



**Carers Australia's Submission to the Urbis Disability
Education Standards 2015 Review**

June 2015

Carers Australia is the national peak body representing the diversity of Australians who provide unpaid care and support to family members and friends with a:

- disability
- chronic condition
- mental illness or disorder
- drug or alcohol problem
- terminal illness
- or who are frail aged.

Carers Australia believes all carers, regardless of their cultural and linguistic differences, age, disability, religion, socioeconomic status, gender identification and geographical location should have the same rights, choices and opportunities as other Australians.

They should be able to enjoy optimum health, social and economic wellbeing and participate in family, social and community life, employment and education.

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Introduction

This submission has two parts. The first covers a range of issues which obstruct the implementation of the Disability Education Standards in schools and which were brought to our attention by our stakeholders. The second part raises issues around the carers of people with disabilities in tertiary education.

Unpaid family and friend carers are the backbone of Australia's disability care and aged care systems. Their caring role impacts on their physical and mental health and wellbeing, their social connections and relationships, and their opportunities to earn income or learn new skills. Many carers are chronically tired, socially isolated or emotionally exhausted. Carers have the lowest wellbeing of any large group measured by the Australian Unity Wellbeing Index.¹

The 2012 ABS Survey of Disability, Ageing and Carers (SDAC) estimated that there were over 300,000 people under the age of 25 who provided unpaid care to a relative or friend with a disability, people with physical or mental health issues or frail aged people. Their responsibilities place restrictions on the amount of time they can dedicate to their education. Young carers experience lower rates of education participation, success and attainment than non-carers.²

There will also be a number of carers participating in education who are over the age of 25.

Part 1: Views of parents and family carers of children with disability in school education

Special needs relating to education support in schools obviously go beyond physical disability. The parents of children with disability who contact the state and territory Network of Carer Associations frequently have children with special needs relating to education,

¹ Australian Unity Wellbeing Index 17.1 (2007), vii.

² Cass, Bettina, et al (2011), *Young carers: Social policy impacts of the caring responsibilities of children and young adults. Report prepared for ARC Linkage Partners*, 5, 51.

which include autism, intellectual impairment, and learning disabilities. Such children typically need a high range of supports.

Families often have difficulties raising issues with schools due to power dynamics between staff and parents. This problem is compounded because for some children, the range of schools they can go to is restricted by their special needs. There is an unmet need for advocacy around mediation and discussions between schools and parents. Some of the general issues raised by our constituents include:

- The allocation of hours to regional consulting teachers providing aid to children with special needs is insufficient.
- Individualised Education Plans (IEP) are not consistently put in place. For example a family with a child suffering from anxiety requested such a plan, but was told that none was needed.
- If a child requires special adjustments for their education, parents need to be consulted, which is frequently not the case.
- There is a need for increased professional development of school staff in relation to disabilities to enable them to meet the needs of students.
- The phasing out of the Learning Support Coordinators within schools reduces supports available to assist with special needs.
- There is a felt need among parents of children with disabilities for a better advocacy service in the education system.

Funding

Parents have informed us that educational support could not be provided to their child due to lack of available funding. In some cases this has to do with how the school allocates funding internally. For example, there are concerns that not enough is being allocated to teacher assistants.

Schools have the autonomy to independently determine how to allocate their funds, and there are concerns that this may lead to cases where channelling funds into disability supports, such as equipment and education assistants, gets overlooked.

In other cases lack of knowledge prevents schools from accessing available funding. For example the %Schools Plus+Handbook, which contains information on such funding, is not consistently promoted by schools across the country.

Difficult behaviours arising from disability

Children with behavioural issues are often misunderstood. School staff need more training to know how to address these behaviours.

Even though behaviour plans are meant to address difficult behaviours, these plans are not being consistently adhered to by some schools. As a result, children's behaviour problems can often escalate, resulting in suspension or expulsion and it may be difficult to place them in other schools.

Students with such behavioural and other mental health difficulties can access special schools, but often face the problem that such schools are not in close proximity.

Recommendation 1: Carers Australia recommends that the review considers the adequacy and consistency of prescribed supports for children with behavioural and learning difficulty problems in schools (including general staff training and the employment of specialist teachers/assistance).

Part 2: Good practice policy responses for carers in tertiary education

The *Disability Discrimination Act 1992* applies to the tertiary education sector in terms of discrimination against people with disabilities. In doing so, the Act also extends its protection to their carers. Section 7 (1) of the Act stipulates that:

This Act applies in relation to a person who has an associate with a disability in the same way as it applies in relation to a person with the disability.

The definition of 'associate' in section 4 of the Act explicitly includes carers. However, the provisions are meant to protect carers against discriminatory treatment on the grounds of their association with someone who has a disability. They do not protect carers in their own right from the negative impacts which the caring role tends to have on their educational attainments; for example, a student who missed an assignment deadline due to a sudden medical emergency or increase in care requirements.

The *Disability Education Standards 2005* addressed the issues faced by students with a disability and led to the development of policies across Australia's tertiary institutions. The

ways in which tertiary institutions fulfil the requirements of the standards vary considerably from institution to institution.

Some scoping done by Carers Australia over the past two years, which involved contacting 39 universities and other tertiary education providers in Australia, found that in most instances there is very little formal support within tertiary institutions for students who have a caring role. Without institution-based support, carers are pushed towards disengagement from their studies or drop out of their courses altogether.

Our survey unearthed both good and poor practices in relation to the treatment of carers in tertiary education across Australia.

Examples of good practice include:

- Having a clear support pathway for students with caring responsibilities that is communicated to students from the point of enrolment onwards
- Conversely, seeking to identify students with caring responsibilities from the outset
- Allowing young carers to register with their university's Disability Support Service if they have caring responsibilities that impact on their studies and to meet with a Disability Advisor to discuss which adjustments the students may require from the university
- Clear standards for supporting documents a student must provide to establish their status as a carer towards the disability officer or other responsible agency at the university
- A Learning Access Plan for people with disability that is also open to carers. This plan is given to the student's lecturer, indicating that the student may need extensions on assignments, may have to miss classes, or may require alternative exam arrangements due to their caring responsibilities.
- Providing emotional support and counselling
- Referral pathways to external supports, including state and territory carer associations
- Cooperation with local carer associations; for instance, for input in developing carer-friendly policies and other initiatives that inform or assist carers or promote their access to higher education

However, these practices are followed by very few of the institutions we contacted, and none applies the above list comprehensively. The remainder have no standards or sub-optimal ones which fall short of good practice. For example:

- Allowing leeway for students with a family misadventure: this regulation guards against events that could not have been foreseen when they student started out but does not necessarily help students whose ongoing caring responsibilities began before their entry into higher education.
- Policies which support students %within reason+but do not have a clear standard or definition of when a student deserves to be support. In practice this leaves studentsq access to support at the discretion of university staff who may or may not be familiar with the complex challenges faced by carers in tertiary education.

Recommendation 2:

In developing new standards, the review consider how disability access and inclusion policies at tertiary education institutions not only benefit people with disability but include carers of people with a disabling condition.

Recommendation 3:

The Disability Education Standards contain an Annex which explains, lists and promotes good practice for students who are carers of people with a disabling condition.