2025 Australian Government Review
Disability Standards for Education 2005

21 November 2025

Who we are

The Parents and Citizens (P&C) Federation of NSW ('the Federation') is a representative voice for parents and students in public education in New South Wales. We represent over 2,000 P&Cs and 10,00 office bearers, representing 791,000 public school students and their parents. This makes the Federation one of the largest volunteer-based organisations within Australia. Our experience of the issues within education is broad and carries with it the voice of a substantial cohort of parents and carers caring for and supporting children living with disability.

The Federation supports inclusive education for all students in all school sectors. We recognise the substantial positive benefits for both students with and without a disability that an inclusive educational environment can provide. As with many aspects of life – a more inclusive and supportive education environment for students with a disability supports every student.

The P&C Federation believes that education is a universal human rights and that it is the responsibility of government to ensure that a quality education is available to all children. An inclusive education requires the necessary infrastructure, resources and supports to ensure positive and equitable outcomes.

About our submission

The Federation thanks the Australian Government for the opportunity to contribute to this important review. We note and appreciate the substantial amount of work undertaken since 2020, at the commonwealth and state level to build awareness of the Standards but recognise, as does the Australian Government that there is still much room for improvement.

This submission will call on previous submissions we have made (available on our website). These include submissions dealing with specific issues of inclusion, to the: NSW Parliament [1] [2], the NSW Government[3] and the Auditor General of NSW[4] and more generally regarding issues that have (concerningly) a disproportionate impact on students with a disability. The latter includes for example, a recent NSW Government inquiry dealing with bullying[5].

We especially note and commend the final report of the NSW Parliament Portfolio Committee No.3 – Education 2023 *Inquiry into Children and young people with disability in New South Wales educational settings (August 2024)* which provides a comprehensive and systemic overview of the issues facing students with a disability and their carer and families across NSW. While our submission will selectively note a few of its twenty findings and twenty-eight recommendations, we suggest it is perhaps the best and most useful review document for the Australian Government to use in its review of the Standards. We also note the NSW Government's formal response to the committee and work already underway to implement many of its recommendations (much if it in response to the earlier and broader Disability Royal Commission)

[1] P&C Federation (Feb 2024) – submission to the NSW Parliament Portfolio Committee No.3 - Education *Inquiry into Children and young people with disability in New South Wales educational settings (Dec 2023)*

[2] P&C Federation (Oct 2024) – submission to the NSW Parliament Select Committee into *Child Development, Early Childhood Intervention and Disability Supports* (Aug 2024)

[3] P&C Federation (Feb 2024) – submission to the NSW Government's Department of Communities and Justice re the *Final Report of the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability*

[4] P&C Federation of NSW (May 2024) – submission to NSW Auditor General *Inquiry into Supporting students with a disability (2024)*

[5] P&C Federation NSW (June 2025) - submission to the NSW Government's *Anti-bullying rapid review*

Beyond our formal submissions, our advocacy brings forward the lived experiences and perspectives of families concurrently navigating the education, health, and disability systems. In this submission, we will include examples of feedback from parents and careers that we have collected over time. This insight is bolstered by active consultation with specialist advocacy groups.

Scope of our submission

We note that the Australian Government is also reviewing the *Disability Discrimination Act*, incorporating its response to various recommendations arising from the Disability Royal Commission. These include issues like suspension or exclusion of students with a disability and reasonable adjustments. As these issues are formally outside the scope of the review of the Standards we will not make comment, except to say that we welcome a review of mainstream processes impacting students and families to ensure they are genuinely inclusive, free of bias and unintended negative consequences.

Our submission will follow the three focus areas in the review's outline.

Introduction

The Federation has often noted that full and adequate funding for the government school sector in general was a pre-requisite for any meaningful and substantial progress towards inclusive education[6] [7]. And while the Federation celebrated the historic Commonwealth and NSW State Government March 2025 agreement to fund public schools in NSW to 100% of the School Resourcing Standard (SRS) the fact remains that these funding changes will take many years to be implemented[8]. The issue of funding to support students with a disability being insufficient and poorly targeted remains.

Like the review of the standards, there have been several inquiries considering the experience of students with a disability in the education system, with recommendations directed at the various education agencies. But we know from talking to our members that parents, carers and students find themselves in the centre of multiple systems and policy settings, the latter overseen by multiple agencies at all levels of government. This is where the combined experience of all government policies and systems come together: disability, education, health, social security or transport. And of course, there is the additional overlay of other challenges and complexities that may arise from socio-economic, cultural or family dynamics that are the backdrop to a child's life.

We encourage the Australian Government, in conducting this review, to firstly, put children and their parents and carers at the centre; and secondly, ensure multi-agency interfaces and opportunities are carefully examined.

We recognise that the NSW Department of Education ('the Department') is responding to a very large number of important Recent disability reviews and inquiries. The Federation is providing advice in a range of associated formal consultations and thanks the Department for the opportunity.

[6] P&C Federation of NSW (October 2024) – submission regarding the Better Fairer Schools (Funding and Reform) Bill 2024 available here.
[7] P&C Federation of NSW (May 2024) – submission to the NSW Auditor General Inquiry into Supporting students with a disability available here
[8] P&C Federation Media Release (March 2025) - Historic Day for Public Education | P&C Federation

Summary – key observations and recommendations

1. Effective implementation of the Standards

1.1 need for proactive alert to parents, carers and children re their rights and entitlements – from early childhood onwards and at critical transition points

Recommendations:

- **Identify critical decisions and junction points in a child's education journey. Establish clear whole-of-government protocols for anticipating these milestones**, proactively alerting parents and carers to upcoming decisions, planning of support and available options.
- **Create a simple and consistent one page document** (available in various community languages) **about the rights of students with a disability within the education system** consistently made available through commonwealth and state agency websites (education, health, disability, NDIS)
- **Ensure non-education agency websites (commonwealth and state) currently advising parents about the education are aligned and practically helpful** – with simple navigation via hyperlinks to education sites.
- **Ensure children are encouraged and supported to be effective advocates for themselves within the school system** (age and ability appropriate) whether that be in the classroom or navigating school facilities such bathroom access.

1.2 Need for realistic assessment of what it takes to support teachers and schools to support children with a disability – it can't be modelled on 'heroic efforts'.

Recommendations:

- **ensure teachers and School Learning Support Officers (SLSOs) receive initial training and ongoing professional learning** that provides the necessary skills and knowledge to deliver an inclusive education.
- **provide more robust support for teachers in managing complex behaviours in classrooms, including specialist behaviour support staff in schools**
- **reduce wait times for school-based services** (e.g. counsellor/psychologist) to assist families trying to address emerging problems. Adopt the generally accepted counsellor/student ratio at any school is 1:500.[1]

1.3 Increase targeted resources: enabling schools to operate with more flexibility and certainty

Recommendations:

- **ensure schools have access to specialised resources and professionals to address specific needs.** Schools and the school system must be fully and adequately funded (not merely provided with individual student loadings) and better targeted to increasing the availability of support for children with a disability.
- **change the resource allocation model (RAM) to be more targeted and consistent** – creating greater certainty for disabled students and teachers alike
- **recognise and reduce disadvantage of geographical remoteness** via remote technology. Where remote technology is not feasible (such as in the provision of SLSO support for students with autism), the Department must have funding to ensure students in these areas are not disadvantaged.

1.4 Address poor integration between the NDIS and education system (including Outside School Hours Care)

Recommendations:

- **formal consideration of allowing NDIS carers to directly assist students in the classroom across the school day when support is most needed.**
- **formal links from NDIS system into education systems especially during the early childhood to school transition period.** Specifically, NDIS website to link to The Standards and provide suggestions for how the parents can integrate support offered by both systems (NDIS and education)
- Address the interface between the NDIS and early childhood education and care so that families are not expected to use individual packages to substitute for systemic underfunding of inclusion in mainstream services

2. Inclusive decision-making - How well students, their families and carers are supported to be involved in decisions. It covers being supported through complaints handling.

2.1 Improve parent and carer awareness of their child's rights and supports they are entitled to

***Recommendations* (beyond those in section 1):**

- **Ensure the new student planning process to apply in NSW schools in 2026 includes a focus on the following-up on agreed actions, timely review of plans and communication with parents and carers**

2.2 Provide an independent complaint processes outside of the local school

Recommendations:

- **Introduce a new independent complaints management process** that operates outside of the principal's direct line of report, operated by an independent office staffed by specialists in the Standards, disability discrimination law and Departmental policy, funding and disability support
- **review current communications, issues resolution complaints processes and assess for unintended negative consequences or bias** against parents or carers (themselves) with a disability and/or general disadvantage
- **complaints processes should be made available on every school website**.

3. Clear responsibilities for assessment authorities and course developers

Recommendations:

- **create a streamlined process, for granting disability provisions for the HSC. The process should incorporate recognition of pre-existing conditions and adjustments already provided in the classroom and include a line of communication between the relevant agencies and parents.**

1. Effective implementation of the Standards

How well the standards are understood, used and followed

The NSW Department of Education has a clear policy statement regarding *the Inclusive Education for students with a disability* applying to *All staff, including all contractors, consultants, volunteers and committee members working with the NSW Department of Education.* The policy clearly states the legislative underpinning of the policy including the Standards, though there is no easy hyperlink. The policy provides some brief statements of entitlements and links to Personalised learning and support processes. These processes set out the legal obligation of education providers to understand student needs and make reasonable adjustments so *students can participate in education on the same basis as students without disability.*[9]

The Federation observes that many parents lack awareness of their child's formal rights, Department policies and resources available to support students with a disability whatever their legislative source. And even in the case of those parents who are well-versed in each of these, there is a reported constant battle for communication, transparency, consistency and follow-up of agreed actions.

The lack of follow-up is not just a procedural fairness issue. The NSW Parliamentary Committee Education Portfolio Committee looking into these matters found that *in some instances, a school's failure to effectively implement an individual learning plan or behaviour management plan was linked to negative outcomes for children's behaviour and consequently their education*.

In short, there is a great (and sometimes unreasonable) pressure on parents to be always advocating for their child/ren; to be one, two, three steps ahead of the education providers. While not surprising (and commendable given the heroic efforts of this cohort of parents and carers) this does raise the question of what happens to students whose parents/carers are unable to apply this level and intensity of advocacy due to their own circumstances? These might include some or a combination of these practical circumstances: socio-economic; sole carer status; family size and employment pressure; language and cultural barriers; their own disability and potentially a personal negative experience of the education system.

The Federations' 2024 survey of parents and carers of children with disability (refer Appendix 1) relays a highly common sentiment: that the school and its staff, while often having good intentions, are hampered by insufficient understanding, training and support in addressing students with diverse needs. As a result, the supports and adjustments their child receives may be inadequate and inconsistently applied; their experience of trying to communicate and have issues resolved can be confusing and unfortunately become adversarial. The latter is often exacerbated by the scarcity of resources available to principals to provide the very adjustments that an understanding of the student's rights would require. Later in this submission we will comment on elements of complaint handling approaches which may be compounding this.

> *"I am having to advocate constantly. Little to no communication from the school, Accommodations in IEP not actioned and not communicated to teachers. We get a iep meeting each year but then nothing included in the plan actually happens. I've contacted my school multiple times this year, had a great conversation but then still no action."*

[9] NSW Parliament Portfolio Committee No.3 – Education (August 2024) Final Report Finding 7 at p xi *Inquiry into Children and young people with disability in New South Wales educational settings (Dec 2023)*

1.1 need for proactive alert to parents, carers and children re their rights and entitlements – from early childhood onwards and at critical transition points

There are terms to describe the typical milestones and transition periods in a child's education journey: early childhood to primary; primary to secondary; and then post-school. All parents and carers know of these, but in the case of parents of a disabled child/ren there is a heightened level of worry and concern during and anticipating these periods.

The NSW Department of Education website provides positive statements about its commitments to inclusive education. These are backed up by some helpful pages advising parents and carers of children with additional needs or disability at various ages, for example under 4, age 4- 6. There is helpful advice that contacting a school 2 years before enrolment is ideal. But how well is that understood?

Parents and carers with children with a disability or with additional needs may come across various advice about their child's rights and available support, from:

- the NDIS, with some limited advice about engagement with the education system (early childhood through to school)
- early childhood educators or health professionals especially regarding transition to school. The NSW Department of Health[10] for example, provides helpful advice about 'preparing your child for preschool'

However, in these cases, the communication process is unreliable and reliant on parents and carers knowing the rights of their children and where to look for more information. The NSW Health site for example, doesn't take the extra step of referring parents to other government education websites.

Most children with a disability are required to deal with the education system in real-time (during school hours) and without the advocacy assistance of their parents or carers. Processes that support students being able to communicate their own needs, ask for help or other adjustments are important.

Recommendations:

- **Identify critical decisions and junction points in a child's education journey. Establish clear whole-of-government protocols for anticipating these milestones**, proactively alerting parents and carers to upcoming decisions, planning of support and available options.
- **Create a simple and consistent one page document** (available in various community languages) **about the rights of students with a disability within the education system** consistently made available through commonwealth and state agency websites (education, health, disability, NDIS)
- **Ensure non-education agency websites (commonwealth and state) currently advising parents about the education are aligned and practically helpful** – with simple navigation via hyperlinks to education sites.
- **Ensure children are encouraged and supported to be effective advocates for themselves within the school system** (age and ability appropriate) whether that be in the classroom or navigating school facilities such bathroom access.

[10] NSW Department of Health Preparing your child for preschool - 3- 5 years accessed 11/11/25

1.2 Need for realistic assessment of what it takes to support teachers and schools to support children with a disability – it can't be modelled on 'heroic efforts'

The provision of inclusive education for students with a disability requires specialist training, personnel, and resources. It is not reasonable or realistic to expect teachers to be able to cater for students with a wide range of needs if they do not receive training and support to do so.

Wait times for school-based services (e.g. counsellor/psychologist) are often so long as to be meaningless to families that are trying to address emerging problems. The generally accepted counsellor/student ratio at any school is 1:500[11], was recommended to the NSW Department of Education as far back as 2010,[12] and compares unfavourably to recent figures suggesting the current ratio is approximately 1:650.[13]

Recommendations:

- **ensure teachers and School Learning Support Officers (SLSOs) receive initial training and ongoing professional learning** that provides the necessary skills and knowledge to deliver an inclusive education.
- **provide more robust support for teachers in managing complex behaviours in classrooms, including specialist behaviour support staff in schools**
- **reduce wait times for school-based services** (e.g. counsellor/psychologist) to assist families trying to address emerging problems. Adopt the generally accepted counsellor/student ratio at any school is 1:500.[14]

1.3 Increase targeted resources: enabling schools to operate with more flexibility and certainty

Adequate supports, in the form of smaller classes, well-trained teachers, specialists, learning support officers, and well-designed learning and playground spaces benefit all students, not just students with a disability.

Providing these supports allows students with a disability to access learning in a way that best meets their individual needs, while allowing teachers to meet the broad needs of all students through differentiated teaching strategies. The result is that the needs of all students are met, and schools can provide a high-quality education to all students regardless of ability.

As more students with disability are included in mainstream education, it will be necessary to be more strategic by making these investments in anticipation of the arrival of students that need them, not in response to their arrival.

Nationally, funding for supports for students with a disability in government schools are largely based on categories of assistance under the Nationally Consistent Collection of Data on School Students with

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[11] Australian Psychological Society (2016). '*Framework for effective delivery of school psychology services: A practice guide for psychologists and school leaders* accessed from APS website; and Gallop Inquiry(2021) *Valuing the Teaching Profession* available from this website

[12] Recommendation 22 of *Report No 34 - General Purpose Standing Committee No 2 - The provision of education to students with a disability or special needs*. 2010

[13] NSW Legislative Council. 26 September 2022. Official Hansard, Question and Answer 9434 – https://www.parliament.nsw.gov.au/lc/papers/Pages/qanda-tracking-details.aspx?pk=93060

[14] Australian Psychological Society (2016) and Gallop Inquiry (2021) op cit

Disability (NCCD). In addition to the three levels of adjustment for disability loadings *Australian Education Regulations 2023* (supplementary, substantial and extensive), the NCCD also defines a fourth level of support: "support provided within quality differentiated teaching practice," which refers to supports that teachers are expected to provide without additional funding.

While the NSW Government provides low level adjustment for disability funding to support students with additional learning and support needs, this loading is at high risk of being insufficient on a school-by-school basis. As this loading is not tied to specific students, support may not always go specifically to resources for students with disability. This does not represent an intentional diversion of funds, but instead represents the practical realities faced by principals who are forced to operate in a general environment of underfunding.

This is especially felt in small schools, especially those outside metropolitan areas. Infrastructure supports, for example, classroom modifications, including sensory or quiet spaces, ramps, disabled toilets) are often sought in response to the needs of a specific student. This can create gaps in available resources when a student enrols due to the time needed to make modifications.

The NSW Parliamentary Committee found that this fluctuating funding makes it difficult for NSW public schools to retain skilled learning and support teachers. Its *Recommendation 10* calls on the NSW Government to investigate adjustment to the resource allocation model (RAM) to be more targeted and consistent – creating greater certainty for students and teachers alike.[15] The NSW Government response to the Committee's recommendations are that it 'notes' this recommendation (as opposed to a 'supports).

Recommendations:

- **ensure schools have access to specialised resources and professionals to address specific needs.** Schools and the school system must be fully and adequately funded (not merely provided with individual student loadings) and better targeted to increasing the availability of support for children with a disability.
- **change the resource allocation model (RAM) to be more targeted and consistent** – creating greater certainty for disabled students and teachers alike
- **recognise and reduce disadvantage of geographical remoteness** via remote technology. Where remote technology is not feasible (such as in the provision of SLSO support for students with autism), the Department must have funding to ensure students in these areas are not disadvantaged.

1.4 Address poor integration between the NDIS and education system (including Outside School Hours Care)

The Disability Royal Commission identified poor integration between the NDIS and education supports as a barrier to inclusive education for students with a disability.[16] With this in mind, the Federation recommends that the review of the Standard explicitly explore ways to better integrate external supports provided by the National Disability Insurance Scheme (NDIS).

[15] NSW Parliament Portfolio Committee No.3 (August 2024) Final Report – Education at p 133

[16] Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability: Final Report, Volume 7. Page 175

Specifically, we recommend the option of allowing certain categories of NDIS carers to provide support to students in the classroom and across the school day when support is often most needed. This will alleviate the pressure on teachers and teachers' aides whilst giving students access to a carer who they have a relationship with. We expect that parents and carers of other members of the class would also be supportive.

> A Federation survey to parents on disability support in government schools, over 85% of parents of a child with a disability indicated they support the inclusion of NDIS carers in classrooms to assist students with a disability.

Incorporating NDIS carers into classroom settings appropriately requires proper and careful planning from governments. This includes the careful definition and delineation of the different roles of the various people potentially involved in a child's daily education. Allowing NDIS carers in a classroom setting must not lead to NDIS carers performing the role of an educator.

We suggest the following role definitions might apply:

- **Teacher:** responsible for imparting the curriculum to students and managing classroom control in line with Department policies.
- **School Learning Support Officer (SLSO):** under the supervision and direction of a teacher, act as part of a learning and support team to assist in the development and implementation of a learning and support program.
- **NDIS carer in classroom:** responsible for supporting a student for matters that fall outside the education sphere

We also recommend that communication, advice and support set out in the commonwealth-controlled NDIS websites should explicitly recognise the circumstances of school-age children. A cursory review of the NDIS right and responsibilities suggests its audience is primarily adult NDIS scheme participants with little to no support or advice for parents and carers of disabled children.

The availability of high-quality Outside School Hours Care (OSHC, more commonly known in as OOSH in NSW) is an important support to parents and carers with school-aged children, including those with additional needs or a disability. There is a structural policy gap in how Australia funds the inclusion of school aged children with disability in out of school hours care, which means that even where families can find an OOSH place, equal access is often financially unsustainable for the service and therefore functionally unavailable to the child.

At present, the only dedicated funding lever that OOSH services can access for children with complex needs is the Commonwealth Inclusion Support Programme (ISP) via the Inclusion Support Subsidy. The ISP is explicitly designed to support inclusion across a whole service and is not intended to provide ongoing one-to-one support for an individual child. In practice, the subsidy neither reflects the real wage cost of an additional educator, nor the true staffing profile required to safely and meaningfully include a child who needs one-to-one or two-to-one support, for example with toileting, behaviour support or complex medical needs. This means that even where services are approved for Inclusion Support, they are left funding a substantial shortfall out of already thin operating margins. For for-profit providers in particular, this creates a clear incentive not to enrol children whose attendance will be consistently loss making.

The National Disability Insurance Scheme (NDIS) is often pointed to as the alternative, but it is effectively unavailable as a mechanism to secure the staffing that inclusion in OOSH requires. NDIS funding cannot be used to pay the wages of an OOSH educator working inside the mainstream service. At best, it may fund a separate support worker employed by an external provider or contribute to the cost of equipment and some "reasonable adjustments" in the environment. This is not inclusion in any meaningful sense. It fragments the child's experience across two parallel systems; it undermines their opportunity to build authentic peer relationships in their OOSH community; and it does not address the fundamental issue that the service itself cannot afford the staffing profile needed to enrol the child and keep them, and others, safe.

Crucially, the costs of inclusion are not limited to the minutes spent directly supervising a child. Implementing a child's NDIS plan and goals within the OOSH setting, engaging with families and allied health providers, developing individual support plans, and designing and reviewing reasonable adjustments all require significant time from coordinators and educators. Where specialist equipment is needed, the NDIS may agree to fund a trainer to demonstrate its use, but it does not pay for the educators' time to attend that training, nor for the ongoing refreshers, practice and incident reviews that quality and safety demand. Services are therefore expected to absorb the labour cost of building and maintaining this capability, on top of the additional on floor staffing, within a funding model that already undervalues school aged care.

The result is a quiet form of exclusion. Services that genuinely want to do the right thing are forced to make impossible choices between financial viability, staffing safety and their legal obligations around non-discrimination and inclusion. Families of children with disability experience repeated knock backs or are offered precarious enrolments that are withdrawn when the real cost becomes apparent. Parents, often mothers, are then pushed out of the workforce or into underemployment because OOSH is not able to support their child's attendance on an equal basis with their peers. This is not a matter of poor practice in individual services. It is a policy design failure in which the Commonwealth subsidy architecture, NDIS rules and the actual cost structure of OOSH do not align, and the gap is being pushed onto families and individual services to carry.

Recommendations:

- **formal consideration of allowing NDIS carers to directly assist students in the classroom across the school day when support is most needed.**
- **formal links from NDIS system into education systems especially during the early childhood to school transition period.** Specifically, NDIS website to link to The Standards and provide suggestions for how the parents can integrate support offered by both systems (NDIS and education)
- Establish a dedicated, ongoing funding mechanism for education and care services (including Out of School Hours Care) that covers the full wage costs to provide high quality care to children with a disability.
- Address the interface with the NDIS and early childhood education and care so that families are not expected to use individual packages to substitute for systemic underfunding of inclusion in mainstream services.

2. Inclusive decision-making

How well students, their families and carers are supported to be involved in decisions. It covers being supported through complaints handling.

The Federation supports the inclusion of this topic as one of the three key focuses of the review of the Standards but note that much of our commentary and recommendations have already been noted in section 1.

We endorse the observation made in the discussion paper, that students and carers often feel excluded from decision-making and find the experience of making a complaint or having issues resolved to be very challenging.

Feedback to the Federation via one P&C Inclusion Sub-committee highlighted another challenging aspect of parents engaging with the school and advocating on their child's behalf: w*e have seen numerous cases whether the parents of neuro diverse children are themselves neuro diverse and find the whole school bureaucracy very challenging and at times overwhelming.*

An internal P&C Federation survey (refer Appendix 1) of parents of a child with a disability were asked which issues they think their school does well. It is concerning that fewer than half of respondents considered their school does any of the supplied options about their child's education particularly well (Refer Appendix A).

Parents identified the need for improved communication; access and delivery of resources and training as the areas most need of attention. Parents say that communication between a school and/or the Department of Education and parents about available resources to meet student need is confusing and can become adversarial. One source of confusion regards the relative responsibilities for various support/resources between the school and those external to the education system.

A common sentiment of parents was that the school and its staff, while often having good intentions, are hampered by insufficient understanding, training and support in addressing students with diverse needs. As a result, the supports and adjustments their child receives may be inadequate and inconsistently applied. Parent comments in the P&C Federation Survey include:

> *"I am having to advocate constantly. Little to no communication from the school, Accommodations in IEP not actioned and not communicated to teachers. We get a iep meeting each year but then nothing included in the plan actually happens. I've contacted my school multiple times this year, had a great conversation but then still no action."*

> *"We've found access to services and support inside and outside the school to be very difficult and if your child has mild needs it feels like there is literally no additional support and no interest from OTs to help as they have higher need people to support."*

"My children have a great school however their understanding of special needs children needs further development as they seem to think all special needs children are the same"

"Sometimes the communication is excellent and timely but sometimes I need to advocate before things are done. I keep school updated about diagnoses and intervention"

The Federation has recently participated in formal consultations with the NSW Department of Education regarding its review of enrolment practices. This includes a review of the individual student planning process. While principally undertaken to reduce workload and complexity the process has provided the opportunity to ensure that learning and support plans for students with a disability and/or other additional needs are simple and effective (and presumably aligned with the requirements of the Standards). These are in addition to mandatory health support plans required for students with health conditions.

During the consultation the Federation has relayed parental concerns about the frustration of repetitive requests for documents, for example about disability diagnoses during the enrolment process; divergent practices for the requests and retention of documents across different schools, and frequent reports that documents could not be located after they were submitted.

We commend the NSW Department of Education for this review and look forward to an improved outcome for students and parents as the new approach is implemented.

2.1 Improve parent and carer awareness of their child's rights and supports they are entitled to

As discussed in section 1, the Federation observes that many parents lack awareness of their child's formal rights and the Department policies and resources available to support students with a disability. But even in the case of those parents who are well-versed in each of these, there is a reported constant battle for communication, consistency and follow-up of agreed actions.

In short, there is a great (and sometimes unreasonable) pressure on parents to be always advocating for their child/ren. While not surprising (and commendable) this does raise the question of what happens to students whose parents/carers are unable to apply this level and intensity of advocacy due to their own circumstances? These might include some or a combination of these practical circumstances: socio-economic; sole carer status; family size and employment pressure; language and cultural barriers; their own disability and potentially a personal negative experience of the education system.

As one of our P&C parent members noted to us:

"I'm able to be a good advocate for my kids. If the school suggests that one more medical report is required to support the case for an adjustment I've got the money to do that. And the skills. To pay the $90 to see the GP to get to the report. To write the letter. I know a lot of parents just can't do that. It's just not equitable"

Recommendation (beyond those in section 1):

- **Ensure the new student planning process to apply in NSW schools in 2026 includes a focus on the following-up on agreed actions, timely review of plans and communication with parents and carers**

2.2 Provide an independent complaint processes outside of the local school

Notwithstanding that an improved individual planning process is intended to prevent issues arising and create more effective communication between schools, parents and students, there will be occasions where complaints are (and should be) made by parents and carers.

Issues surrounding students with a disability and necessary supports are often highly personal, emotional and technical.

The Federation has maintained for some time that the NSW Department of Education should institute a much more robust complaints management process; one that provides a resolution option outside of the local school and principal-to-principal line manager chain of command.

We note that the NSW Parliamentary Committee reached the same conclusion, firstly finding the current complaints handling process to be *severely inappropriate*; and then recommending that … *the NSW Government investigate and review options for an independent oversight function or body to support, advocate and investigate on behalf of children and young people with disability and their families (Recommendation 23).* [17]

In the Federation's view, there are at least three critical requirements for a sound and effective complaints mechanism. There should be:

1. a mechanism, independent of the Department of Education, available after initial efforts to resolve disputes at the local school or district level have been unsuccessful.
2. an informal dispute resolution process that utilises specialist personnel who are familiar with the needs of students with a disability, the requirements of various laws and standards, and working knowledge of the types of reasonable adjustments that are available to support students

[17] NSW Parliament Portfolio Committee No.3 (August 2024) Final Report – Education at p 141

3. an appellate process available when informal dispute resolution fails. To be effective, an appellate tribunal should have the authority to direct schools or school systems to provide specific adjustments or make other orders as necessary to meet a school's obligations to a student with a disability.

Naturally, for the purposes of transparency, the complaints process (current or improved) should be clearly available on every government school website as a matter of course.

The P&C Federation suggests that Victoria's Independent Office for School Dispute Resolution is a sound model for the informal dispute resolution process.

Recommendations:

- **Introduce a new independent complaints management process** that operates outside of the principal's direct line of report, operated by an independent office staffed by specialists in the Standards, disability discrimination law and Departmental policy, funding and disability support
- **review current communications, issues resolution complaints processes and assess for unintended negative consequences or bias** against parents or carers (themselves) with a disability and/or general disadvantage
- **complaints processes should be made available on every school website**.

3. Clear responsibilities for assessment authorities and course developers

NSW is currently undertaking a very large and wide review of curriculum with a range of important consultation and implementation milestones between 2024-2028.

Beyond the Federation's usual request that parents be provided with adequate and timely advice about these changes, we recommend that students with disability or requiring additional support be given special consideration in this review. We hope to see creative, innovative and ultimately more inclusive approaches to better engaging the very diverse public education student population of NSW.

One area of concern that regularly attracts general community attention relates to the disability provisions for the Higher School Certificate examinations. These provisions are administered by the NSW Education Standards Authority (NESA) in line with the legislated requirements of the Standards.

The Federation's concerns range from the frustration experienced by individual parents (and their children) applying to NESA for these adjustments right through to the apparent system-wide inequity that sees private school students (especially from elite schools) disproportionately applying for and being granted disability provisions.

The NSW Parliamentary Committee found that requirements to access the HSC disability provisions can be onerous[18]. Its findings accord with an observation made by one of our members:

[18] Ibid. at p39

> *"Applications to NESA can be time-consuming and frustrating – having to explain the case to NESA for reasonable adjustments that have been formally agreed to and in place with the NSW Department of Education for years".*

Each year media reports prompt obvious questions as to how it is that some of *Sydney's wealthiest private schools lodge the most claims, despite federal data showing public schools have the highest proportion of pupils with the greatest disability needs.*[19]

The Federation welcomes the Independent review commissioned by the NSW Government currently considering these issues[20].We understand that the review will evaluate the increasing use of NESA HSC disability provisions, particularly the disproportionate application rates in some private schools. Key concerns include the complex application process, school resource differences, and whether all students who need provisions are receiving them.

While we understand that NESA will present its final report findings to the Deputy Premier and Minister for Education before the end of this (calendar year) 2025 for implementation in the 2026 HSC we will make one specific recommendation (echoing Recommendation 22 of the Parliamentary Committee).

Recommendations:

- **create a streamlined process, for granting disability provisions for the Higher School Certificate. The process should incorporate recognition of pre-existing conditions and adjustments already provided in the classroom and include a line of communication between the relevant agencies (and parents).**

[19] Carroll, L. Sydney Morning Herald (1 Dec 2024)- *We need to reassess': One in seven HSC students claim exam help*

[20] NSW Government (Dec 2024)- Review to consider how to best support students with disability accessing HSC exams | NSW Government accessed 17 Nov 2025

Appendix 1: Thinking about your experiences with your child with disability, which of these issues do you think your school does well? P&C Federation survey of parents (May 2024)

ANSWER CHOICES	RESPONSES
Listening to the needs and aspirations of students and their families – meaningful and ongoing discussions.	48.51%
Clear goals with action items.	34.65%
Genuine shared responsibility, where families, carers, and teachers working together in solidarity to give consistent support to the students with disability; being clear about the role of each person.	33.66%
Accessible services to assist children with disabilities and their families.	29.70%
Accurate documentation and records to allow for smooth transitions when needed.	24.75%
Empathy and a trauma-informed lens to consider the experiences of children, families, and other significant people.	22.77%
Flexibility in service delivery to combat barriers to access and engagement, including routines and planning	21.78%
Combating myths and misinformation about disability.	19.80%
Decision making processes, models, and tools that are transparent and evidence-based.	16.83%
Education and awareness training for students with and without disabilities to understand their rights and responsibilities in and outside of the classroom.	14.85%
Support for parents learning about disability, accessing resources, and advocating for their child with medical, educational, and other institutions.	11.88%

Common sentiment in comments: the school and its staff, while often having good intentions, are hampered by insufficient understanding, training and support in addressing students with diverse needs. As a result, the supports and adjustments their child receives may be inadequate and inconsistently applied. Some typical comments from survey respondents are reproduced verbatim below:

- *"We've found access to services and support inside and outside the school to be very difficult and if your child has mild needs it feels like there is literally no additional support and no interest from OTs to help as they have higher need people to support."*

- *"My children have a great school however their understanding of special needs children needs further development as they seem to think all special needs children are the same"*

- *"My son has been at the public school for 3 and a half years. He has heightened anxiety from the school environment and the school allows him to feel unsafe, unsupported and promises things will change all the time but they complain there just isn't enough funding. Teachers are coming and going constantly and their is no consistency with staff… staff are untrained around children with learning delays or disabilities due to only doing PDs on curriculum rather then other aspects that are important to. If the early childhood sector can help support children with delays or disabilities schools can to."*

- *"I am having to advocate constantly. Little to no communication from the school, Accommodations in IEP not actioned and not communicated to teachers. We get a iep meeting each year but then nothing included in the plan actually happens. I've contacted my school multiple times this year, had a great conversation but then still no action."*

- *"Sometimes the communication is excellent and timely but sometimes I need to advocate before things are done. I keep school updated about diagnoses and intervention"*