Disability Inclusion in Tertiary Education Issues Paper

This submission has been prepared by David Swayn and Elicia Ford, who are employed as National Disability Coordination Officers. The NDCO Program is an Australian Government initiative which aims to drive change so that people with disability have equitable opportunity to access, participate and achieve their goals in tertiary education and subsequent employment. The views presented in this submission do not necessarily reflect the views of the Australian Government.

We would like to acknowledge the contribution of the many colleagues within the tertiary education sector who worked with us to review and revise this paper.

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# Background

## Completing tertiary education is critical because jobs for people without post-secondary qualifications are disappearing

The Australian labour market has changed significantly, with fewer jobs that don’t require post-school education and training (refer Graph 1). These trends are only set to continue (Department of Prime Minister and Cabinet, 2019), making it even more important that all Australians can participate in education and training beyond Year 12.

“Australian economy requires more high skilled workers than ever. Prior to the covid-19 pandemic, projections from the Department of Education, Skills, and Employment show that the 1.1. million jobs forecast to be created between 2019 and 2024 or 45% will require a bachelor or higher-level qualification.”

Graph 1: Change in employment share by skill level, 1998 to 2018 (source: ABS 2018)

And was further depicted in the Job Ready Higher Education reforms package 2020, showing a dramatic increase in the likelihood that people in the labour market will need a tertiary qualification to gain work:

Projected change in employment by qualification to 2024 (thousands)Projected change in employment by qualification 2019 to 2024. Bachelor degree or higher increase by approximately 500,000; Advanced Diploma or Diploma increase by approximately 100,000; Certificate IV or III (including at least 2 years on-the-job training) increase by approximately 80,000; Certificate II or II increase by approximately 280,000; and Certificate I or secondary education increase by approximately 100,000.

Source: Department of Education, Skills, and Employment. (2020). 2019 Skill Level Projections five years to May 2024.

More recently, the National Skills Commission projected that “More than nine out of 10 new jobs to be created in the next five years will require post-secondary qualifications” (NSC, 2022)

## There is a disparity for people with disability – for participation in tertiary education and for graduate employment outcomes

Education reforms in the 1990s advocated for a composition of the student population to reflect the broader population (DEET, 1990), a goal which continues to this day (National Disability Strategy 2020-2031; NDCO, 2019) but has not yet been achieved for people with disability. While participation rates for students disclosing disability in tertiary education have grown year on year (ADCET, 2018), this group remains underrepresented when compared with representation of students with disability in Australian schools and in the general population (see Graph 2). In fact, in tertiary education it would require more than doubling the number of students with disability to reach parity. Even when Australian students with disability successfully graduate from tertiary education, their employment outcomes are 10%-25% lower (see Graph 3).

*Graph 2: Percentage of people with disability in higher education, VET, schools and the general population as at 2018*

*Sources: Department of Education, Skills, and Employment 2018; ADCET VET Statistics 2018; NCCD 2018; Australian Bureau of Statistics 2018*

Graph 3: Graduate employment outcomes – reported disability compared with no reported disability

Sources: QILT Higher Education Graduate Outcome Survey 2020 and ADCET VET Statistics 2019

## Australia could do better

We lag significantly behind other countries in tertiary education participation rates for students with disability. At around 7%, Australia’s participation rate is markedly lower than 19.4% for postsecondary education in the United States and 17.3% for higher education in England (see Graph 4).

*Graph 4: Participation rates by country*

Sources: *Department of Education, Skills, and Employment 2018; ADCET VET Statistics 2018; UK Parliament 2019-20; NCES 2015-16*

## But we’re doing enough now – aren’t we?

It’s true that policy and legislative changes over the last few decades have supported more people with disability to achieve their full potential through participation in tertiary education (in line with Outcome 5 of the National Disability Strategy). But there are some misconceptions about the adequacy of policy reforms in Australia to close the participation and outcome gaps. For more detail about the issues described below see Appendix 1.

# Issue 1: Legislative protections do not adequately enable people with disability to pursue tertiary studies

People with disability *do* have legislative rights to access tertiary education but:

* the complaints-based compliance mechanism places the onus on students to know and pursue their rights
* Complaints-based compliance frameworks disadvantages those who may be less able to initiate and pursue a complaint. This may include issues relating to culture, socio-economic status, regionality and availability of advocates and supports to do so.
* there is limited publicly available data about provider compliance with the legislation, so we don’t know how many providers are in breach of the legislation[[1]](#footnote-2).
* students may be reluctant to share information about their disability to a provider and/or be unable to access or afford an assessment to verify it – and the requirement for clinical verification of disability (a medical model) is at odds with longstanding national policy settings (which recognise a social model of disability)
* institutions can decline to make a reasonable adjustment if they deem the needed adjustments cause unjustifiable hardship, even if the adjustment itself is deemed reasonable – placing the onus back on students to start again with another institution (if there is an alternative option where they live) or pursue a discrimination complaint and
* there are additional barriers to access arising from building design and publishing standards which are not specifically addressed by the Disability Standards for Education (2005).

In August 2020, the NDCO Program surveyed 131 people with disability, disability practitioners, families and supporters to inform the NDCO submission into the *2020 Review of the Disability Standards for Education (2005)*. Survey respondents described the complaints process as long and drawn out, results in a lot of education being missed, causes a lot of stress, is hard to understand, often not satisfactorily resolved, and recommendations that may have come from conciliation were not implemented consistently.

Satisfaction levels when making complaints was very low and in one instance the impact of this process resulted in a complete withdrawal from current education, and an indication that the individual would not consider education again in the future due to the trauma caused by the education provider (humiliation and bullying).

In addition, 54 people responded that they felt they should have made a complaint. A variety of reasons were provided as to why they did not, including:

* “Time constraints”
* “Work family commitments”
* “Feelings of powerlessness and the DDA having no impact”
* “Discrimination happened. But disabled person did not wish to cause trouble”
* “Didn’t know how to engage the complaints process”
* “No training or information provided about discrimination and how to make a complaint”
* “Access should not have to rely on a complaint, it should be mandated”
* “Not feeling safe to complain”
* “Lack of emotional capacity to deal with the process”
* “Education providers actually discouraging people from making complaints”
* “No support to make the complaint”
* “Cuts in advocacy services”
* “Inadequate support and expertise”

# Issue 2: Tertiary education providers are not adequately or consistently funded to make reasonable adjustments

Whilst it’s true that tertiary providers are required to fund reasonable adjustments, the same is true of schools and yet:

* Australian Government funding for reasonable adjustments in schools totalled $28.8 billion in 2018-19, ranging from $4,704 through to $35,350 per student.
* Australian Government funding for reasonable adjustments in higher education totalled approximately $7.78 million through the 2020 Disability Support Program.
* This equates to an average of $110 per student, in sharp contrast with the Disabled Students Allowance in the United Kingdom which provides up to $45,000 (£25,000) a year per student.
* This funding per student has more than halved in real terms since 2008 – down from $265 per student.
* We do not know the actual real cost Universities in Australia spend on students with disability overall, as this is not measured or quantified nationally beyond the small subsidy amount from the Disability Support Program.
* While there is an employer incentive program for businesses engaging people with disability in apprenticeships or traineeships (Disabled Australian Apprentice Wage Support), only 3% of trainees or apprentices shared information about having a disability, suggesting that this pathway is particularly difficult to access for students with disability (NCVER 2021).
* There is no equivalent systematic funding program from State and Territory Governments for reasonable adjustments in vocational education and training unless the tertiary qualification is a traineeship or apprenticeship.
* There is no publicly available data on reasonable adjustments made by providers, the location where this occurs, the cost, nor the outcome achieved - including whether the adjustments were applied in ways that influenced the future inclusiveness of the course or program.

In short – we don’t know how well the system is working, but anecdotal evidence suggests it can be challenging for students to know and pursue their rights. In addition, public funding support for reasonable adjustments is well below funding for Australian schools or higher education students in the United Kingdom.

Additionally, students cannot always access the supports they need. While supports are available, the system assumes that students know what supports and reasonable adjustments they can ask for and can access them. Yet people with lived experience of disability have reflected that they don’t necessarily know what supports are available nor what they can ask for.

Where school students may have parents and teachers advocating and assisting them to access supports, this can be more challenging in the transition to tertiary education and associated need for more independence and self-advocacy. Compounding this challenge is a lack of nationally consistent funding or programs for directly supporting transitions from school to tertiary education, as compared with programs that do exist to support transitions to employment.

Furthermore, disabilities aren’t all visible, meaning that students may struggle to even be recognised as having a disability. As an example, one in four (23%) have a mental health or behavioral condition as their primary disability (Australian Institute of Health and Welfare, 2020).

# Issue 3: The National Disability Insurance Scheme (NDIS) alone cannot fix it

The NDIS is a once in a generation human service reform, which has proven to be life changing for some who access it, but:

* only about 10% of people with disability will be eligible to access individual funding through the NDIS
* there is a lack of publicly available data to determine whether the NDIS is improving access to tertiary education, and
* in any case, the NDIS won’t fund educational supports, which may discourage collaborative planning between the NDIS and education services to deliver coordinated supports for people with disability (Whitburn et. al. 2017).

# Discussion

## How might we achieve parity?

Many stakeholders have a role to play in achieving parity for people with disability in tertiary education participation, completions, and employment outcomes (including self-employment and business start-ups). Potential stakeholders include higher education and VET providers, teaching professionals, the Australian, State and Territory governments, students, the NDIA, employers, Group Training Organisations, Australian Apprenticeship Support Network providers, advocacy groups, small business groups and start-up incubators, and the publishing industry.

While the previous Government has made some attempts at a renewed focus on improving learning experiences for domestic students (Tudge 2021a) and for Australia to be among the world’s top group of education nations (Tudge 2021b) these have been piecemeal. While rightly focusing on closing the gap, the resourcing for students from disadvantaged backgrounds has been fragmented, with support for Indigenous, LSES and regional and remote students but limited consideration of students with disability.

Research shows that many domestic undergraduate students are classified across multiple equity groups and are therefore impacted by the effects of compounding disadvantage (Considine, Watson & Hall, 2005; Pitman, 2022).

Labor Governments have consistently undertaken whole-of-sector reform (Dawkins, 1990; Bradley et al, 2008) which is inclusive of all equity groups and provides the flexibility the sector needs to address intersectionality and for them to make choices about what type of post-secondary education best suits them.

It’s time again for the sort of educational reform that is more inclusive.

A **National Tertiary Education Strategy for People with** Disability would be a reasonable

starting point for driving leadership and coordination given the complexity of the barriers and

possible solutions. A natural ‘policy home’ for such work could be the current National Disability

Strategy, which will drive a coordinated approach across levels of government and portfolios.

Further avenues to pursue a coordinated approach might be:

* **For higher education**, efforts could be pursued through the Australian Universities Accord, and aligned with recommendation 6 of the *2020 Review of the Disability Standards for Education Final Report* and in alignment with former Education Minister Tudge’s objective of “*ensure*[ing] *that we have appropriate standards in place to support student mental health and wellbeing and to meet the needs of students with a disability”* relating to the Higher Education Standards (Threshold Standards) (Tudge 2021c).
* **For VET**, avenues to pursue this work could be:
* implementation of Recommendation 8 of the *2020 Review of Disability Standards for Education 2005*, which recommended that the Australian Minister for Skills work with skills ministers ‘to identify opportunities to strengthen the delivery of vocational education and training for students with disability.’
* the National Skills Funding agreement for the VET sector, currently under negotiation, which will require increasing real investment in VET and strengthening quality standards to ensure ‘all school leavers have access to training’ to take on the jobs that emerge through the next decade.

## Options for a national approach

Three possible elements of a national approach are outlined below.

1. Setting targets, supported by data

Right now, there is no publicly explicit and specific target for enrolments, completions nor employment outcomes of people with disability (because of their absence from performance-based funding). There is no reliable tracking of students across education sectors, and we don’t have data on adjustments that are made by tertiary providers. A strategy could:

* Reconfirm the parity targets set in the 1990s for enrolment, completion, and employment outcomes of people with disability
* Invest in nationally consistent data collections to monitor outcomes and costs, including tracking provider compliance with legislation and the cost, nature, location, and outcomes of reasonable adjustments
* Track and promote inclusive education initiatives of institutions
* Track and promote student progress across educational sectors via the existing Unique Student Identifier
* Set performance targets for all tertiary education providers across the student life cycle (access, participation, retention, and completion)
* Include ongoing evaluation of the strategy itself and any goals, objectives, or initiatives to drive evidence-informed decision making and policy change

1. Investing in inclusive design

Some of the adjustments made by tertiary providers are being done on an *ad hoc*, case by case basis. These could be mitigated if inclusive design principles were implemented , along with other measures to promote inclusive institutions and reverse the onus on students to pursue individual adjustments or retrofits. A strategy could:

* Incentivize inclusive learning design, in line with recommendations from the 2015 evaluation of the Australian Disability Support Program (KPMG 2015), which was strongly supported by submissions to the Disability Standards for Education Review (2020). As an example, the Office for Students in the United Kingdom has made a $73 million (£40 million) annual commitment to support providers to develop inclusive teaching practices and further adopt the social model of disability.
* Reduce the onus on students to pursue physical modifications to facilities (e.g. by removing the Class 9B building exemption for education facilities and aligning them with other Class 9B buildings which are required to install accessible adult change facilities).
* Reduce the onus on students to pursue accessible texts and technology through encouraging inclusive publishing (APA 2020) and/or through the creation of legally enforceable national standards and rights to accessible technology (AHRC 2021).
* Invest in nationally consistent transition support services for students with disability transitioning from high school to tertiary education.
* Monitor performance of providers against relevant quality standards for diversity and inclusion, and publish results, potentially monitored, or administered by existing regulatory bodies like TEQSA and ASQA.
* Support the upskilling of the tertiary education sector workforce in areas such as disability awareness, accessible ICT procurement, and Universal Design for Learning. This is readily acheivable by increasing investment in and leveraging existing assets such as the Australian Disability Clearinghouse on Education and Training.

1. Recognising and increasing funding for reasonable adjustments

Students with more complex disabilities may have needs that can’t be fully met even with universal design. For these students a strategy could:

* Increase the Disability Support Program to better reflect the cost of managing and making adjustments for students, in line with the vastly higher payments for students with disability in Australian schools and for students with disability in higher education in the United Kingdom
* Consider mechanisms to replicate a Disability Support Program for VET providers
* Transfer responsibility for “Tutorial” support under the Disabled Australian Apprentice Wage Support incentives program to a Disability Support Program for VET providers to allow apprentices to access support in training without the need to disclose disability to employers
* Facilitate a universal demand-driven funding for students with disability, in line with the support for user choice and control evident in recent Australian reforms in disability and aged care
* Coordinate with the NDIA to optimise transition planning for those students who have NDIS packages, and fund reasonable and necessary NDIS supports to enable participants to access and complete tertiary education and transition to employment.

Alongside increased funding for reasonable adjustments is a need to proactively make students aware of the potential supports they can access, to empower them to be proactive in seeking reasonable adjustments.

The suggested strategy is mapped to the pyramid below, highlighting that broad investment in lower cost universal design will benefit the largest number of students, with more targeted and intensive resources prioritised for those with more complex needs, all underpinned by reliable data and evidence.

Depicts a pyramid with three segments relating to Universal Design for Learning.  At the top, smaller, is Intensive supports for students with high or complex needs.  

In the middle is targeted supports, for students with additional needs.  

At the bottom as the largest component is Universal Design - successful learning for the majority of students.  

There are a number of interactions with the pyramid.  Intensive supports is linked to Individualised personal supports (NDIS) plus intensive learning supports for high or complex needs.

Targeted supports is linked to portable funding based on intensity of need for students who require reasonable adjustments.

Universal design is linked to Universal design for learning, accessible buildings and texts. 

There are also two large up and down arrows showing an inverse relationship between resources need and number of people assisted.  It depicts that intensive supports may require more resources on a per person basis, universal design may require less resources on a per person basis.

The model is underpinned by reliable data tracked across educational sectors.

Adapted from Universal Design for Learning and the Continuum of Supports

# APPENDIX 1

## Issues – IN DETAIL

### Issue 1: Legislative protections do not adequately enable people with disability to pursue tertiary studies

*Access to learning is not guaranteed*

The *Disability Discrimination Act of 1992 (the Act)* and the *Disability Standards for Education Act of 2005 (the standards)* aim to give all Australians with disability the opportunity to realise their potential through participation in education and training on the same basis as other students, by legally enforcing enrolment and reasonable adjustment (Department of Education and Training 2005).

Tertiary education providers meet their obligations according to the standards when they encourage enrolment of, and then consult with individual students, consider whether an adjustment is needed and what the adjustment will be, and then provide that adjustment. If the tertiary education provider adheres to this process, they have not discriminated (Department of Education and Training 2005). But if the provider considers an adjustment unreasonable, taking account of the interests of all parties involved, including other students, the lecturer and tutors, then it can refuse the adjustment. This places the onus on a student to start again with another institution (if an alternative is available locally) or pursue a complaint via the Australian Human Rights Commission.

Where providers do make reasonable adjustments, research shows there’s considerable inconsistency in the types of adjustments they provide, and the quality and nature of the support services they offer (Fossey et al., 2015). Individual lecturers don’t always have the skills and understanding to make adjustments or to help students access appropriate support (Gulliver, Farrer, Bennett & Griffiths, 2019). Competing priorities of teaching staff, combined with the increasing casualisation of the teaching workforce, add to the complexity of the situation. This is why it is necessary to have a professional and specialised workforce of disability practitioners who have the appropriate expertise and frameworks to foster increased awareness and cultural change, bridge the gap in knowledge of teaching staff, negotiate reasonable adjustments in consultation with students, and support student-centred supports and student self-advocacy (Fossey et al, 2017; Hitches, 2021; Pitman, 2022).

Also, students usually must self-identify as having disability and disclose their illness or disability to access reasonable adjustment supports, which they’re often reluctant to do for a host of reasons pertaining to discriminatory practices that persist in tertiary education. In 2018 in Australia, only 5.2% of domestic students were known to have a disability, yet evidence suggests this is a gross underestimation of the number of students with a disability, indicating that many students aren’t identifying their disability or presenting to disability services (Spencer, Lewis & Reid, 2018).

The requirement for students to obtain clinical verification of their disability further places the onus on students with disability to enforce their rights. Some students may be reluctant to share information about their disability or be unable to afford or access an assessment. These assessments on average can range from between $700 and $1500 and institutions usually require an assessment that is no more than 3 to 5 years old. These costs are often prohibitive for individuals and their families. Additionally, while health professionals can make a clinical assessment or diagnosis, their skill set may not extend to identifying the impact of a person’s disability on their learning or what appropriate reasonable adjustments and supports might be needed in a specific learning context. Children and young adults may have assessments for the purposes of primary and secondary education but not for post-secondary education. In addition, while most students are best placed to know what works for them based on their individual experiences and learning needs this is not always the case for adult students with a recent diagnosis.

Further, this ‘verification’ approach perpetuates a medicalised model of disability, and is at odds with the National Disability Strategy, which explicitly recognises the social model of disability[[2]](#footnote-3).

Although online tertiary study options can be attractive to students with a disability, and are becoming increasingly available, studies have shown that online materials often aren’t accessible or designed according to Universal Design Principles (Edwards, 2019). Additionally, lecturers need to have the knowledge and skills to deliver online learning in an accessible and supportive way (Burgstahler, 2015), which isn’t always the case.

In summary – the legislation places the onus on students to know their rights, to register with a support service, to share information about their disability and demonstrate their need for support, while teaching staff face competing priorities and pressures. There is no publicly available data about provider compliance and few consequences when providers are not compliant (DESE, 2020).

The processes are complex to navigate (Fossey et al 2015) and it’s a reactive, case by case model, rather than an all-encompassing inclusive approach. Because there’s no way of capturing data or sharing best practice about the adjustments universities make and how effective they are, there’s also no way of knowing how effective the legislation is in achieving its aim.

*Accessible buildings are not mandated*

The lack of access to adequate sanitary facilities can also be a barrier to participation in education (and employment) for people with disability – and again puts the onus on students to pursue modifications by an institution. Currently, TAFE and university buildings are specifically exempted from the requirement to provide accessible amenities – a requirement which applies to other public buildings, such as shopping centres, sports venues, museums, art galleries and airports via the 2019 National Construction Code Volume One.This situation allows providers to decline to make building modifications if they are seen as out of scope, too expensive or difficult.

People with lived experience of disability have shared stories of the challenges of finding accessible toilets on campus, and of not having undercover accessible walkways to offer protection from rain, a particular challenge if someone is relying on a motorised wheelchair and/or is unable to hold an umbrella.

In the absence of a legislative requirement, voluntary efforts to increase accessible public toilet and change rooms for individuals with high support needs are not resulting in widespread change. Changing Places[[3]](#footnote-4), a voluntary initiative, has resulted in four tertiary institutions across the whole of Australia offering bathroom facilities for people with high level physical assistance needs. This has tended to be thanks to champions associated with those institutions. To our knowledge no stand-alone TAFEs anywhere in Australia have implemented the Changing Places initiative.

*Accessible learning content is not a given*

Inaccessible learning content can be a further barrier to tertiary education, with the onus again on students to pursue accessible options and the creation of downstream costs for institutions.

For example, a prescribed text might not be available in an accessible digital format, meaning that the book must be manually scanned page by page and retro converted from a PDF into a Word document then corrected for mistakes generated by the scanning and conversion process. This can cost $3-4 per page (ATEND, 2020). This is an onerous solution and potentially a duplication of resources if multiple institutions manually scan and convert the same texts.

If the text was available from the publisher in an accessible digital format this process would be unnecessary. This would also mean that the text was accessible to all future students across institutions. A proactive solution would be the introduction of parallel Disability Standards for Publishing, to sit alongside the Disability Standards for Education, to require publishers to produce content in accessible formats.

People with lived experience of disability report that even when e-texts are readily available, there is disparity in the cost as compared with textbooks. For example, an e-text may be available for free through a publisher if a new textbook is purchased, but this precludes a lower-cost, second-hand purchase which would be available to other students.

### Issue 2: Tertiary education providers are not adequately or consistently funded to make reasonable adjustments

Whilst it’s true that tertiary providers are required to fund reasonable adjustments, the same is true of schools and yet the Australian Government has stepped in to provide considerable funding to schools to enable them to meet their legislative requirements, recognising that reasonable adjustments come at a cost. Efforts have also been made to track the effect of reasonable adjustments in schools across the country.

*Schools – a large investment supported by good data*

Australia invests significantly in supporting schools to make the adjustments needed for a student with disability to receive a quality education. Funding per student can range from $4,704 through to $35,350 for a student with extensive support needs (National School Resourcing Board, 2019). As at 2018-2019, this equated to a total of $28.8 billion available nationally (Department of Education, 2019). A further $20 million package was provided to improve the Nationally Consistent Collection of Data on School Students with Disability (NCCD), enabling transparency and evidence-based decision making for students with disability.

*Tertiary education – a patchy investment with limited data*

In contrast, funding available to the tertiary education sector is vastly less per student, not available to all providers at all education levels and with limited and inconsistent data collection.

In the higher education sector, the Australian Government funds the Higher Education*Disability Support Program,*providing funding to eligible higher education providers, to support students with disability to access, participate and succeed in higher education. Funding can be used for staff training to better support students with disability, and to modify course content, teaching materials and delivery methods to better meet the needs of students with disability.

Although funding for the program grew 17.6% in nominal terms between 2008 and 2018, funding has declined by 4.8% over the period in real terms. An increase in the number of students with disability means that between 2008 and 2018, the amount of funding per student has declined from $265 to $110 (Universities Australia, 2020).

Historically, the program has supported individual curriculum adjustments, whereas an independent evaluation recommended a shift towards application of universal design for learning principles that would make mainstream curricula accessible to all students (KPMG, 2015) – reducing the need for students to disclose a disability and saving downstream costs associated with individual adjustments.

The quantum of funding for the Higher Education Disability Support Program in Australia stands in sharp contrast to the two major funding initiatives in the United Kingdom:

* The Disabled Students Allowance, which is available for higher education students with disabilities and provides up to $40,000 (£25,000) a year for students to meet the study-related costs of a mental health diagnosis, long term illness or any other disability e.g., for specialist equipment, a non-medical helper or general support (UK Government, 2021); and
* Funding of $73 million (£40 million) annually from the UK Office for Students to support providers to develop inclusive teaching practices and further adopt the social model of disability. This approach creates incentives for a whole-of-institution commitment to implementation of inclusive design. Such an approach is essential given that disability services within Australian tertiary institutions do not control all the levers necessary to achieve inclusion at an institutional level (e.g., staff training, procurement of learning management systems or setting course readings).

In the VET sector, there are limited and varied, State and Territory funded programs:

* Employer incentive funding is available nationally via the Disabled Australian Apprentice Wage Support. The scheme is for employers who engage people with disability in an apprenticeship or traineeship and funding is paid to employers rather than apprentices. Eligibility for DAAWS comes with funding provided to the apprentice’s RTO to provide extra help such as tutorial services.   
    
  Anecdotal feedback is that the scheme is underused with complex eligibility guidelines. Poor accessibility to RTO supports is exacerbated by the requirement that employers and medical professionals understand and complete the documentation correctly; a concern given stigma may prevent apprentices from sharing information about their disability with employers. The scheme is paid at $104.30 per week for a full-time apprentice, equivalent to $5,424 per annum. Only 3% of trainees or apprentices are documented as having a disability, showing that this pathway is particularly difficult to access for students with disability (NCVER, 2021).
* The *NSW Smart and Skilled* program supports people with disability to access training. Eligible students are exempt from fees for any *Smart and Skilled* training they undertake.
* TAFE NSW employs teacher consultants who help to arrange support and adjustments for individual students. Teacher consultants are typically funded by State provided Community Service Obligation funding and available only to TAFE NSW or Adult Community Education (ACE) providers. In ACE settings, the scope of support may be limited to foundation or partial qualifications only. The teacher consultants do not cover private registered training organisations.
* The Queensland Government *Skills Disability Support* program provides specialised technology and support services to *Skills Assure* suppliers to assist students with disability to gain nationally recognised skills and qualifications. Demand for this program outstrips supply, historically with no funding available for periods of up to half a year at a time. Anecdotally this causes confusion and disruption, with some practitioners not being aware the funding had run out. Additionally, many private registered training organisations would not be eligible for this funding as it is limited to *Skills Assure* suppliers only.
* Apart from these, there are no specific funding programs in other Australian States and Territories with a focus on supporting access to enable equitable participation of students with disability.

The **National Disability Coordination Officer (NDCO) Program** funds host provider organisations such as universities, TAFEs, and employment and training service providers to employ a national network of NDCOs who work with stakeholders to reduce systemic barriers, facilitate smooth transitions, build links, and coordinate services for people with disability between the education, training, and employment sectors. Whilst this network plays an important role, it cannot drive, nor was it designed to drive, large-scale, systematic change nor replicate the range of individual adjustments that could be made if tertiary institutions had access to funding of a similar scale to schools or the United Kingdom funding models. The NDCO Program has also been under review, and subject to short-term contract extensions since 2021. It is currently operating at around 50% of budgeted staffing capacity, which further limits this Program’s capacity for strategic impact.

### Issue 3: The National Disability Insurance Scheme (NDIS) alone cannot fix it

About 10% of Australians with disability are eligible for individualised funding through the NDIS (based on NDIS data that 500,000 out of 4.3 million Australians with disability will be eligible for NDIS supports). For the 90% of Australians with disability who are *not* eligible for individualised funding through the NDIS, the onus will be on them to find an institution that can offer the type of support they require and to proactively seek support once there.

For the 10% of Australians with disabilities who are eligible, the NDIS investment is predicated on increased economic participation for people with disability – an area where Australia has performed poorly compared with most other developed economies (Productivity Commission, 2011).

However, participation in tertiary education by NDIS participants is not currently measured and therefore lacks visibility, despite this being central to achieving the NDIS vision of economic participation. Data published by the National Disability Insurance Agency (NDIA) conflates all learning outside of school under the term ‘lifelong learning,’ so it’s impossible to analyse the impact of the NDIS on access to tertiary education. The minimal data that is available does not paint an encouraging picture:

* only 10% of NDIS participants aged over 25 reported participating in education, training, or skill development as at 31 December 2020, down from 14% as at June 2018, and
* over one third of participants (36%) aged over 25 were unable to do a course or training they wanted to do in the last 12 months, comparable to the 35% who reported being unable to do so as at June 2018 (NDIA, 2018 and NDIA, 2020).

The Australian Government Joint Standing Committee on the NDIS expressed concern that “the educational needs of participants—particularly tertiary education—seem to have been neglected in workforce planning” and recommended that a national education strategy for participants be developed (Joint Standing Committee on the NDIS 2020). The focus of such a strategy would be to support participants to engage in education and training, and support transitions from education to employment.

This will be an important next step to maximise tertiary education participation and employment outcomes for those Australians with disabilities who are eligible for the scheme. However, even if this opportunity is fully realised, the NDIS will still only fund personal care or specialised supports. The tertiary education system will still be expected to fund educational supports such as learning support, aids, and equipment to make curriculums accessible, or adjustments to buildings.

Additionally, the siloed approach to funding educational versus disability supports can have the perverse effect of people ‘falling through the cracks’ entirely. People with lived experience of disability have shared stories of neither their education provider nor the NDIS willing to fund on-campus personal care support, while also not being willing to provide educational supports for study at home, where the student’s personal care needs can be met, and results in a barrier to in person or remote learning.

For those Australians with disability not eligible for individualised NDIS supports, the *Information, Linkages and Capacity-Building (ILC)* funding stream of the NDIS is designed to increase accessibility of mainstream services. However, this is a demand-driven, ad hoc, submission-based and non-recurrent funding program. Whilst it allows for new models and approaches to be trialed and evaluated, it cannot, on its own, drive widespread systems change, although it is expected to do so. Further, once the funding is withdrawn there is not an obvious link to any ongoing change or systemic output from the short-term intervention funded during the grant, meaning the impact is arguably not sustained.

Further, the program has not delivered a strong focus on tertiary education to date. A review of ILC grants in the *Individual Capacity Building* category did not identify any relevant projects (NDIS, n.d; Department of Social Services, n.d.)[[4]](#footnote-5). Review of the *Economic Participation* *Funding* category identified 14 projects with a training, employer, or vocational focus, although it was unclear whether the scope included formal tertiary education (Department of Social Services, n.d). Three projects are clearly operating in the tertiary education sector, and it would be useful to understand evaluation outcomes from these projects and, if positive, to understand how they might be replicated or inform a national tertiary education strategy. These three projects are:

1. a program at Holmesglen Institute of TAFE to provide young adults with disability the opportunity to complete a course in work education whilst being immersed in a work-based environment
2. a collaboration between Sprout Cooking School and Flinders University in South Australia to increase employment in hospitality and inclusive dining through developing and delivering specialised training to young people with disability
3. a project sponsored by Swinburne University of Technology working with Australia Disability Enterprise to implement the Work Integrated Social Enterprise model that supports the development of employment opportunities in the mainstream labour market for young people with disability (NDIA, n.d.)

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1. Limited data is published by the Australian Human Rights Commission about complaints made relating to disability discrimination in education, but the data is at a high level. For example, there is no data on the outcomes of disability complaints in education and therefore no conclusions can be drawn about provider compliance or the impact of the legislation for people with disability. Additionally, this data does not cover complaints pursued via other regulatory bodies nor compliance action taken, and what data is held is not used publicly to drive good practice. [↑](#footnote-ref-2)
2. A medical model puts the onus on people with disability to ‘prove’ what’s ‘wrong’ with them and then respond on a case-by-case basis, whereas a social model recognises that barriers to participation are due to the way society is organised, and puts the onus on communities and institutions to facilitate inclusion of people with disability [↑](#footnote-ref-3)
3. <https://changingplaces.org.au/> [↑](#footnote-ref-4)
4. All funding descriptions were searched using the following search terms: education, vocational, university, graduate, VET, training, TAFE, RTO, and apprentice, trainee, employer. Projects were not counted if they obviously involved training in areas such as life skills, advocacy, staff training or governance training. [↑](#footnote-ref-5)