

Government of Western Australia

Submission to the Review of the School Education Act 1999

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The Smith Family

The Smith Family is a national charity which has supported Australian children and families experiencing disadvantage for more than a century. Our **vision** is a world where every child has the opportunity to change their future. Our **belief** is that education is one of the world's most powerful change agents and our **purpose** is to overcome educational inequality caused by poverty.

We take a place-based approach and are working in over 90 low SES communities nationally, including Armadale, Bunbury, Collie; Gosnells, Kwinana, Midland, Mirrabooka and Rockingham in Western Australia.

In FY23, The Smith Family supported more than **220,600** children, young people, parents, carers and community professionals nationally through our education-focused programs. This includes over 178,000 children and young people, of whom more than **62,800** accessed the multiple benefits of our largest program, the **Learning for Life** educational scholarship.

We support around **19,600** children, young people, parents, carers and community professionals in Western Australia each year. This includes over **5,800** students on the **Learning for Life (LfL)** scholarship program.

Our work is underpinned by the evidence of Bronfenbrenner's **ecological model** (1994), which articulates the **multiple influences** on children's development, namely:

- **Personal characteristics** - such as social skills, attitudes and intelligence.
- **Family** - such as the resources families can access and parental engagement in their child's learning.
- **Peers** – including their aspirations, attitudes to education and risk-taking behaviour.
- The **institutions** children and young people attend and engage with – including early learning and care services, schools, as well as health and community services.
- The **community** in which they live – including the social and economic resources available, the presence of role models and the level of community cohesion, safety and social capital.

The Learning for Life program

The *Learning for Life* program is a **long-term targeted early intervention** program with students recruited in primary school and then able to stay on the program in secondary school and potentially through tertiary education.

Students in receipt of the scholarship are likely to struggle to achieve educationally without support, as shown by the profile of students on the program in **Western Australia**:

- All are **financially disadvantaged**, as evidenced by having a Health Care Card or Pensioner Benefit Card.
- 28 percent are from an **Aboriginal** and/or Torres Strait Islander background.
- **38 percent** of *Learning for Life* students and 41 percent of parent/carers have a **health or disability** issue.
- The parent/carer of 79 percent of students are **not in paid employment**.

- 61 percent of students live in a **single parent** family and a further six percent live in **grandparent**-headed families or other care relationships.
- 30% of school students on LfL are **not digitally included**. A third of students live in a household with **six or more** people.

The Smith Family has formal partnerships with **over 70** primary schools, high schools and Colleges in Western Australia, around a shared goal of supporting students experiencing disadvantage to achieve educationally. All partner schools have high proportions of students who are in the bottom two SES quartiles. These schools are the vehicle for recruitment to the LfL program (see Appendices for further information).

Context

The Smith Family welcomes the opportunity to make this short submission with relevant context including:

- Our organisational purpose which is to address educational inequity and the current reality which sees significant equity issues for children and young people with a disability
- The significant numbers of children and young people we support who have a disability and/or health issue. It is likely that these proportions are an under-estimation given many children and young people experiencing financial disadvantage are not able to access assessment processes and subsequent supports in a timely way.
- The compounding challenges facing students with a disability who live in low-income families.
- That the changes to the Act recommended by this Review will likely have broader positive educational implications for other young people.
- The implications that this Review may have for broader national education reform for children and young people with a disability. National data highlights the extent of the challenge facing Australia: among 20 to 24 year olds, two thirds of people with a disability complete Year 12 or equivalent, compared with nine in 10 Australians without a disability.¹

Systemic connections and children and young people at the centre

As noted above, research shows there are a range of factors which influence children's outcomes and there are links *between* these factors. For example the relationship between family and school and how well institutions, such as schools and health services work together to support young people. While the Act under review is the *School Education Act, Learning for Life* students often live in families who **struggle to access** essential services including **health, community services, income support, NDIS and housing**.

While these critical services sit **outside the school** system, barriers to accessing them **directly impact** students' ability to achieve educationally. If our human services system, including education, are not, over time, **re-designed** to put children and families at the centre, including with clearly articulated **shared accountabilities** across portfolios, it is **unlikely** that Western Australia will be able to make **significant gains in educational equity**. Notwithstanding the various jurisdictional responsibilities, the goal over time must be for these service systems to work together to provide children and their families with support which is **timely, accessible and integrated**. There is an opportunity for WA to pursue this under the new Better and Fairer Schools Agreement, for example through full-service school models.

¹ Australian Institute of Health and Welfare 2024 *People with a disability in Australia*; Australian Bureau of Statistics 2023 *Education and work, Australia*.

Resourcing, support and training

The Smith Family appreciates that funding is outside the scope of this Review. We note however that increased levels of resourcing, support and training, applied to evidenced based policies and initiatives will be required to improve the educational outcomes of children and young people with a disability.

Objects and principles of the Act

The Smith Family believes that there are a number of existing Frameworks which should be used to inform the *WA School Education Act*, including its Objects. We also believe that the Act should include a series of principles. These Frameworks are:

- Alice Springs (Mparntwe) Education Declaration
- Australian Research Alliance for Children and Young People's Wellbeing Framework for Children and Young People (the Nest)

Alice Springs (Mparntwe) Education Declaration

The Declaration's goal for children and young people (Goal 2) is that all young Australians become:

- **Confident** and **creative** individuals
- Successful **lifelong learners**
- **Active** and **informed** members of the **community**.

The features of this goal which The Smith Family notes as being highly relevant are its:

- **Inclusivity** – this is a goal for all young people
- **Longer-term focus** - education is seen as supporting the acquisition of the skills, dispositions and mindsets needed for **lifelong learning** and
- Emphasis on the **societal** role of education, in addition to its role for individuals.

The other goal of the Mparntwe Education Declaration is also relevant and is a **systemic** one, namely that the 'education system promotes **excellence** and **equity**'. We support the conclusions of the 2011 *Review of Funding for Schooling* (the Gonski Review) namely: "Every child should have access to the **best possible education, regardless** of where they live, the income of their family or the school they attend" (p xiv) and "ensuring that all Australian children have access to the best possible education could be considered 'the **moral imperative** of schooling' "(p. 105). This is not currently the situation for many children and young people with a disability.

ARACY's Wellbeing Framework for Children and Young People (the Nest)

ARACY's Wellbeing Framework for Children and Young People, the Nest, also provides useful input for the Review:

- It provides a way of thinking about the **whole child** in the context of their daily lives.
- Was developed from **what children and young people said** they needed to have a 'good life'.
- Has six **interconnected** domains, with all six seen as important for children and young people's wellbeing:
 - Valued, loved and safe
 - Material basics
 - Healthy
 - Learning
 - Participating
 - Positive sense of identity and culture (Goodhue et al 2021).

While education has a particular role to play in the **learning domain**, The Smith Family would argue that there is considerable value in seeing a broader role that education can and should play in contributing to all dimensions of the Framework. For example, education has a key role to play in supporting children and young people to have a positive sense of **identity** and **culture**.

The principles that underpin the Act should be universal in focus, for example:

- Recognition of the individual needs of children and young people
- Involving children and young people in decisions that affect them (as per the United Nations Convention on the Rights of the Child)
- The shared responsibility of school education across parents, families, schools and the wider community.
- The UN International Convention on the Rights of Persons with Disabilities (ICRPD) which has section on education should also inform the principles of the Act.

In line with the ecological model and the strengths based approach which underpins the work of The Smith Family with students and families, as well as Australia's ratification in 2008 of the ICRPD, it is essential to move away from the application of the medical model with regards to disability to a social model. We appreciate that will take time, resources, training and support, but the benefits will be significant. As the Australian Federation of Disability Organisations has noted², there are four types of common barriers which can make it very difficult or even impossible for people with disability to be independent and equal in society

- Attitudinal - these include low expectations
- Environmental – these include inaccessible environments, natural or built
- Institutional – these include laws, policies, practices, or strategies that discriminate against people with disabilities
- Communication – these are experienced by people who have disabilities that affect hearing, speaking, reading, writing, and/or understanding, and who use different ways to communicate than people who do not have a disability.

In moving to a social model, such barriers need, over time, to be systematically addressed.

Right to enrol at local government school

Public education has a particularly important role to play in supporting children with a disability and achieving educational equity. As such, and in light of Australia's ratification of the ICRPD, students with a disability should have a right to enrol in their local government school or in a school in their local cluster. We appreciate that there are significant challenges that flow from this, particularly in smaller and more remote areas. We also note that resourcing, support and training will be required in order to realise this right and that moving to this will take time.

Greater flexibility to engage

In line with recognising the individual needs of children and young people (with this principle applying to all children), The Smith Family believes that there should be greater flexibility for students to engage in school. This could be articulated in the Act or in supporting Policy documents. Consideration for example around the number of hours that a student needs to attend school or online and mixed mode delivery options should be considered if it enables stronger participation in education by children with a disability or chronic physical or mental health condition.

² <https://afdo.org.au/>

Discipline, suspensions and exclusions

The Smith Family is very concerned that suspensions and exclusions are being given disproportionately to students with a disability in jurisdictions across Australia. We see this as being at odds with Western Australia's obligations under the ICRPD, the Disability Discrimination Act and the Equal Opportunity Act. Positive behavioural support should be the overarching approach for all students, including those with a disability. In line with the Disability Royal Commission recommendations, The Smith Family holds that:

- Excluding students should be a last resort and only used when there is a risk of serious harm
- Before a student is excluded, steps are taking including consultation on an individual behaviour plan and the associated requirements needed to implement the plan.

Complaints processes

Complaints processes should be seen as an essential part of a well functioning and learning system. They are particularly important in creating safe environments for individuals who may be more vulnerable. The Royal Commission into Violence, Abuse, Neglect and Exploitation of People with a Disability provided a detailed recommendation aimed at improving Complaints Management in schools which provides a clear basis for improving the system in WA.

In particular, Recommendation 7.10 includes:

- a. State and territory governments should create or expand existing complaint management offices that operate within educational authorities at arm's length from schools to help resolve complaints about schools, specifically complaints concerning the treatment of students with disability. These offices should be empowered to:
 - provide students and parents with information about their rights and options when managing complaints
 - request information and conduct conciliations, connecting families with advocacy support and specialist disability expertise where needed
 - initiate a formal investigation if a complaint is serious or otherwise indicates systemic issues
 - support and assist the complainant in referring matters to the appropriate regulator or independent oversight body if a complaint cannot be effectively resolved
 - work with schools to analyse complaints and regularly report on how education systems might improve to reduce future complaints.
 - work with school principals to ensure school policies are student-centric, accessible, efficient, safe, trauma-informed and culturally appropriate.
- c. State and territory school registration authorities should embed new complaint handling duties and measures for compliance, as defined in the Education Standards, in registration requirements for all schools in their jurisdiction as a basis to monitor and enforce compliance.
- d. School principals should ensure their school-level operating policies and procedures for handling complaints:
 - satisfy the Education Standards requirements
 - are student-centric, accessible, efficient, safe, trauma-informed and culturally appropriate
 - are observed in practice.

School review processes

School review processes are a regular feature of WA schools and they should include a focus on how students with a disability are supported by the school, with regular tracking over time of both continuous improvement efforts and student outcomes.

Appendices

Current The Smith Family Partner Schools

The Smith Family's *Learning for Life* Program is partnering with 71 schools across Western Australia, as shown in the table below.

Adam Road Primary School	Fairview Primary School	North Parmelia Primary School
Allanson Primary School	Gilmore College	Orelia Primary School
Amaroo Primary School	Girrawheen Senior High School	Parkfield Primary School
Armadale Senior High School	Gosnells Primary School	Rockingham Senior High School
Ashfield Primary School	Governor Stirling Senior High School	Roseworth Primary School
Australind Senior High School	Grovelands Primary School	Seaforth Primary School
Balga Senior High School	Gwynne Park Primary School	Southern River College
Beechboro Primary School	Harvey Primary School	Swan View Primary School
Bertram Primary School	Hillman Primary School	Swan View Senior High School
Boyare Primary School	Hudson Park Primary School	Thornlie Primary School
Bungaree Primary School	Huntingdale Primary School	Thornlie Senior High School
Calista Primary School	Kiara College	Waddington Primary School
Carey Park Primary School	Kingston Primary School	Warnbro Community High School
Cecil Andrews College	Koondoola Primary School	Warnbro Primary School
Challis Community Primary School	Koorana Primary School	Warriapendi Primary School
Clayton View Primary School	Leda Primary School	West Beechboro Primary School
Collie Senior High School	Lockridge Primary School	Westfield Park Primary School
Cooloongup Primary School	Maidens Park Primary School	Westminster Primary School
Dalyellup Primary School	Medina Primary School	Willandra Primary School
Dianella Primary College	Middle Swan Primary School	Wilson Park Primary School
Dianella Secondary College	Midvale Primary School	Wirrabirra Primary School

Dryandra Primary School	Neerigen Brook Primary School	Woodbridge Primary School
East Maddington Primary School	Newton Moore Senior High School	Yale Primary School
East Waikiki Primary School		Yule Brook College