advocacy assistance, a single presenting issue was identified, however typically a cluster of issues were raised on first presentation. Figure 4 presents a summary of issues raised during advocacy support for the entire reporting period.

### Cluster 1 – How schools communicate with parents

Of the 95 cases reported over two thirds (68%) of requests for advocacy assistance fell in a cluster of issues relating to; home and school communication, behaviour, adjustments to daily routine, support at school meetings, issues relating to education assistants at school and social safety.

The single most important issue raised by parents requesting advocacy assistance is 'communication between school and home'. Better termed miscommunication, many instances are related to daily activities including behaviour, changes to classroom routines and issues relating to poor transition planning. Key examples include a lack of consultation and communication around the development of individualised plans or access to additional resources.

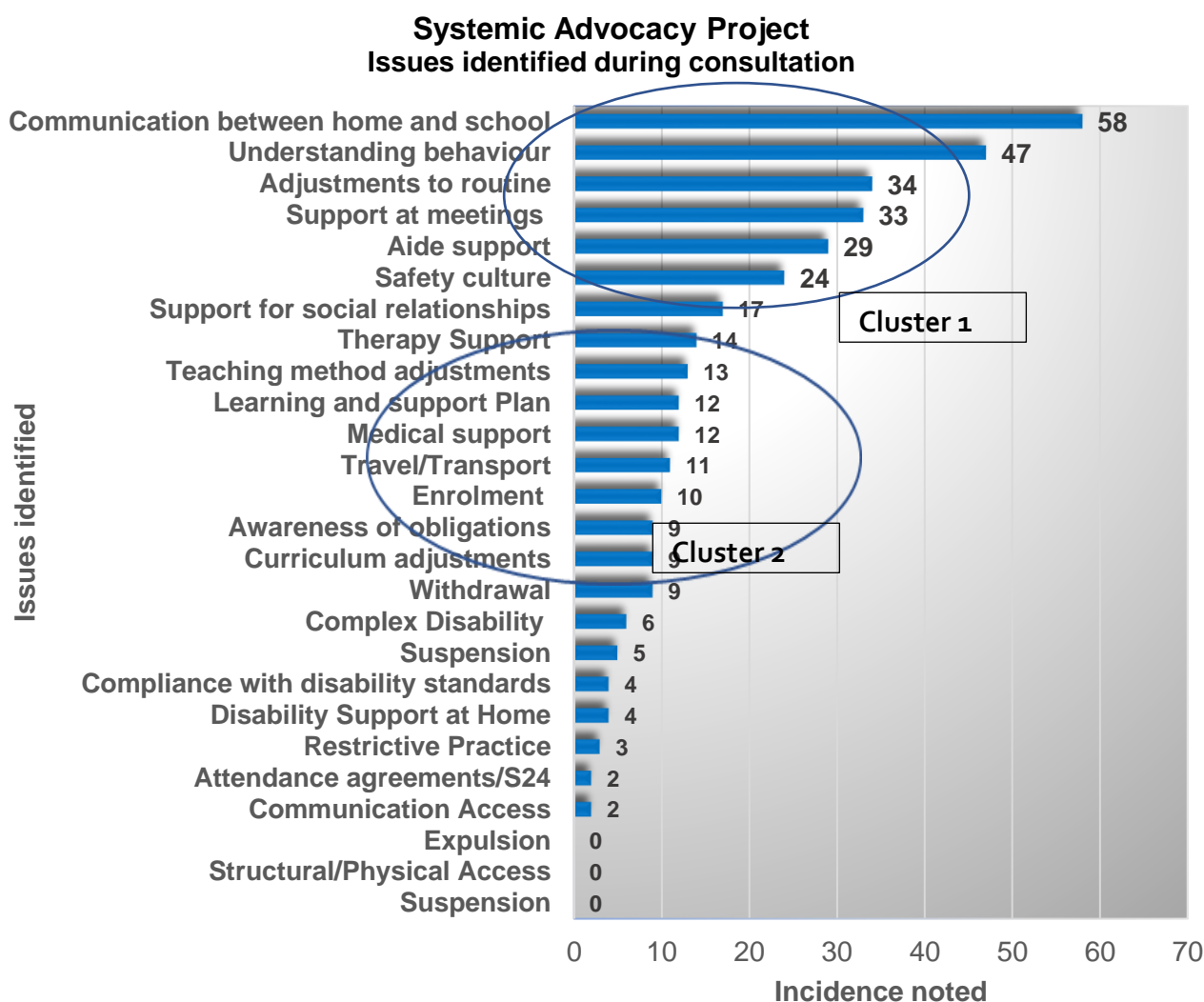


Figure 4:

In some cases, issues arise where had information been provided earlier from the school, expectations from parents would have been better managed. Some cases stem from the fact that simply not enough clear accessible information is provided from school to parents. Some parents reported feeling isolated when they are experiencing our education system. Information can be difficult to find, and some parents are unsure of where to start or where to seek advice. Often the local school will have the answers, but not every parent feels comfortable or confident approaching a school. Improving the information and advice available online for parents will enable them to understand what they can expect and find the support they need. Examples include information on enrolling their child in school and accessing additional support for their child.

## **Cluster 2 – What schools do in practice**

The second group of issues identified reflect parent concerns about what happens at school and the quality of the educational experience. Issues raised are typically concerning the lack of consultation in the development of personalised support or individual education plans and the types of adjustments made on behalf of their child while at school. For students with complex needs this may relate to the arrangements in place to manage medical needs and support. Parents only wish is that the child's safety is assured, or well-being and relationship issues are being addressed.

The issue of enrolment requires particular attention. Lack of clear information for parents on enrolment choices and their rights on enrolment is particularly evident. Parents continue to confront less than enthusiastic responses to enrolment where the student has a disability. Despite being a clear breach of the Disability Discrimination and the Education Standards, parents attending our schools, continue to report that they have to address suggestions at enrolment that the child will be better educated 'elsewhere'.

Responses from both schools and parents surveyed, highlight the need for clear information about what additional supports schools can access. This extends to clearer information about what external funding support is available and how this can be readily accessed.

### **Improving the family experience**

The overwhelming message uncovered through the project is the need to improve the experience for many families and children with disability in our school system. The families of children with disability are often faced with pressures that are not necessarily front of mind in schools. Parents are often navigating complex arrangements in many cases for the first time and are unfamiliar with processes and procedures that are well known to educators. The project identified the need for schools to act on concerns or complaints more quickly and engage parents earlier in consultation and if required, negotiation.

### **Increasing the level of family school engagement**

Many families are spending considerable time and effort monitoring and seeking basic entitlements from the school system. The project highlights that many requests for advocacy support stem from frustration with the overall lack of information available on how schools operate or are expected to operate. The inference drawn from the numerous examples is that there is little clear direction to schools on what effective inclusive practice or educational leadership in the education for students with disability looks like.

There needs to be more public examples of good practice and promote uplifting stories that demonstrate the best possible outcomes that are currently being achieved across different settings in our school systems.



## Section 4: Systemic Education Advocacy Surveys

Two independent surveys were conducted as a key component of the Systemic Education Advocacy project. Forty-nine (49) parents/carers responded to an initial survey **Negotiating for your child's education survey**. Over 121 schools (school personnel) responded to the **Educators working with parents survey** during August 2019, covering similar content.

### 1. Negotiating for your child's education survey

Parents were approached to complete a short survey on times *they felt they needed extra support* when interacting with schools on behalf of their child. The survey comprised of 11 short questions. 49 parents /carers responded to the survey, representing an 80% completion rate. The following introduction to the survey was provided.

Parents of children with disability need to attend meetings at school to negotiate for their children's needs. This survey asks about the times when parents feel a need for extra back-up/support/help in meetings with schools and how you have approached this. There are 11 questions and this information will be used to inform the Ministers for Disability and Education about parents' experiences in negotiating with schools as well as some of the school issues faced by parents and families. This survey is completely anonymous so please feel free to share your thoughts freely.

The survey analysis was completed independent of the conduct of the survey itself. Full surveys are presented in the Appendix 2.1.

### 2. Educators working with parents 'survey

121 schools responded to this survey, 92.5% of which were public schools. Non-Government schools in general appear to be underrepresented in the survey. 112 public schools, represents over 10% of all public schools, so results can be considered broadly indicative of responses from this sector. 27 schools indicated they were education support schools, centres or units.

The following introduction to the survey was provided.

Educators need to meet with Parents of children with disability to discuss and settle matters relating to a student's particular needs. This survey asks Educators about their observations on meetings when parents come with another person to provide support.

The survey analysis was completed independent of the conduct of the survey itself. Full surveys are presented in the Appendix 2.2.

## Analysis

### 1. Negotiating for your child's education survey

This survey asked several questions to ascertain the circumstances surrounding meetings between parents and schools in relation to their child's education. Questions aimed to find out whether parents felt they required additional support, who they drew on for that support and the response from schools when advocacy was provided.

In the vast majority of cases parents attend meetings at school without support from others (92% of the time). Only occasionally did parents enlist the support provided through a therapist or advocate (on less than 10% of occasions). This is a positive result indicating ongoing productive relationships prevail during most meetings. The survey points however, to several instances where relationships and outcomes are not as good as they could be.

On over 72% of occasions parents indicated that they would like a support person to attend meeting at school with them, however indicated that they either did not know who to take, or were not aware they could attend with a support person /advocate.

Parents responding to this survey reported that on over 25% of occasions schools refused permission for the attendance of a support person (8.3%) or discouraged attendance (18.3%).

Of participants in meetings at schools the majority attending as support were other family members or partners (61%) and therapists or allied health (49%). Parents listed advocates of those attending meetings at school as 13.3% of occasions.

Of parents attending meetings with an advocate the majority (63.2%) indicated that outcomes were invariably better because they had a support person in attendance at the school meeting. This is a helpful result as it points to the level of support from parents should additional support services be available.

When asked the question '*Would you see a benefit in an Education Advocacy Service for families in WA?*' 85% of parents surveyed indicated they would support such a proposal.

Parents who accessed the service during the 12-month trial period indicated that the service was both beneficial as a personal support during liaison with schools and led to improved outcomes overall. Excerpts from responses are provided below.



*As a single mum sometimes I feel overwhelmed to ask for anything even an IEP....I let it go and problems arise, having another person who can talk alongside with me would be great tool for empowerment....I often need the kick or some push to ask for help. I'm shy and don't want to sound pushy even for asking for my son's rights in education...thanks for supporting parents like myself.*

survey  
comment

*There is a severe imbalance of power in favour of schools when negotiating and keeping supports. Teachers and schools need to understand that they are not experts in child development and accept that they may need to update and up-skill in order to do their job well. Parents could definitely benefit from an advocacy service that is on the side of the family and helps to fight the fight (because for many of us, it is a constant fight).*

survey  
comment

*When first going through the diagnosis stage for my son I felt very pressured by the school, I felt I couldn't say no or wait until I'd processed things myself. They seemed very keen to get a label as they would get extra funding, I wished I had someone there for me who knew the process and could support me through it, I felt very vulnerable when it was just me with 3 school staff in all the meetings. My husband couldn't attend as he works. Having someone independent of the school and on my side would've been great.*

survey  
comment

*I would definitely use an education advocacy service because I always feel I don't know what I don't know and therefore don't know all the questions to ask. I sometimes feel intimidated by the school staff. I don't always know what's possible at school and I won't know if I've asked something onerous or staff just don't want to help. Someone who has experience with many IEP meetings and schools would be invaluable as they would have questions they could ask and contribute to the meeting in a unique way because of their experience. Meeting with the advocate before the school meeting would be great to give background info and set some meeting goals.*

survey  
comment

*It can be really difficult to sit there and tell staff that things aren't working, and changes need to be made. Especially when they don't listen. Or when you go in and they use your own mental health issues against you. Parents need so much more help to advocate for their children than is currently available. So many of us have just given up trying in the schools, because it is fighting a losing battle and so we just stop trying to make them listen and our kids are suffering. Changes need to be made, or more and more disabled children will be home schooled. Simply because that way we know our children's needs will be met without being challenged at every turn.*

survey  
comment

*The school brings in who they want for meetings (Education Department psychologists, Regional Office people) but never have I known I could bring in someone to advocate for us. If this exists?*

## 2. Educators working with parents' survey

Key school personnel (invariably school principals or administrators) responded to a similar set of questions to that provided to parents, albeit tailored to their role.

Schools in general accept that meetings are now an integral part the planning of teaching and learning programs for students with disability. The survey reveals that in many cases schools struggle to work out in which capacity many visitors attend meeting with parents, whether as allied health professionals, professional advocates or lay persons acting in a support role.

The survey indicates that external attendees at meetings are drawn from the following groups: Service Providers (63%) and other Allied Health or Therapy Professionals (55%), Professional Disability Advocates (27%) and Professional Education Advocates (8%).

Of the 121 schools responding to the survey 44% said that they made it clear that parents could bring a support person to the meeting (this includes allied health professionals).

52% of schools report that when parents choose to bring support persons or advocates to meetings, the 'process is improved'. On 28% of occurrences having a support person present either has 'no impact' or in fact 'reduces the quality of the process'. This reinforces the finding that professional and consistent advocacy provided on behalf of both the school and the parents' perspective is important. Poor experiences by schools of advocacy remains a justifiable and significant concern.

The development of 'endorsed and 'approved' services (ie: supported by government agencies) would work to address inconsistencies in the standard of the support parents and schools are experiencing.

Schools welcomed support provided by an education-focussed advocacy service, however this support was conditional on what type of service was envisaged and the objectivity of the advocacy provided.

While the role of support people or advocates is generally encouraged (Disability Standards for Education), schools remain wary of the role. In many cases in the past, parents have been poorly represented by occasional and variable support, highlighting the need for a professional service with a balanced and solution focussed approach.

Schools were more likely to express confidence in an advocacy service if some professional expertise (a knowledge and understanding of how schools work and a balanced view of their capacity and capability to provide reasonable adjustments) is apparent.



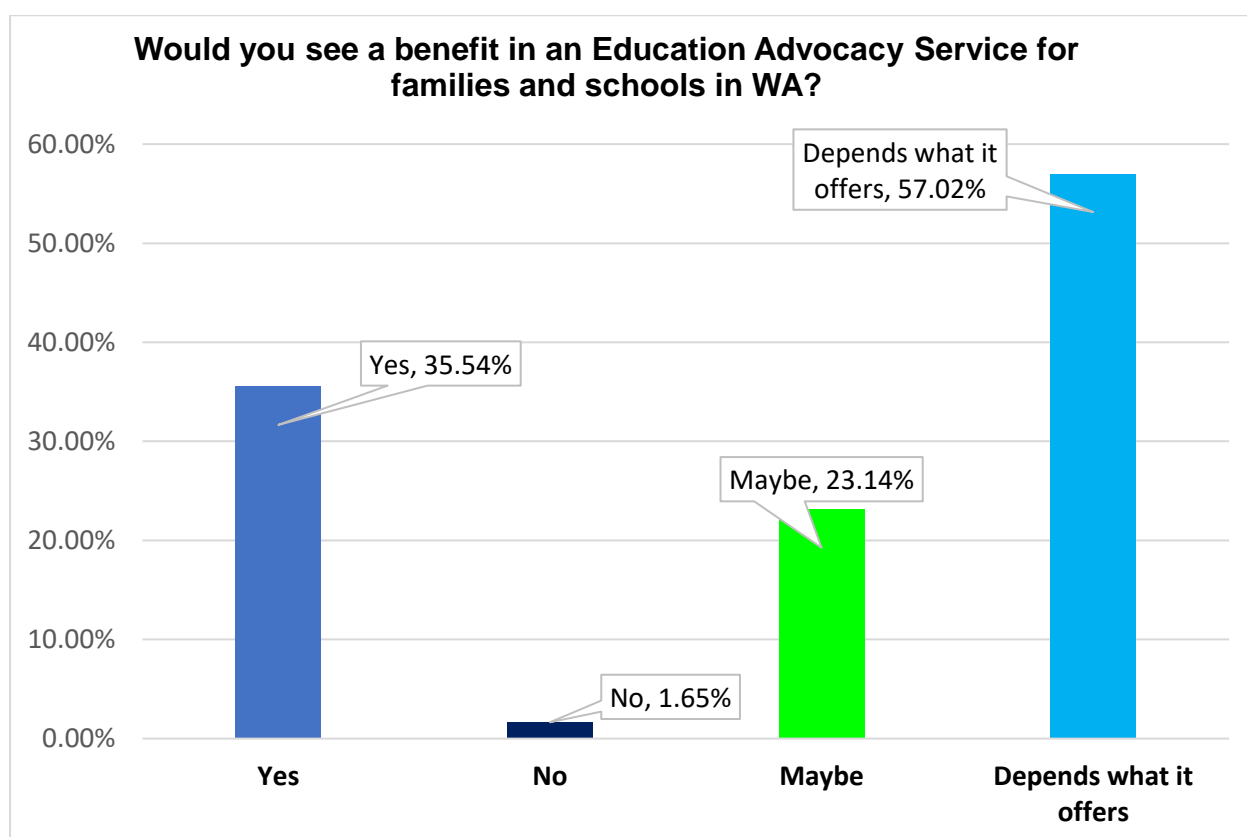
*Sometimes schools need to hear if they are not meeting their obligations under the Disability Act. These advocates can cut through a lot of school resistance quickly!*



*The impact varies in correlation with the understanding of the advocate/support person with what is possible within Department of Education guidelines.*



*Depends upon the experience of the advocate / professional educator and realistic expectations on what services and support a school can provide in an educational program for each child.*



*Most times everyone is focussed on the needs of the child. Some advocates come with agendas, which may not support the school or the parent.*



*Sometimes the advocate creates expectations of what the child is 'entitled' to and it is often beyond the means of the teacher or the school to provide. This creates a mis-match between the school and the parent as the advocate sees their role as getting as much for the*

*child as they can (to justify their role) and shows a dis-regard, or a lack of understanding, about the teacher's or the school's capacity to meet those demands along with all the others they have.*

survey  
comment

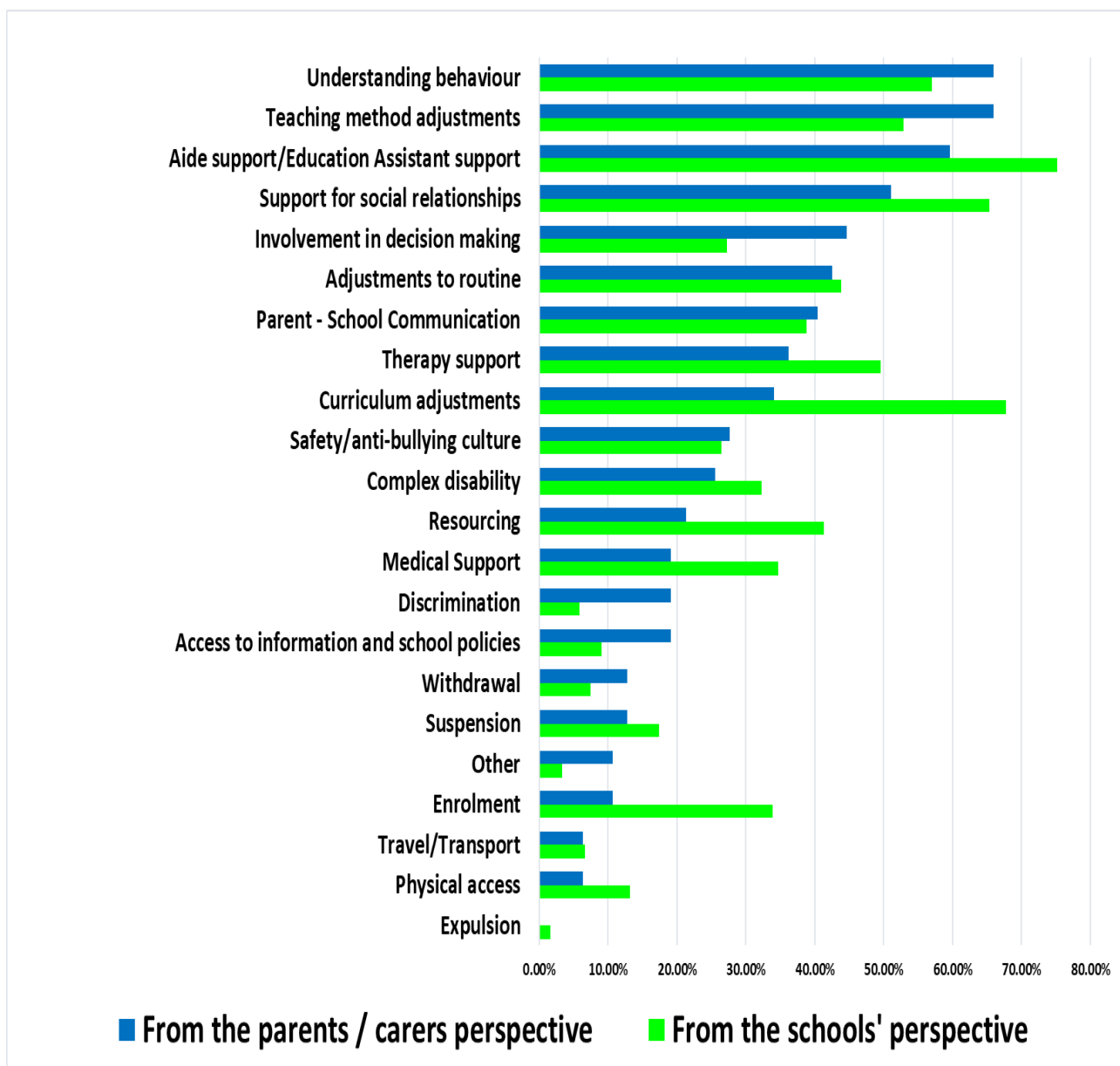
*I think the Support Person often sets up a 'them and us' perception which should never be the case. I do not think they are helpful in most instances and have had experience where they did not have any skills to perform the role of 'support'. In fact, they often assume there's already an outcome been decided beforehand - quite destructive in some instances.*

survey  
comment

*It becomes very difficult when at times the 2 parents refuse to be in the same room as one another and we are expected to hold 2 separate meetings. When a parent brings an advocate this can sometimes cause some issues, depending on what the advocate sees as their role.*

## **‘What are the common issues to both surveys?’**

When both (49) parents /carers and (121) schools were asked to respond to the question “what are the common issues that you were dealing with that led to your wish or need to have support for a school meeting?” both groups produced very similar results (or weightings) emphasising a high degree of agreement on the common issues to be addressed. A table of issues and the extent to which each group rated them (tabulated based on parent priority order) is included below.



Parents were more likely to focus on issues of discrimination, access to information of school policies and sought more involvement in decision making at the school level.

Schools, not surprisingly, focussed on the curriculum adjustments they provide, access to resources, the degree to which medical support would be available at school (particularly in relation to students with complex needs) and the enrolment process(primarily acceptance of enrolment) and all the responsibilities that entails.

In general, the results indicate that there is strong agreement between the two parties across a surprising broad range of areas. Data derived from the two surveys back up data gathered during the advocacy sessions themselves (Section 3 of this report) on key focus areas seen as priorities for both parents and schools.

## **So, what is it about the parent/school interface that causes so much angst?**

There is a natural and growing assumption by schools that parents of students with disability present more problematically than parents of students without disability. Some parents clearly consider that schools can do better.

While there were clear differences of viewpoint and opinion evident in the responses, the survey data shows a larger number of participants indicated a positive view of the interaction with schools and vice versa, than did not (provided a minimum level of communication was established).

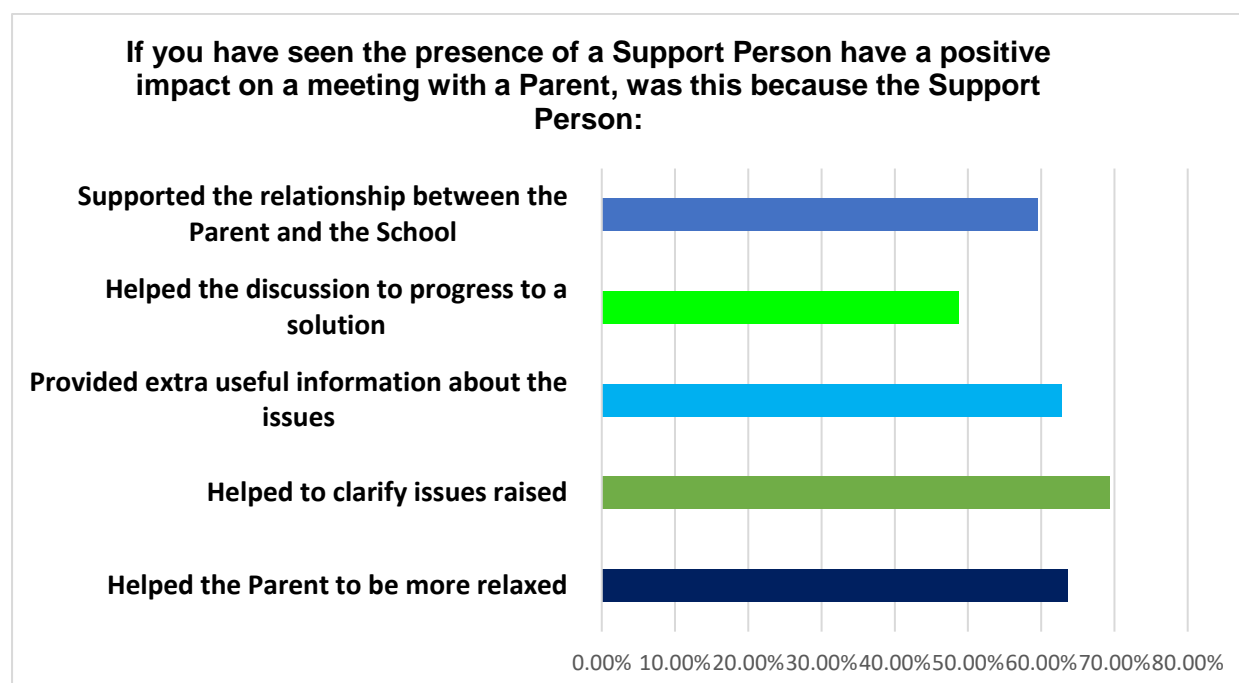
One interpretation is that schools and parents are closer together in the identification of what is important, than is commonly believed. It is apparent that many issues relate to the lack of information about what happens in schools and how it is supposed to happen. More information more often about what is happening in schools would seem to be a good basis for clearing up several misconceptions. This lack of transparency appears to be at both a systems level and within particular school communities. Clearer positions on what is to be expected and how programs will operate, would reduce the need for additional services in general. Programs that encourage positive relationships and a renewed alliance between schools and parents of children with disability would also be helpful.

The important role of advocacy was highlighted in cases where disagreements arose. A reconsideration of the importance of and review of the levels of support for a professional independent education advocacy service is suggested by these results.



## The characteristics contributing to successful advocacy

In the second survey, school personnel were asked to consider the characteristics of successful advocacy and provide comments relative to their context.



Positive support in my experience has helped calm a nervous parent, served as a voice for the parent and ensured all aspects to be discussed are addressed.



Some support persons have been most helpful when they feel less intimidated by the parent and do not adopt a school is wrong/the enemy stance without hearing a balanced rationale explanation. objectivity with an emotive parent is the key to success for all parties.



Some support people have made it clear to parents that there is a partnership between home and school. Sometimes parents are looking for schools to provide all of the answers and support but the support person can help them see that they as the parent also have to put in some processes.



It can have a positive impact, provided the support person is not there to talk for the parent, and the role of the support person is very clearly defined and understood by all parties.



Well balanced view of issues surrounding what is best for student.

Both surveys highlight the confusion in school communities about advocacy and what can be expected from professional services of this type.

Responses to the two surveys conducted indicate that many school personnel incorrectly interpret service providers and local coordination as providing an advocacy role. This misperception may colour the professional role service providers should play in schools. Support people accompanying parents are in some cases considered to be professional advocates. The fact remains that there are very few professional advocacy services in Western Australia, particularly in the education /disability area. It is unfortunate that government agencies are not currently endorsing, funding and monitoring the performance of advocates working with parents in the education area. This project trial offers an alternative.

One perception that persists in schools is that parents pay for advocacy. In some rare cases, they do, however this distinction particularly during the trial is not clear to schools. Where a fiduciary arrangement exists, schools are concerned that advocacy is influenced by commercial bias, that parents are not getting value or that the process is unduly influenced by issues not related to the issues at hand. Schools invariably reported they felt that many support persons pushed particular 'agendas' that were not always conducive to the good conduct of meeting or the final outcome. An alternative view would be that, in some cases, schools do not respond well to having contemporary standards highlighted. This mainly suggests however, to advocacy endorsed and supported by the system, where participants can be assured of objective and balanced resolution of issues for parents (and schools).

## Section 5: Project Case Studies

### Case Studies

An independent journalist was contracted to provide case summaries of advocacy situations that involved meetings at schools with an advocate present.

Consent to participate was obtained from Parents and Educators to be interviewed by phone for these case studies.

## DDWA School Advocacy Case Study: Parent/Educator 1

### Interviewees:

Mother of the student

Deputy principal at the student's school

### Background:

When diagnosed with autism towards the end of 2018, a decision was made to move this student into a more academically challenging level of classes within the public high school that he attended.

It was thought that being with more studious peers would “inspire him” to engage better in classes.

By his second term of Year Eight, in 2019, concerns about the students' attentiveness had been raised and the students' mother and father attended a meeting with school staff three weeks prior to the completion of the term.

At the meeting the school representatives expressed their concern that the student was withdrawing himself through the over dependence of a book he uses as a 'self-regulation tool' for anxiety and also raised concerns that the student often left classes and spent entire school periods at 'student services' in a separate part of the school.

A three week period (the remainder of the term) was given for the student to improve engagement at school, with a request that he stay in classes more often and communicate with staff and students as part of his classes, otherwise he would be moved to a lower class level within his age group.

Numbers in the higher academic classes, known as 'mirror classes' are capped, so when a student is moved in to, or, out of these classes, they take the place of another student or make way for another student to be given the opportunity.

During the last week of Term Two the student's parents were informed that their son would be moved into a lower level of classes at the beginning of Term Three.

The student's parents believed the amount of time their son was given to show improvements in his behaviour was “unfair” and they requested another meeting with the school at the start of Term Three to discuss the matter.

### Advocacy:

The student's parents engaged the services of a specialist advocate through Developmental Disability WA to assist in discussions with their son's school about the matter.

His mother was directed to DDWA via Peer to Peer Networks WA.

She said she had not been aware an advocacy service such as DDWA had existed before this.

The student's mother said by the time she contacted the organisation she felt “against a wall, I didn't know what else to do.”

**Parent/guardian's experience:**

The student's mother initially spoke with DDWA's specialist advocate in a telephone conversation about the situation before forwarding email communications she'd had with the school about the matter, so the advocate could understand the situation before attending the meeting between the parents and the school.

The mother informed the school that she and her husband would be bringing an advocate to the meeting.

The student's mother said she felt the school staff present at the meeting were accepting of having the advocate there.

From the parents' perspective, "It definitely made a difference to how the meeting went because it wasn't just my husband and I going in. I think they realised I was that desperate that I was willing to outsource for help, it maybe made them take a second thought and to realise that it isn't just me. That I'm not barking up a tree to get attention."

She said having an advocate present removed some of the emotion from the discussion and also any misperception of emotions and it brought a level of professionalism and expert knowledge.

"It was good for me to go in with someone else and to have someone else advocate for my son, so it's not just mum that says 'you know, my poor child' he needs special treatment.

"The advocate could put into words what I was trying to bring across, that was really good," she said.

"When I got a little upset at one point she [the advocate] asked me if I was comfortable with her stepping in to the conversation on my behalf from that point, which I was.

"It was great that she was calm and talked to them about why he [our son] was doing what he was doing and that maybe it was the perception of the teacher that doesn't understand, it was great that she had that insight into autism."

The students' mother said having an independent advocate provided a sense of impartiality that was greatly needed in such situations.

"Sometimes you start to feel guilty because you are campaigning for your own child, then it takes someone like an advocate to come in and you realise, no I am actually right, this is what I have to do because no one else is going to do it for him."

She said she would recommend other parents to make the most of the advocacy service and would be seeking further support through the advocate at the next meeting that is scheduled with the school.

**School's experience:**

The Deputy Principal recalls being given about 24 hours notice that an advocate would be present at the meeting.

She said while staff would not prepare for such a meeting any differently knowing that an advocate would be present, the knowledge that an advocate was being involved made her "question if I'd missed something or done something wrong."

"I did go through my own little checklist and came to a conclusion that we had done the best that we possibly can, that there had been no malice in any of our actions."

In more than three decades working for the education department this was only the second advocate she had dealt with and the first advocate working in the field of developmental disability.

She admitted her previous experience with an advocate had been very negative. While she does not believe the presence of the DDWA advocate in this situation changed the outcome of the meeting she could see some benefits for the parents in having the advocate present.

She said specifically in this situation where the parents were “very new to a late diagnosis” having an advocate likely provided them with “greater clarity” in regard to what was being discussed and why.

She said the advocate provided objectivity to the discussion which was “very helpful”.

The Deputy Principal said she felt this reinforced the decisions and actions of the school in this situation.

Knowing that emotions can be part of these meetings, she agreed that advocates could be of assistance in such meetings and negotiations.

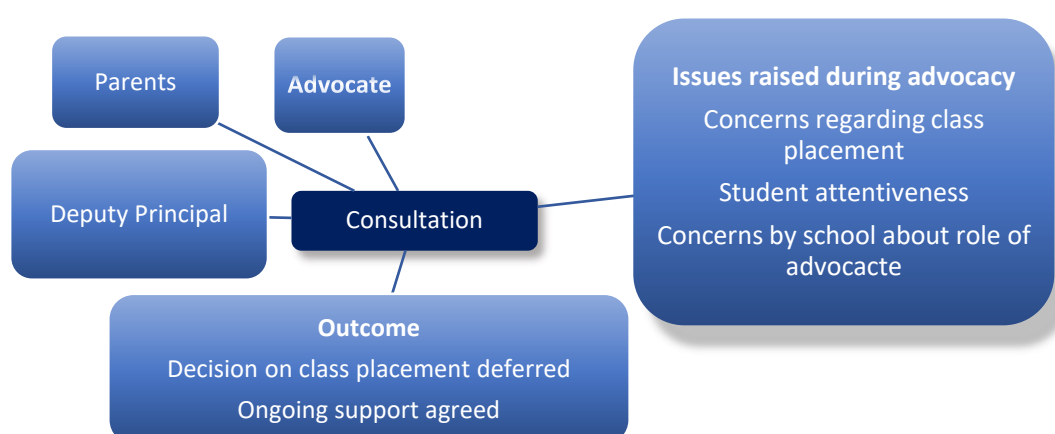
She also suggested “professional learning opportunities” to introduce the idea of advocates to staff working within the education sector to create awareness of the role advocates play.

### **Outcome:**

The outcome of the meeting with a DDWA advocate present was that the school would give the student a further three months to improve his attentiveness in classes beyond the three weeks he had initially been given.

The student’s parents were also given clarification that their requests for adjustments to the way their son be taught were not feasible within the school.

The student’s mother said she and her husband would be requesting further assistance from the advocate at the next meeting scheduled with the school.



## DDWA School Advocacy Case Study: Parent/Educator 2

### Interviewees:

Mother of the student

Department of Education representative

### Background:

Until this year, when this student started Year 5, he had not had any significant issues at school.

The first sign his parents noticed that something was bothering their son, who has Down syndrome, was a change in his attitude towards school; at times he did not want to go.

His parents said they were approached by another parent who raised concerns their own child had voiced about the teacher's treatment of the student.

After talking to others in the school community and observing more of the teacher's interactions with their son, the boy's parents became concerned that the teacher was treating their son unfairly and not taking his disability into consideration.

"She doesn't give allowance for a child with a disability, she doesn't understand how to deal with him," the boy's mother said.

One example she gave was the teacher's response to the student holding the hand of an education assistant (who is with the student most of the time he is at school) when he goes somewhere.

She said her son had been doing this throughout his time in primary school and it provided him a level of comfort.

"The teacher says, 'no in the name of independence you must not hold hands, no physical contact' and it must be immediate. If you would tell him nicely, he may not listen today, or tomorrow but he would slowly get it but not immediate. Even when he tried to hold the Education Assistant's jacket the teacher shouted at him for doing so, it's too drastic a change from what has happened in the past."

The student's parents also believed the teacher had been unnecessarily shouting and singling out their son by not allowing him to have the same privileges as other students in his class.

After speaking with the teacher about the matter the student's parents did not feel their concerns had been properly heard or considered, so they lodged a formal complaint about the teacher.

### Advocacy:

Following discussion of the matter with another parent of a child with Down syndrome, it was suggested the parents contact the Down Syndrome Association of Western Australia and upon doing so, they were referred to Developmental Disability WA.

Their initial contact was a phone call in which they explained the situation to a specialist advocate who agreed to attend an upcoming meeting with the school following lodgment of the formal complaint.

The meeting was scheduled for August of 2019 with the teacher, school principal and Education Department representative present in addition to the advocate and the student's mother and father.

**Parent/guardian's experience:**

Most of the discussion at the meeting was between the student's parents and the school representatives as it had been decided previous to the meeting that the advocate would only speak when the parents felt she was needed.

The advocate contributed when required to clarify details that were being talked about.

"She spoke when it was necessary to make it clear what we actually wanted, sometimes when we were talking they [the school and Education Department representatives] didn't listen, so she clarified that this is what we meant, which was good, so we could be heard properly."

The boy's mother said having an advocate made her feel more comfortable in a difficult situation.

"Having [the advocate] as a third party, it was less of a confrontation for us," she said.

The mother said she definitely felt there were benefits to having the advocate present.

"She as a third party heard what we had to say and can actually advise us about how to go about it," she said.

The student's mother said she was unsure if the meeting may have gone differently without the advocate present but pointed out that- "With an advocate there, the school may be more aware of what they are saying, whereas when [the advocate] is not there, it's us versus the school, only two parties and we sometimes don't know how independent they are being in what they were saying."

"It gave the school a way to see things in perspective so we could each get our points across effectively," she said.

**Educator's experience:**

When the meeting was scheduled the representative from the Department of Education's regional office was informed that a 'support person' would be present. While previous meetings she'd taken part in had been attended by 'support people' who did not take part in discussions, this was the first meeting she'd had with parents where an advocate was present.

She listed a number of advantages to the overall process of having an advocate present saying the meeting might've taken much longer without an advocate, "Given the emotions and strong-held views of the situation by the parents..."

"I believe the meeting was much more cordial and shorter because the advocate had a relationship with the parents and understood their concerns and was able to convey them without the emotion that the parents have, and that's understandable," she said.

"[The advocate] redirected the parents at times, she was very good at bringing the meeting back to, let's try and look at the facts.

"The advocate added value and lessened the impact on a parent because if you have to keep redirecting and re-asking questions it becomes frustrating for them." While the meeting itself may have been different without an advocate present, the Department representative said she did not believe the outcome would have been any different without an advocate present.

She said in this case the parents "held strong views about what had occurred at different times despite the school having been provided with different accounts of what had happened."



The representative said the meeting situation became “difficult” at one stage because “there was some judgement made about the teacher, purely based on only the parents view of how the teacher was behaving and there was some commentary about her professional conduct, well, I don’t believe [the advocate] was in a position to make that, however she was very pleasant the way she went about it, however I think that’s just something that needs to be more balanced because it can add fuel to the fire if you side with people simply based on one account.”

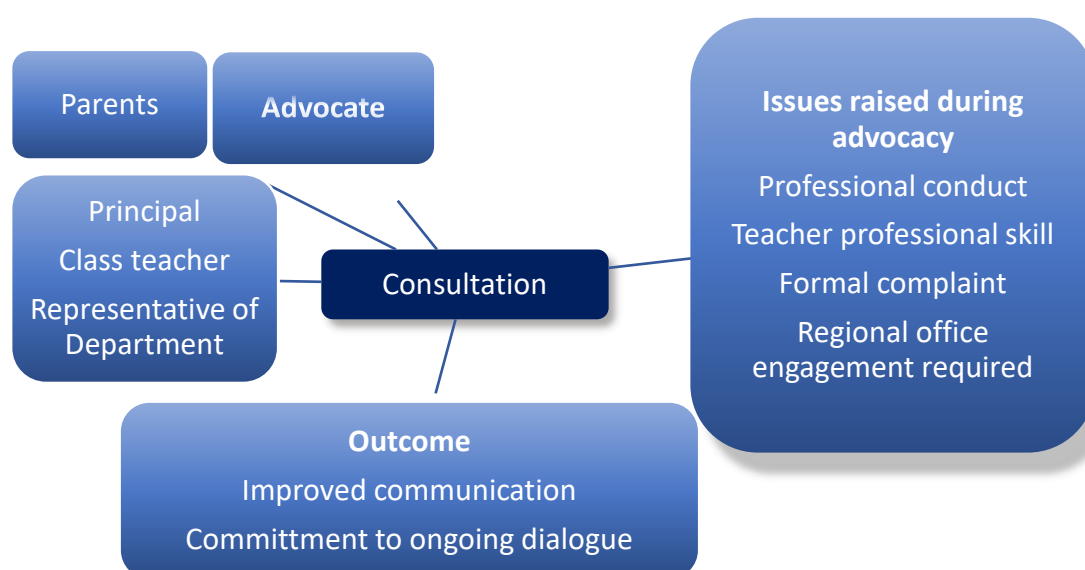
“The advocate was the recipient of information only via the parent, so they can only base their assumptions on the information in a one-sided way.”

While the representative understands the advocate provides advocacy for a particular party, she believes the overall process could be more effective if the advocate would be willing to meet with the other parties involved in the matter separately, previous to the initial meeting between the parties “so when we sit down, we all have information about the whole picture, not just the single perspective.”

### Outcome:

At the conclusion of the meeting the parents of the student and the school agreed to keep dialogue open and a further meeting was scheduled.

The student’s parents are keen to have an advocate attend further meetings scheduled with school representatives until the matter is properly resolved.



## DDWA School Advocacy Case Study: Parent/Educator 3

### Interviewees:

Grandmother (guardian) of the student

### Background:

This 15-year-old male student who has autism, attends mainstream classes and has an education assistant with him much of the time.

His grandmother, who is his guardian, says due to her grandson's autism, he is socially inept and "doesn't connect well with people."

She became concerned about how her grandson was being treated and about teaching and support staff attitudes towards him, following an incident that recently occurred.

During the third term of the school year, the student attended a nighttime photography activity at the school.

His grandmother received a phone call asking her to come pick him up earlier than anticipated and upon arrival, found her grandson very upset.

"I'm greeted by the photography teacher who said there's been an incident and that [the student] had been quite rude to a couple of the teachers and he's really upset," the student's grandmother said.

"When I went into the classroom he just burst into tears, he was so beside himself, I had never, ever seen him like that."

The student later recounted the incident from his perspective, saying that he had been verbally reprimanded and pushed by a teacher after he closed a door to a classroom where students were coming and going from throughout the night-time activity.

He also described how the teacher continued to admonish him after he tried to take himself away to a separate part of the classroom and how he had his earphones "ripped" from his ears, in what his grandmother says sounded like an act of "bullying".

"I feel like it was this abuse, he's in the room trying to have some quiet time to regulate and they are just coming in playing tag team," she said.

A meeting between the grandmother and some relevant staff members was held initially but the grandmother said she felt as if her concerns about the way her son was being treated were not addressed.

"When I was trying to deal with stuff or talk about stuff in a little bit more depth they were just fobbing me off, like you know, we need to move on and find a resolution," she said.

### Advocacy:

A specialist counsellor referred the grandmother to Developmental Disability WA after hearing about the incident and the fallout from it.

A follow up meeting was organised where the grandmother asked the DDWA specialist advocate to come along.

The two spoke on the phone and discussed the matter the day before the meeting and agreed that the grandmother would start the talking and the advocate would interject if she was asked to, or if the advocate felt it necessary to do so.

The advocate met the grandmother at the school for the meeting with the Year 10 coordinator, an education assistant and another teacher.

### Parent/guardian's experience:

The grandmother said having the advocate present at the second meeting was “the best thing, it was like the first time in all of [my grandson's] school years they actually took it seriously. [My previous experience was having the school representatives] sweet talk you, they down play it and tell you all the stuff that they are going to implement and then nothing gets done.”

During the meeting the advocate asked the teacher who'd been involved in the incident some simple questions to properly ascertain what had prompted her actions on the night at the school and why she treated the student the way she had, which brought greater clarity around what had occurred.

“She [the advocate] was great, she did a lot of clarifying, she shone the light on specifics as they came up to get clarification,” the grandmother said.

She also felt her concerns were taken more seriously with an advocate by her side.

“In the past what we've done has just sort of smoothed things over, we've never really sorted anything,” she said.

The student's grandmother said while she didn't feel like she got answers she may have been looking for at the meeting, with the advocate present she felt she could stand her ground and voice her concerns that what had happened was not okay.

The advocate attended a subsequent meeting with the grandmother and the student where the Year 10 coordinator and school principal were present.

The grandmother said the advocate “basically led” this follow-up meeting

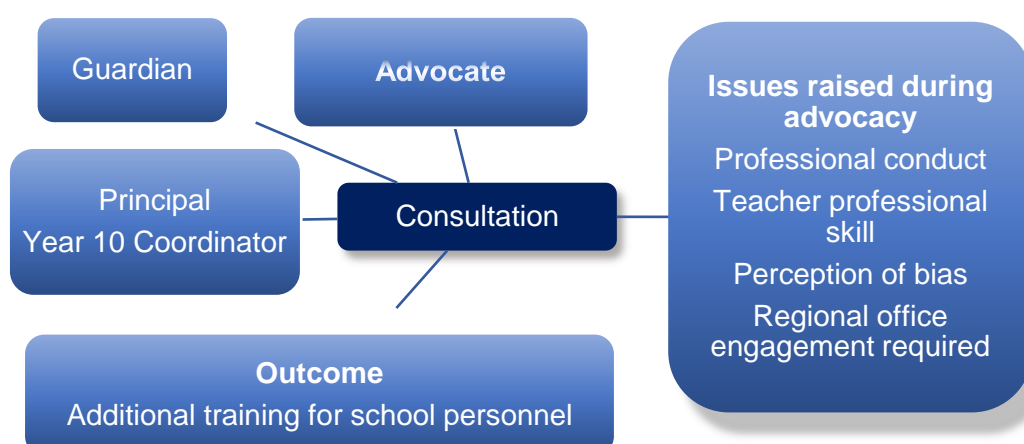
“She had the words that I couldn't find, she could articulate what I was feeling, she was brilliant, that meeting was so good.”

The grandmother believed if the advocate was not present “they would've just tickled my ears, just said what I wanted to hear and I would've walked away feeling better about the situation but nothing would've changed.”

### Outcome:

The student's grandmother was pleased there was discussion about training being provided for those who had been involved in the incident during the meetings but said there were no firm outcomes from the meetings as yet.

She said she planned on having the advocate with her at the next meeting scheduled with the school.



## DDWA School Advocacy Case Study: Parent/Educator 4

### Interviewees:

Father of student

### Background:

This five-year-old male student who has autism, started kindergarten in 2019. While the requirement is usually that kindy students attend school five days a fortnight, at the request of his mother and father, this student had been attending four of the five days a fortnight.

This decision was made because his parents felt that with weekly speech therapy and specialist autism sessions, five days of schooling a fortnight would be too much for their son to cope with.

The child's father said while his son had flourished under the current arrangement, if his son had a rough day, he and his wife generally felt the consequences at home. They were concerned full time pre-primary with the expectation that he'd have to sit and listen for periods on the mat or at a desk would be too much.

Based on these observations the child's parents began considering the possibility of their son repeating kindergarten the following year.

The parents had spoken with their son's teacher in casual conversations about their thoughts and a meeting was scheduled for them to talk the matter further.

The boy's mother and father felt "blindsided" by how the meeting played out. They were of the understanding that the principal and deputy principal would be in attendance but there were six staff from the school/education department and an agenda that the parents had not been privy to in advance of the meeting.

The child's teacher provided a comprehensive assessment of how she felt the child's development had been progressing throughout the year and the principal expressed the opinion based on this, that the student should go on to pre-primary the following year.

The father felt he and his wife's perspective were not considered.

They tried to express their concern that with their son's speech therapy and autism sessions on top of full time schooling would "stretch" their son too far.

The child's parents found those at the meeting very dismissive and patronising and said discussion had become "heated" at certain stages.

At the conclusion of the meeting the parents made it clear it was still their preference for their son to repeat kindy and it was left to the principal to consider the situation.

### Advocacy:

Following the initial meeting between the student's mother and father and school representatives, the parents followed up with the principal about the matter and another meeting was scheduled.

On the recommendation of another parent, the mother of the child got in touch with Developmental Disability WA in regard to the matter. After discussing their situation with a specialist advocate, she provided further detail via email and agreed to have the advocate attend the follow-up meeting.

### Parent/Guardian's experience:

The meeting where the advocate was present was attended by the school principal and vice principal as well as the child's mother and father.

The child's father said the vice principal and principal appeared "quite responsive" to having the advocate there.

The school staff had not created an agenda for this meeting, instead the child's father said "it seemed as if the principal and vice principal came in to the meeting thinking that it was a foregone conclusion that the school's position was the final decision and that was what would be happening and that the meeting would be about the parents moving forward."

The child's father said the advocate was "very balanced" and was able to direct discussion thanks to her knowledge of the schooling system, education department and disabilities.

"[The advocate] asked some questions of the school and of us," he said.

"She established that this was a two way street, that everyone needed to be on board for [our son's] development."

The child's father said the advocate was "very good at delivering the message to my wife and I that we had to accept certain things about how things were and make sure we did not approach the situation with a blinkered view."

He said this meant having an advocate at the meeting was not only beneficial to him and his wife as parents but also the school.

"[The advocate] really did help us breathe a bit, take some time, think about things a bit more to get to a landing to where we are. She was wonderful.

"I'd one hundred percent be supportive of having an advocate in all meetings like that, it was very good," he said.

### **Outcome:**

As a result of the meeting where the advocate was present, both parties agreed on a compromised arrangement.

It was agreed that the student would attend two days a week at his current school in pre-primary, he'll do two days a week at an intensive, structured, pre-primary class at another school nearby for children with autism and the fifth day of the week would be spent taking part in his sessions with the Autism Association.

This arrangement met the school's requirement that he be in an education environment five days a week but meant the intensive specialist attention he required would not have to be on top of a full week of school.

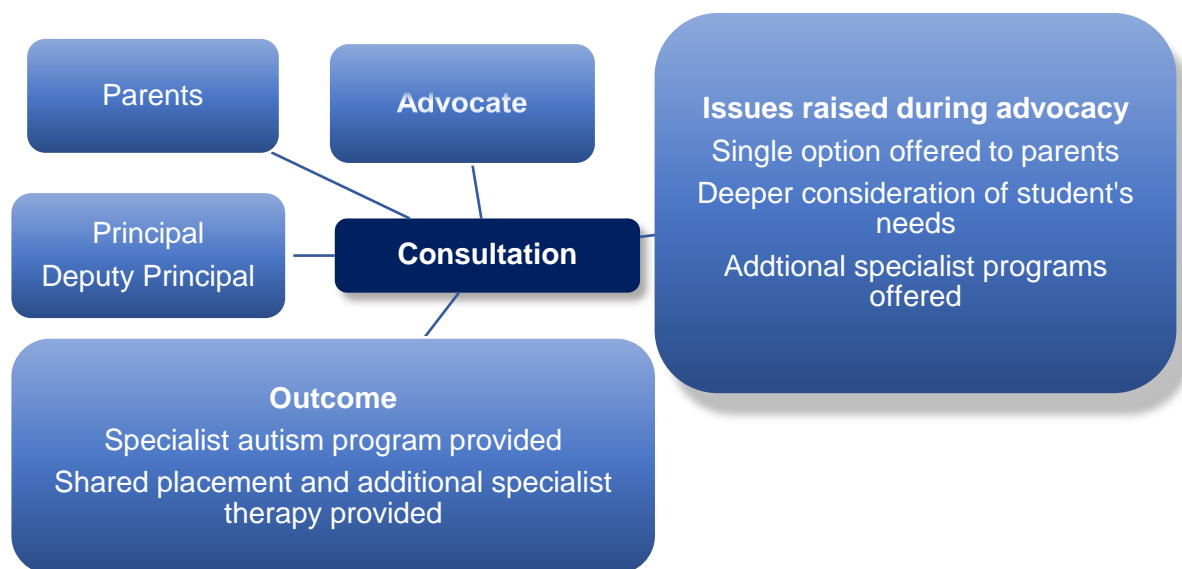
The days at the specialist program at the second school would involve speech therapy, so the student would no longer have to attend those sessions outside of the classroom.

The child's father said while the process of coming to an arrangement that both parties were content with was not a comfortable one, he was glad he and his wife had done it.

"We were of the position that 'if the school doesn't do what we want them to do, we will home school,' I'm glad the advocate was able to make sure we didn't go in with blinkers on like that, that would've put more pressure on us as a family to follow through on that."

He said he and his wife would definitely use an advocate in the future considering the situation may have to be reconsidered at the end of the year.

"Whether it is to have her there at meetings physically or to give her a call or catch up with her to talk through scenarios to get her thoughts."



## DDWA School Advocacy Case Study: Parent/Educator 5

### **Interviewee:**

School principal

### **Background:**

This primary school was working to meet the educational needs of a six-year-old boy in Year 1 who experiences extreme anxiety and who had been suspended multiple times throughout the year for incidents involving extremely challenging behaviour. The student was in the process of getting an autism diagnosis when the matter of how the school and parents could collectively support his needs came to a head. The child's behaviour would become more difficult to manage the longer he spent in class. The parents had identified a behaviour profile on the Autism spectrum called Pathological Demand Avoidance and the school staff agreed that this profile provided an explanation for the child's behaviour.

With this in mind, they set up an arrangement to allow the student to attend school for a part of the school day.

The parents and the school also discussed certain agreed strategies in order to have continuity between what happened at school and what occurred at home. Over a period of time where both family and school were adjusting to the new awareness of the child's needs, a range of issues needed to be addressed through a meeting between the parents and the school.

At that stage the principal had come to the conclusion the school could not physically do any more and what was being done was impacting on the running of the school.

The principal was prepared to tell the parents that the school had done all it could and unless certain things occurred for the situation to work, the parents may want to consider other options.

### **Advocacy:**

A day or two before the planned meeting, which was to involve the school's learning coordinator and principal, the school was advised a 'disability advocate' would be attending with the student's mother and father.

The principal admitted he was "a bit surprised that the parents were bringing an advocate and I was confused why that was".

He had not previously had such an advocate present in such meetings.

The principal was concerned the parents were now trying to "bring in some legalities about the service we were providing".

### **Educator's experience:**

At the beginning of the meeting, the specialist advocate explained a little about her role.

The school principal said he felt the advocate mediated the meeting to some degree and this mediation helped the discussions to be more constructive than what had taken place in regard to this matter in the past.

He said the advocate's neutrality aided the conversations being had.

"She understood the heart of where the parents were coming from and where we were coming from and she was able to tie them together," he said.

The principal said as well as being "authentic and honest" the advocate had a good understanding of developmental disabilities, the schooling system and Education Department frameworks, which assisted in creating clarity around the situation.

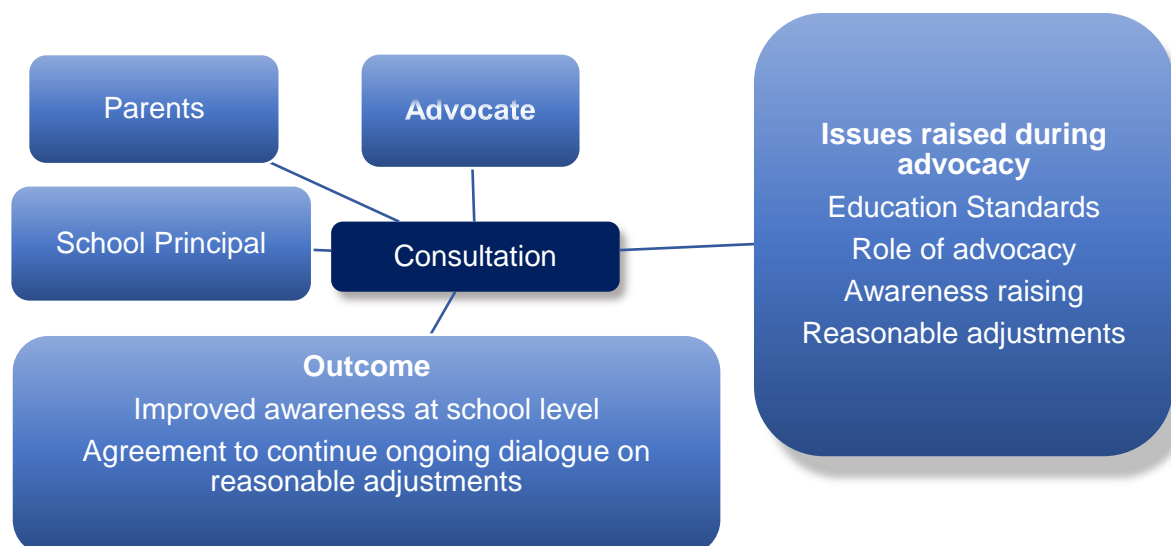
He said her presence brought down the heightened emotions which were understandably evident in any such meeting.  
The principal found that the advocate helped bring honesty and self-reflection to the situation.

**Outcome:**

Following the meeting the principal was optimistic that the working relationship between the parents of the student and the school could improve in order to better meet the needs of the child.

He said while he was confident that if the advocate had not been present at the meeting, an amicable resolution would have resulted, it may not have been a “functional one”.

The principal is hopeful the advocate would continue to be part of further discussions around the best approach to the child’s education.





## Section 6: Key Summary Recommendations

### Key Summary Recommendation 1:

**Establish systems to monitor policy compliance and promote active engagement with the National Disability Standards for Education and their application in a Western Australian context.**

The goal of this project was to provide a basis for improving systems, process and interfaces to address systematic issues faced by students with disability in mainstream education. To achieve this goal a framework for data collection and the grouping of issues into themes was developed. This is presented in Section 2 of this report.

The project became a central point for data collection from Coalition members, families and education providers. This resulted in close to 100 referrals or direct consultations with parents. In addition, surveys were conducted to a further audience of 49 parents and a survey of schools concluding in 121 responses.

The issues raised over a 12-month period provide a strong case for reform in several key areas. Several recommendations are made which can be broadly group under the heading systemic improvement. A number of these recommendations (identified in Section 2 or this report) are not unfamiliar or new, however are framed to address the issues raised by parents during the trial that are ongoing and unresolved.

Parents remain concerned about the overall quality of systems in place in schools, particularly whether processes are complied with and monitored. As stated previously, many families appear to spend considerable time and effort monitoring and seeking basic entitlements from the school system. This project suggests that now more than ever, it is incumbent of the system to ensure these basic processes are being maintained.

### Key Summary Recommendation 2:

**Undertake a public engagement process to establish a new alliance / partnership with parents of students with disability.**

This project highlights parents remain concerned about how schools and the school system overall respond to concerns and interact with them. This suggests that education authorities and providers need to consider a renewed round of public engagement toward establishing partnerships with parents. The project highlights many requests for advocacy support stem from frustration with the overall lack of information available on how schools operate or are expected to operate. Engaging

parents in co design of information platforms and some support services would be beneficial.

The *Engaging and Working with your Community Framework Department of Education WA 2019* outlines the intent in terms of public policy.

In many cases highlighted, at the local school level parental involvement is particularly positive. Engagement at the system level appears to lack public confidence meaning many parents of students with disability are entering negotiations on the basis of fighting for basic entitlements, not higher-level outcomes.

### **Key Summary Recommendation 3:**

**Establish an individual advocacy service to; support parents and students to negotiate education and provide the foundation for reflective practice and analysis of systemic issues.**

This report summarizes the impact and observations of the successful trial of an advocacy service to support parents and students negotiating education services. The trial highlights the demand and a positive response to these services when provided.

When families and schools are asked to consider what ‘reasonable and necessary adjustments are required’, it is very difficult to predict how much individual advocacy will be required. What is recognized is that relying on an individual’s capacity to privately pay for advocacy is likely to make service unobtainable for the most vulnerable of parents and students.

Throughout the advocacy trial, a number of unresolved issues and concerns are identified. In general, there is a continuing need to improve the understanding of disability across the school sectors and school communities. The development of a systemic education focused advocacy service is about collaborating to make the system work better for parents and students with disability across the sector. Individual parents can’t be expected to drive this kind of work. Many of these concerns would be addressed by an endorsed, independent and funded service where the objectives of the advocacy service are clear from the outset.

The aim of systemic advocacy is to make ‘reforms and change to social systems and structures that discriminate against, abuse and neglect people with disability’. Seymour and Peter (2004)<sup>1</sup>. This kind of advocacy can only address issues over a long, strategic and sustained period of time. In the medium or long term, it is more effective than negotiating that systemic barrier each time, person by person, over and over again.

A strong basis for consideration of an independent professional education focused advocacy service supporting parents and their children with disability and schools is provided.

## Section 7: Appendices

### 1. Case studies of Government funded advocacy services

#### Queensland

##### 1. Families for Inclusive Education Project - Queensland Department of Education (EQ)

EQ directly supports two strategies following the recommendation of the 'Every Student with Disability Succeeding Plan' which listed 'working with advocacy groups to support stronger partnerships between schools and parents of students with disability' as a priority.

EQ has engaged the Community Resource Unit (CRU) (not for profit) to support parents of students with disability across Queensland to build self-advocacy skills and to work effectively with schools. CRU is holding a number of workshops in communities across Queensland. Families for Inclusive Education Project is a new project for CRU funded by the EQ aims to build the capacity of families to advocate for, nurture, and sustain their child's successful participation in inclusive education.

<https://cru.org.au/families-for-inclusive-education/>

##### 2. Education Advocacy Service - Queensland Department of Education (EQ)

EQ also funds direct advocacy services as part of the Professional Advisory Service. Queensland Advocacy Incorporated (QAS) are engaged as part of mediation during internal review processes.

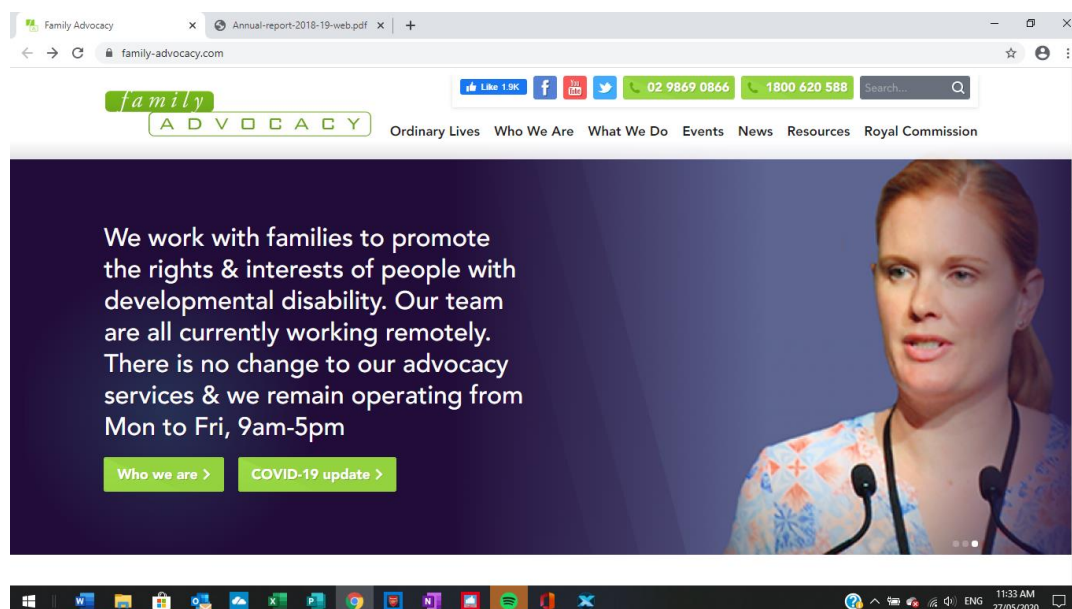
QAI's Education Advocacy Service (EAS) is an independent, professional advocacy service which supports the resolution of complex and escalated complaints relating to the access, participation and/or achievement of students with disability in Queensland state schools (and home schooling). The service is provided at no cost and is available to state school students and families across Queensland. The funding for the Education Advocacy Service is provided by the Queensland Department of Education so QAI can provide a trial independent advocacy service.

# New South Wales

## Family Advocacy (State and Federal Government)

Family Advocacy formally known as 'The Institute for Family Advocacy and Leadership Development' is an independent, impartial advocacy organisation that supports families across New South Wales to promote and defend the rights and interests of people with developmental disability. In 2018/19, 55% of advocacy services were devoted to education\*.

Operating both a direct and systemic service, this organisation also supports the Resourcing Inclusive Communities initiative of providing information and resources to assist people with disability to live meaningful lives, as valued members of their communities.



This not for profit highlights various funding sources in their 2018/2019 budget. Federal Government Funding (1) The Department of Social Services (DSS) continued to support the organisation through recurrent funding. State Government Funding NSW Department of Family and Community Services (FaCS) provided support through two streams of funding: (2) Recurrent funding for advocacy and information work and ongoing operations of Family Advocacy. (3) One-off grant for Resourcing Inclusive Communities. NSW Department of Education Funding (4) NSW Department of Education provided grant in aid. The organisation's liabilities can be fully funded from its accumulated provisions and the organisation continues in a sound financial position.

\*2018/2019 Annual Report

# Tasmania

## Education and Liaison and Mediation Services (Department of Education Tasmania)

The not for profit organisation, *Life Without Borders* have been providing an advocacy service to Tasmanian schools funded directly supported by and on behalf of the Department of Education since 2010. This partnership ensures liaison and mediation services are provided formally to both schools and parents to resolve issues as they arise. The service manages expectations of all parties from the outset and reduces the requirement for formal requests for information, mitigating need for redress through legal or adversarial action.

Life Without Borders (LWB) is a leading social purpose organisation working in more than 300 communities across Australia. We believe in the rights of people and the importance of relationships, and our purpose is to partner with people to change lives for the better.

Since we began in the early 1990s, we have supported thousands of people to live their best life possible and we are proud to champion opportunity for all.

LWB has been providing the Liaison and Mediation Service to Tasmanian schools on behalf of the Department of Education since 2010.

**WE'D LIKE TO HEAR FROM YOU**

Excluding public holidays, our office is staffed Monday - Friday 9am-5pm.

T: 03 6232 8750

Life Without Borders  
Ground Floor 175 Collins Street  
HOBART TAS 7011

@lwbaustralia  
/company/life-without-barriers/  
LWBAustralia  
lwbaustralia  
lwbaustralia

www.lwb.org.au

**EDUCATION LIAISON AND MEDIATION SERVICES**

Tasmania

**WE LIFE WITHOUT BARRIERS VE**  
Supporting People with Disability

**WHAT IS THE EDUCATION LIAISON AND MEDIATION SERVICE?**

The Education liaison and mediation service assist's all parties to find creative solutions so that student outcomes can be increased.

A liaison service aimed at supporting families and schools to resolve issues concerning students with a disability.

A personal service, visiting families and schools as required and working with all parties to resolve problems or issues.

### PROGRAM GOALS

THE GOALS OF THE EDUCATION LIAISON AND MEDIATION SERVICES ARE TO:

- Support the learning and educational development opportunities for children with disabilities
- Build positive working relationships between schools and families of children disabilities.

HOW DOES LWB MEET THESE GOALS?

Providing liaison and mediation between the stakeholders involved in the children's care and education by:

- Providing opportunities for schools to increase their understanding of the needs of children with specific complex needs such as Autism
- Supporting schools and families where a child is subject to frequent or rolling suspensions
- Supporting children and families where there is a risk of permanent exclusion
- Working with relevant stakeholders where safety is a concern for the child or school community
- Making sure that all parties have realistic expectations
- Facilitating positive relationships and communication between all parties.

### FREQUENTLY ASKED QUESTIONS

WHERE ARE YOU LOCATED?

Mediation and Liaison Services are offered Statewide with all Department of Education Primary and Secondary Schools, and Colleges.

WHO IS ELIGIBLE FOR THE SERVICE?

The Service is provided in Tasmanian schools for families of children and young people with a disability.

WHAT IS THE DURATION OF THE SERVICE?

The duration of the service generally will be short interventions to resolve issues or make reasonable adjustments to enable better learning outcomes for the student. The duration of support is determined on a case by case basis.

WHO CAN REFER CHILDREN AND YOUNG PEOPLE TO THE SERVICE?

Life Without Borders can accept referrals directly from families, schools or from Department of Education's Learning Services.

Referrals can be made via email to [educationreferrals@lwb.org.au](mailto:educationreferrals@lwb.org.au) or calling the Education Services team on 0458 592 777.

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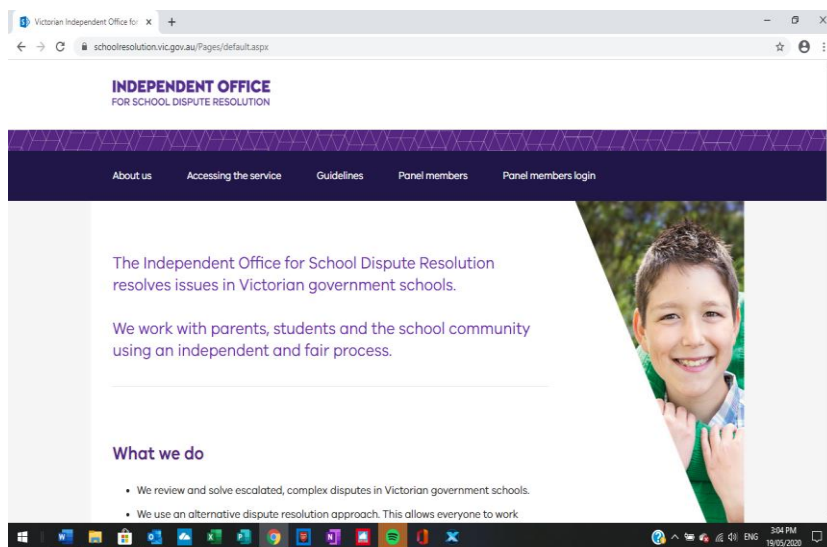
<https://publicdocumentcentre.education.tas.gov.au/Documents/Life%20Without%20Barriers%20-%20Mediation%20and%20Liaison%20Services%20Flyer%202018.pdf>



# Victoria

## Independent Office for School Dispute Resolution (Department of Education Victoria)

The Victorian Government supports an *Independent Office for School Dispute Resolution*, independent of the Education Department to resolve disputes broadly across educational issues including disability. The Independent Office brings an Alternative Dispute Resolution (ADR) approach to complex disputes about government schools. While this Office is not formally structured as an advocacy service, members are independent experts who focus on a resolution to a dispute as an independently funded, third party. This service complements the Department's complaint-handling system at no financial cost to parents or schools.



## 2. Data collection

### i) Education Advocacy Data Collection Record

#### Developmental Disability WA

##### Education Advocacy Data Record - DDWA



*The information contained in this record will not be shared with any third party external to DDWA.  
This record may be made available to the person to whom it relates if requested in accordance with  
DDWA Policies and Procedures 1.2 Policy*


Name of Parent/Guardian:		Student's Name:	
Address:			
Phone:		Email:	
DDWA Staff Name:		Date:	
Essential details of situation or narrative:			
Advocacy actions and outcomes if known:			

EDUCATION ADVOCACY DATA RECORD			
Name of Parent/Guardian/Contact		Student's Name	
Age of Student:		Year at school:	
School name:			
<b>School type:</b> <input type="checkbox"/> Public <input type="checkbox"/> Independent <input type="checkbox"/> Catholic <input type="checkbox"/> Home schooled		<input type="checkbox"/> Metro <input type="checkbox"/> Regional <input type="checkbox"/> Mainstream <input type="checkbox"/> Education Support Unit <input type="checkbox"/> Education Support Centre	
Mark themes with brief comment. Narrative and advocacy actions, including contact details over page.			
<b>LEARNING THEME</b>		<b>SOCIAL/SAFETY THEME</b>	
Curriculum adjustments		Adjustments to routine	
Teaching method adjustments		Support for social relationships	
Aide support		Medical support	
Therapy Support		Safety culture	
Learning and support Plan		Understanding behaviour	
		Communication between home and school	
<b>HUMAN RIGHTS THEME</b>		<b>RESPONSE TO BEHAVIOUR THEME</b>	
Awareness of obligations		Suspension	
Compliance with disability standards		Expulsion	
Support at meetings			
<b>ACCESS THEME</b>		<b>COMMENT: REGARDING THEMES SELECTED</b>	
Travel/Transport			
Structural/Physical Access			
Communication Access			
Enrolment			
Complex Disability			
Restrictive Practice			
Withdrawal			
Attendance agreements/S24			
Disability Support at Home			
Other:			



## ii) Survey Questionnaires

### 2.1 Negotiating for your child's education survey.

	Negotiating for your child's education
Systemic Education Advocacy Survey	
<p><b>Parents of children with disability need to attend meetings at school to negotiate for their children's needs. This survey asks about the times when parents feel a need for extra back-up/support/help in meetings with schools and how you have approached this. There are 11 questions and this information will be used to inform the Ministers for Disability and Education about parents' experiences in negotiating with schools as well as some of the school issues faced by parents and families.</b></p> <p><b>This survey is completely anonymous so please feel free to share your thoughts freely. If you need support in respect to Education Advocacy, call DDWA on 9420 7203</b></p> <p>* 1. Do you take someone else to meetings at school when negotiating for your child?</p> <p><input type="radio"/> Never</p> <p><input type="radio"/> Sometimes</p> <p><input type="radio"/> Always</p> <p>* 2. Have there been times when you have <b>wanted</b> to take someone with you to a meeting but haven't because:</p> <p><input type="checkbox"/> There was no one to take</p> <p><input type="checkbox"/> Haven't felt able to ask</p> <p><input type="checkbox"/> Haven't felt comfortable to do so</p> <p><input type="checkbox"/> Didn't know it is a parent's Right to take someone</p> <p><input type="checkbox"/> I haven't ever wanted to take someone with me</p> <p><input type="checkbox"/> Other reason</p> <p>If you feel comfortable please tell us any other reasons</p> <div style="border: 1px solid black; height: 40px; width: 100%;"></div>	

1

\* 3. Have there been times when you have **tried** to take someone with you to a meeting but haven't because:

- |  |   |
|--|---|
| <input type="checkbox"/> I couldn't find someone to take                 | <input type="checkbox"/> I haven't ever tried to take someone with me |
| <input type="checkbox"/> The school resisted me taking someone           | <input type="checkbox"/> Other reason                                 |
| <input type="checkbox"/> The school refused to allow me to bring someone |   |

If you feel comfortable please tell us any other reason

\* 4. If you have taken someone else with you to a meeting, was the outcome

- ☐ Better than if you had been alone
- ☐ No different to if they hadn't come
- ☐ Made worse by having someone else there
- ☐ Not applicable

\* 5. If you have taken someone else with you to a meeting, who have you taken:

- ☐ Husband/Wife/Partner
- ☐ Family member
- ☐ Friend
- ☐ Other parent from the school or elsewhere
- ☐ Therapist
- ☐ Clinician
- ☐ Advocate
- ☐ LC (Local Coordinator - before NDIS)
- ☐ NDIS-funded worker
- ☐ Didn't take someone in with me
- ☐ Other

Other (please specify)

\* 6. What was the purpose of taking another person to a meeting?

- ☐ So I didn't feel alone
- ☐ I could share the responsibility
- ☐ To use their skills in discussion and planning
- ☐ To provide information they can contribute
- ☐ Empowerment for myself
- ☐ To balance the numbers expected at the meeting
- ☐ To increase the chances of being listened to
- ☐ Didn't take someone in with me
- ☐ Other reason

Other (please explain)

\* 7. If you have taken a professional advocate to a school meeting, was this helpful

- ☐ Yes
- ☐ No
- ☐ I have never taken an advocate with me

If you would like to comment

\* 8. What are the common issues that you were dealing with that led to your wish or need to have support for a school meeting? (Please select one or more)

- ☐ Curriculum adjustments
- ☐ Teaching method adjustments
- ☐ Aide support
- ☐ Therapy support
- ☐ Adjustments to routine
- ☐ Support for social relationships
- ☐ Medical Support
- ☐ Safety/anti-bullying culture
- ☐ Understanding behaviour
- ☐ Complex disability
- ☐ Discrimination/Human Rights
- ☐ Suspension
- ☐ Expulsion
- ☐ Withdrawal
- ☐ Section 25/25 agreement
- ☐ Travel/Transport
- ☐ Physical access
- ☐ Enrolment
- ☐ Parent - School Communication
- ☐ Involvement in decision making
- ☐ Access to information and school policies
- ☐ Resourcing
- ☐ Other

Other (please explain)

\* 9. Would you see a benefit in an Education Advocacy Service for families in WA?

- ☐ Yes
- ☐ No
- ☐ Maybe
- ☐ Depends what it offers

If you would like to comment

\* 10. Student information

Age of student

Year at school


Type of school eg Public,  
Public Independent, Private,  
Home Schooled

Is the school Mainstream  
Education Support Unit,  
Education Support Centre

Location of School - Metro or  
Regional

\* 11. We would like to hear your thoughts/comments if you would like to share.

## 2.2 Educators working with parent's survey



ADVOCACY KNOWLEDGE COMMUNITY

**DEVELOPMENTAL DISABILITY** *wa*

Educators supporting families with a child with disability

Educators working with Parents Survey

**Educators need to meet with Parents of children with disability to discuss and settle matters relating to a student's particular needs. This survey asks Educators about their observations on meetings when parents come with another person to provide support.**

**There are 11 questions in this survey. A similar survey has been developed for parents. All of this information will be used to inform the Ministers for Disability and Education about Parents' and Educators' experiences in negotiating to provide schooling to children with disabilities. This survey is completely anonymous so please feel free to share your thoughts freely.**

\* 1. When you think about meetings with Parents to discuss disability-related adjustments, which statements most reflect your observations?

☐ It is generally a parent attending alone

☐ Usually both parents come to most meetings

☐ Most parents bring someone with them as support

Other (please feel free to elaborate)

\* 2. Do you encourage parents to bring a Support Person or other party with them to meetings?

☐ Not as a general rule

☐ At times if I think this would be helpful

☐ Often suggest this option

☐ Always make it clear to parents that this is OK

Other statement to reflect your practice

1

\* 3. When a Support Person does come to a meeting, what roles or people have been represented?

- |   |   |
|---|---|
| <input type="checkbox"/> Other Parent                                 | <input type="checkbox"/> Friend or peer parent  |
| <input type="checkbox"/> Close or extended family member              | <input type="checkbox"/> Service provider (worker from a disability related service organisation) |
| <input type="checkbox"/> Therapist                                    | <input type="checkbox"/> Professional Education advocate  |
| <input type="checkbox"/> Specialist practitioner (disability-related) | <input type="checkbox"/> Professional Disability advocate   |
| <input type="checkbox"/> Other (please specify)                       |   |

\* 4. When Parents bring someone with them to a meeting, what impact does this have on how well the meeting progresses?

- ☐ No impact
- ☐ Improves the process
- ☐ Reduces the quality of the process
- ☐ Other

Please feel free to add a comment

\* 5. If you have seen the presence of a Support Person have a **negative** impact on a meeting with a Parent, was this because the Support Person

- |  |  |
|--|--|
| <input type="checkbox"/> Caused conflict                             | <input type="checkbox"/> Had a fixed view about the school or staff                          |
| <input type="checkbox"/> Had a fixed view about the issue or outcome | <input type="checkbox"/> Did not know enough about the specific situation/disability/context |
| <input type="checkbox"/> Brought in their own agenda                 |  |

Please feel free to add any other observations

\* 6. If you have seen the presence of a Support Person have a **positive** impact on a meeting with a Parent, was this because the Support Person

- ☐ Helped the Parent to be more relaxed
- ☐ Helped to clarify issues raised
- ☐ Provided extra useful information about the issues
- ☐ Helped the discussion to progress to a solution
- ☐ Supported the relationship between the Parent and the School

Please feel free to add any other observations

\* 7. If a Parent has brought a professional Education or Disability advocate to a meeting, has this involvement been

- |   |   |
|---|---|
| <input type="checkbox"/> Very helpful   | <input type="checkbox"/> No more or less helpful than another Support Person who is not an advocate |
| <input type="checkbox"/> Somewhat helpful   | <input type="checkbox"/> I have never had a professional advocate attend a meeting                  |
| <input type="checkbox"/> No more or less helpful than without a professional advocate |   |

If you would like to comment



\* 8. What are the most common issues that Parents seek to address at meetings with you and your school?

- ☐ Curriculum adjustments
- ☐ Teaching method adjustments
- ☐ Aide support/Education Assistant support
- ☐ Therapy support
- ☐ Adjustments to routine
- ☐ Support for social relationships
- ☐ Medical Support
- ☐ Safety/anti-bullying culture
- ☐ Understanding behaviour
- ☐ Complex disability
- ☐ Discrimination
- ☐ Suspension
- ☐ Expulsion
- ☐ Withdrawal
- ☐ Travel/Transport
- ☐ Physical access
- ☐ Enrolment
- ☐ Parent - School Communication
- ☐ Involvement in decision making
- ☐ Access to information and school policies
- ☐ Resourcing
- ☐ Other

Other (please explain)

\* 9. Would you see a benefit in an Education Advocacy Service for families and schools in WA?

- ☐ Yes
- ☐ No
- ☐ Maybe
- ☐ Depends what it offers

**\* 10. About your School**

- ☐ Metro
- ☐ Regional

**\* 11. Type of School (Mark more than one)**

- |   |   |
|---|---|
| <input type="checkbox"/> Government     | <input type="checkbox"/> Secondary                |
| <input type="checkbox"/> Non-Government | <input type="checkbox"/> Education Support Unit   |
| <input type="checkbox"/> Mainstream     | <input type="checkbox"/> Education Support Centre |
| <input type="checkbox"/> Primary        |   |