

# TRANSCRIPT

## LEGISLATIVE COUNCIL LEGAL AND SOCIAL ISSUES COMMITTEE

### Inquiry into the State Education System in Victoria

Melbourne – Wednesday 12 June 2024

#### MEMBERS

Trung Luu – Chair

Ryan Batchelor – Deputy Chair

Michael Galea

Renee Heath

Joe McCracken

Rachel Payne

Aiv Puglielli

Lee Tarlamis

#### PARTICIPATING MEMBERS

Melina Bath

John Berger

Georgie Crozier

Moira Deeming

David Ettershank

Wendy Lovell

Sarah Mansfield

Richard Welch

**WITNESS**

Karen Dimmock, Chief Executive Officer, Association for Children with a Disability.

**The DEPUTY CHAIR:** I declare open the Legislative Council Legal and Social Issues Committee's public hearing for the Inquiry into the State Education System in Victoria. My name is Ryan Batchelor. I will be chairing today's proceedings. Could everyone please ensure that their mobile phones have been switched to silent and that we minimise our background noise.

I will begin today by acknowledging that we meet on the unceded lands of the Wurundjeri people of the Kulin nations, and I pay my respects to elders past and present and acknowledge any Aboriginal or Torres Strait Islanders who are joining us today.

I would also like to welcome any members of the public watching via the live broadcast. I will introduce our committee members. As I said, I am Ryan Batchelor, Member for the Southern Metropolitan Region. Melina.

**Melina BATH:** Melina Bath, Eastern Victoria Region. Hello.

**Joe McCracken:** Joe McCracken, Western Victoria Region.

**The DEPUTY CHAIR:** Richard.

**Richard WELCH:** Richard Welch, and I am from the Northern Metropolitan Region.

**The DEPUTY CHAIR:** Aiv.

**Aiv PUGLIELLI:** Aiv Puglielli, North-Eastern Metropolitan Region.

**Moira DEEMING:** Moira Deeming, Western Metropolitan Region.

**The DEPUTY CHAIR:** We might get a few more joining us over the course of the morning. Welcome, Karen. I will just read out our normal introductory remarks.

All evidence taken is protected by parliamentary privilege as provided under the *Constitution Act 1975* and the provisions of the Legislative Council standing orders. Therefore the evidence you provide to us during the hearing is protected by law. You are protected against any action for what you say during the hearing, but if you go elsewhere and repeat the same things, those comments may not be protected by this privilege. Any deliberately false evidence or misleading of the committee may be considered a contempt of Parliament.

All evidence is being recorded, and you will be provided with a proof version of the transcript following the hearings. Transcripts will ultimately be made public and posted on the committee's website.

For the record, can you state your name and the organisation you are appearing on behalf of, please.

**Karen DIMMOCK:** Karen Dimmock, the Association for Children with a Disability.

**The DEPUTY CHAIR:** Thanks, Karen. I might ask you now, if you want, to make a short opening statement, and then we will go to questions.

**Karen DIMMOCK:** Great. Thank you very much. Thank you very much for the opportunity to be here. ACD is the advocacy service for children with disability. We support families raising children with disability across Victoria, and education is the number one issue families raise with us. We assist around 15,000 families a year. We run around 120 workshops for families, and topics like 'How to advocate for your child at school' sell out. We provide one-on-one advocacy support for around 1500 families, and what we hear from them really paints a picture of what is happening for children with disability at school.

We hear from families whose children attend mainstream schools, and in fact this is the majority of our calls, reflecting the fact that the majority of children with disability attend mainstream schools. Over the last five years we have had a 230 per cent rise in calls about a lack of reasonable adjustments in the classroom, meaning that children are not getting the support they need to complete and participate in their learning.

In the first six weeks of term 1 this year a third of our calls related to children being excluded – that is, where they are told that they can only attend for a short time each day, generally 2 hours a day. This particularly impacts very young children in prep, grade 1 and grade 2. We hear slightly different things from families whose children attend specialist schools. We hear about a lack of focus on literacy and numeracy and a lack of opportunity to pursue vocational options, limiting children's ability to meet their potential. We also hear of the fear, particularly from parents of non-verbal children, that their children are experiencing restraint, seclusion and inadequate supervision, which means they are at risk of hurting themselves or hurting each other. This is what we hear every day, and this is what motivates us to be here to talk about what needs to change.

We also have deep conversations with families across Victoria about, when it is working, what that looks like and what the really key characteristics are that they see when education is working well for their children. The feedback around that question is universal: leadership matters – the role of principals – in creating a strong, inclusive, high-expectation culture; the need to support teachers to implement reasonable adjustments in the classroom; and the need for strong oversight, accountability and transparency. That is why those things are at the heart of our recommendations that we have made in our submission today.

**The DEPUTY CHAIR:** Thanks very much. We have probably got about 3 minutes, 3½ minutes each. We are pressed for time today, so I will be pretty brief here at the start.

I know it is always hard to figure out what you think are the most important or the highest priority things that you want to see. For the benefit of the committee, of the range of recommendations you have made in your submission to us, what do you think is the most time critical for us to recommend be pursued?

**Karen DIMMOCK:** Look, we do put leadership and the role of principals as number one, because we see the benefit that has across a school culture and the benefit that has for students here today in the classroom. We really see it as being principals who have a can-do attitude, a very inclusive attitude, who prioritise working in partnership with families and with students and who have those high expectations that culture can really drive a much better education experience for students with disability. That is why it is a priority for us.

**The DEPUTY CHAIR:** Okay. The other thing you talk about in recommendation 6 is the need for more strengths-based professional development opportunities. What do you think this would look like in practice? Practically speaking, what does better strengths-based PD look like in our schools from your perspective?

**Karen DIMMOCK:** I had the opportunity last year to attend a national conference – it was here in Melbourne – on inclusive education. One of the presentations was around reasonable adjustments, presented by a lecturer from Monash University, and the room full of 400 educators was silent as they busily took notes. It was really clear that they found that level of professional learning – some really clear explanations of how you can make reasonable adjustments clear in the classroom – practical; they found it useful. You could see that they would be implementing this back in their classrooms. I think that is what is needed. It needs to be real. It does need to focus on what the students can do, that strengths-based approach, but it needs to be practical and a sort of useful part of a teacher's toolbox – what reasonable adjustments do look like and how you can implement them.

**The DEPUTY CHAIR:** Practical – I like that. We like those things too. Ms Bath, do you want to go?

**Melina BATH:** Thank you. It does hurt my soul that I have got 3½ minutes. However, recommendation 8 from you, Karen, talks about:

Track and monitor the reasons families move schools to increase accountability of principals ...

You have just spoken about accountability, transparency and leadership. How widespread, first of all, is the exit of students either from specialist schools to specialist schools or from normal schools to normal schools? Are there any good examples of tracking as to why, or does the education department kind of just want to go, 'No, I don't really care'? What is going on there?

**Karen DIMMOCK:** Yes, absolutely. Look, I can talk to our data, not the department's data. We see that around 20 per cent of our calls on exclusion relate to families who feel that they are being pushed from mainstream schools into specialist schools. This can be by directly saying, 'Your student needs to attend over here,' but it can also be slightly subtler than that, with things like limiting attendance at the mainstream school or indicating that various supports are not available there. I think at times families can feel like, 'Well, we're

just being pushed,' and so that is the issue that they raise directly with us. In terms of the importance of that accountability and oversight, if we are going to make gains on improving life, I think there does need to be that tracking by the department to go, 'Well, we can see from this school that students with a disability are leaving, whether it is to specialist or whether it is to mainstream schools. What is happening there, and what can we do to support that school to change that practice?'

**Melina BATH:** So you would advocate for some specific data collection – anecdotal and quantifiable?

**Karen DIMMOCK:** Absolutely.

**Melina BATH:** And also in terms of internal – where parents potentially feel like they are being moved on from within the same sort of sector of schools, so specialist schools or the like – what is your quantifiable data from that?

**Karen DIMMOCK:** Predominantly we do see families feeling like they are being shifted from mainstream to specialist. But families, definitely if they feel like the mainstream school they are at is not providing the support, will look at other mainstream options as well. For us it is about tracking. If there are places where there is more movement than what you would expect, then that school needs some attention and support.

**Melina BATH:** The question is raised.

**Karen DIMMOCK:** Correct.

**Melina BATH:** Sure. You mentioned gatekeeping. I am from a farm, and it sounds like a drafting gate. Explain that. How prevalent is that, and what are your families saying to you?

**Karen DIMMOCK:** Look, I think this is again where those conversations can happen right before enrolment around, 'Is this the right school for you? Perhaps your child would be better off in this setting over here.' That is what we mean by gatekeeping. But I think, from what we hear, around 20 per cent of our calls on exclusion relate to that. It was clearly demonstrated in the disability royal commission as well, the prevalence of that. Sorry, there was a second part to your question.

**Melina BATH:** I think ultimately, though, – say, a student has been assessed and is capable, we will say, on that assessment of attending a normal, mainstream school – in terms of gatekeeping, we want the child and family to access their best school to suit them in their region. It might be something you can take on notice too. Expand that out a little bit in terms of what recall you feel families need or have.

**Karen DIMMOCK:** Yes. There is limited recall at the moment to raise that issue. Often the family, partly because of the subtlety to it, do not necessarily have the avenues to go and make a complaint and raise concerns about that. But also, at the start of a child's education journey that is not necessarily what they want to do. You know, they are wanting their child to be part of a school community and to be welcomed and participate and are not wanting to start their education journey with raising official issues through the department.

**Melina BATH:** They are stressed enough.

**Karen DIMMOCK:** Correct.

**The DEPUTY CHAIR:** Thanks very much.

**Karen DIMMOCK:** Thank you.

**The DEPUTY CHAIR:** Mr Puglielli.

**Aiv PUGLIELLI:** Thank you, Chair. Good morning. In your opening remarks you spoke about the deliberate exclusion that is taking place in schools across this state. Could you expand a bit more on what that looks like and where that exclusion is occurring and perhaps some strategies for how we can prevent that from happening?

**Karen DIMMOCK:** Yes, great. Thank you. Particularly what we see within mainstream schools are what are referred to as modified timetables. This is where a student is permitted to attend just for a short amount of

time each day. This often comes as a shock to the families. They are simply told after a couple of weeks of school, 'Right, your child can only attend for this amount of time,' and that has huge implications for the family as a whole and their ability to work and things like that. I think our biggest concern in those cases is that there has not been the preparation to support that child when they arrive at school and that the planning is not there to quite quickly resolve that. So families early in term 1 are told, 'Right, your child can only attend for 2 hours a day, and we won't be meeting to talk about this until term 2.' For us that is the biggest concern. We do see schools where it does work, where you can help increase that attendance, where real attention is paid and where schools implement some professional learning for teachers and implement that support for education support officers in the classroom and have a really consistent plan to increase the attendance. That is where you can see it shift and improve. Our concern particularly is when it is simply prolonged.

**Aiv PUGLIELLI:** Thank you. In your submission I note there is a suggestion that teachers need more time and support to reduce pressure in and out of the classroom, specifically so that they have more time to plan for the success of all of their students. Could you maybe expand a bit more on that and the impact that would have?

**Karen DIMMOCK:** Yes, great. Thank you. Look, we are very mindful of teacher workload, and we are not here to argue for teachers, who already work incredibly hard, to do more. I mean, we are clearly very aware of the teacher shortage and the impacts that is having. But if teachers do not have the time for that planning and to do that proactive work, then actually the consequences for students with disability can be really detrimental. You know, teachers do not have the time to put in place that planning to go, 'Right, this is what we need to do up-front to support a child's learning and behaviour support over the long term.' That, for us, is why it is necessary to really build that into what teachers need to be able to do.

**Aiv PUGLIELLI:** Do you have a view – I suppose further from that – on smaller class sizes and what flow-on effect that would have for the concerns you are raising?

**Karen DIMMOCK:** Not in particular. It is not an issue that families raise with us regularly. I appreciate that has impacts on teacher workload, but perhaps that is out of my scope.

**Aiv PUGLIELLI:** No worries. Thank you, Chair.

**The DEPUTY CHAIR:** Thank you, Mr Puglielli. Mr McCracken.

**Joe McCracken:** Thanks very much for your opening presentation and your remarks and your submission as well. We appreciate it. I can see that you are really passionate about advocating. My question is about literacy and numeracy, which you spoke about in your opening. Can you expand a bit more on the challenges that you see in that space?

**Karen DIMMOCK:** Absolutely. Look, this is a really consistent concern that families raise with us. I think probably one of the most common experiences for parents of children with disability is that our children surprise us. They do things that you just did not think were possible or in fact that you were told perhaps were not possible along the journey. Then when they can see that in fact they are making gains in those really core elements of literacy and numeracy – you know, what we absolutely expect our schools to be focusing on – families are really concerned when they feel that with the right teaching and the right support and approach their child could make greater gains and really solidify those skills, and they are skills for life. But if they are not getting that, then it really leaves them at such a huge disadvantage. That is absolutely the concern we hear from families.

**Joe McCracken:** Okay. Can you talk a little bit more about what you see as a way of overcoming that obstacle? Because as you say, those skills are lifelong skills that are interchangeable with a lot of other different areas of life. They are not just writing or not just numbers, they translate to everything. Do you have any ideas? I guess at the end of this process we want to be able to put some recommendations to government, and your input into that is valuable.

**Karen DIMMOCK:** Yes. Thank you. Look, I know that others have spoken about approaches to teaching – you know, literacy and numeracy – and I will leave that to the experts, but I think it is about always having high expectations of students with disability and that when we are talking about really evidence-based teaching approaches that they are across all schools, mainstream and specialist, and that we see the importance of

specialist schools. Of course many, many do, but we do hear from families that there are some schools where that is just not the focus, and those skills do need to be a primary component of their curriculum.

**Joe McCracken:** And I guess what you are hearing is that they are not a primary component.

**Karen Dimmock:** That is correct.

**Joe McCracken:** What has been the primary component if literacy and numeracy are not?

**Karen Dimmock:** Look, that does vary, and families will share that perhaps they feel that it is more focused on day-to-day living skills as opposed to some of those really core literacy and numeracy skills.

**Joe McCracken:** Okay. I get the sense from my background as a teacher as well that there certainly is a focus on the – I do not mean to diminish anything – as you say, day-to-day living skills and the getting-by stuff rather than pushing for excellence. Why do you think that is?

**Karen Dimmock:** I think there are deep cultural underlying things there. But I think it has been proven – and I think many mainstream schools do this well and many specialist schools do this – where they are focusing on literacy and numeracy, you can really see the gains that children make. I think we have to just go, ‘Well, those other broad living skills are what we all learn in the home, actually.’ It is important that schools focus on their key components and take families on that journey and be really clear why they are focusing on those.

**Joe McCracken:** I think my time has just run out. Thank you.

**The Deputy Chair:** Mr Welch.

**Richard Welch:** Good morning. How are you going? Thank you for coming in. Just quickly then, sort of following on from that question, what percentage of children with disabilities are in specialist schools versus mainstream schools? Do you know?

**Karen Dimmock:** I do not know that part off the top of my head; I will take that on notice. But absolutely, the majority of students with disability do attend mainstream schools.

**Richard Welch:** Mainstream. Okay, the majority. You were talking about children being moved on or families being moved on. Do you have any understanding of what proportion of that would be, say, for behavioural reasons versus practical reasons?

**Karen Dimmock:** Yes. I think, because it is often cloaked in language around ‘This is where your child will be best supported,’ perhaps those reasons are not explicitly being talked about. I think there would be a mix of both.

**Richard Welch:** A mix of both. I think it would be interesting to know which is which, because practical is a resource-level thing, behavioural is another – well, they are both resources in a way, different kinds of resources. When you talk about principles of resistance, again I guess that sort of falls into that. Do you have any feeling or sense of whether it is attitudinal or philosophical or resource limited, so what their reason for that is?

**Karen Dimmock:** I perhaps cannot answer for the principals, but I would suspect that there is a mix of all of those things. I guess what we do see conversely is where there is a real attitude of inclusion, of can-do: ‘Right, what can we do to make this work around this child and work in partnership with the family?’ That is where you get the really good outcomes for children.

**Richard Welch:** But it is not your position that they simply lack the resources – you think that it is more a philosophical or attitudinal obstacle?

**Karen Dimmock:** Yes. I feel like, as you know, schools are so diverse, and obviously they face their own challenges, but I think it is probably a mixture. I think in relation to resourcing it is about how you use that resourcing, what you can implement for that child in the classroom, and flexibility around that.

**Richard WELCH:** Yes. There is sort of an interesting point there around the emphasis on academic skills versus life skills. Your evidence is that parents would prefer a focus on academia. That is the first question. I will let you answer that.

**Karen DIMMOCK:** Thank you. I think families want their children to learn to read and write at school to their potential, which will clearly be different for all children. Those things open up opportunities for children. Even introductory literacy skills open up the opportunity to communicate to others – to use a phone the way that all young people do, to express themselves, to raise concerns about their own safety. These are really fundamental skills, and schools play such an important role in teaching those.

**Richard WELCH:** The families who feel that way then, are they thinking, ‘We can teach them the life skill element elsewhere, outside?’

**Karen DIMMOCK:** Correct, yes.

**Richard WELCH:** Thank you.

**The DEPUTY CHAIR:** Thanks, Mr Welch. Ms Deeming.

**Moira DEEMING:** Thank you. That was a great presentation. I was wondering if you could just give some examples of what those reasonable adjustments would look like in a classroom. I think you touched on it, but also my background is in teaching, and I was just thinking about how you win the other students over in terms of ‘We’re going to have a set of standards for these students that are different from yours’. How do you win them over on that? I believe in that. That has been successful for me when I have approached it like that. I am also worried about the conflicting issue of sharing too much information about a student who is disabled. I think from my perspective that is one of the reasons why people get confused about what they can and cannot do and what they should and should not do. I like the idea of you getting practical guidelines put out and practical advice. I was just wondering if you could illustrate that a little bit and maybe if you have any examples of where it has been done well.

**Karen DIMMOCK:** Thank you for that question. I think those reasonable adjustments that really work in the classroom to support students learning of course are as diverse as the students. But what we see is whether you are presenting the resources in different formats so that children can utilise them, whether students can respond using different methods to illustrate that they understand the concepts, they cannot necessarily write an essay about it but they perhaps can give an oral presentation. Simply the location of a child’s tub in a primary school classroom in terms of them not getting overwhelmed, stuck in the corner with 15 other children piling in – sometimes they are quite practical and quite easy to implement, and that can really make that classroom a much more comfortable place for that student. In relation to the relationship with peers and how they perceive those changes, I think creating a level playing field and creating a culture of ‘We respect all the students in this room and all of the students are going to have different needs’ is something that teachers can do really, really well. I think often, particularly with young children, they do not actually notice the reasonable adjustments that might be going on. I think actually in secondary school that is a real place of making sure that it is really respectful, that the student is not feeling like they are being highlighted in any way but they are still getting the support that they need. I think that is where we see the importance of the students themselves being able to have a say about what is going to help them in their learning and in those really important peer connections.

**Moira DEEMING:** Fantastic. Thank you. I had other questions, but they were all asked and answered. Thanks very much. I appreciate your presentation.

**The DEPUTY CHAIR:** Thanks very much. We have got a couple of minutes. Ms Bath, do you have any follow-ups?

**Melina BATH:** Thanks, Chair. Thank you. Karen, you mentioned in your opening statement, from your data and the people contacting you, that for families one of the biggest fears is with non-verbal children and what happens to those children. You mentioned restraint, and in your recommendations you talked about restrictive practices. Firstly, how widespread do you think this is? Secondly, as a parent whose child cannot come home and say whatever was done to them, what does the government need to do to change to better support them – child and parent?

**Karen DIMMOCK:** Thank you. I cannot answer the first part of the question in terms of the prevalence of this. There is limited data. Obviously the department has some data. Organisations like the Commission for Children and Young People have data around reportable conduct. Families certainly raise it with us, but it is not the majority of cases by any means. I think what families really want is a relationship of openness. I think many families feel that if their child with disability does something wrong, they hear about that very quickly from school. They are concerned that if something has happened to their child, the channels of communication are not as quick, and families absolutely want to know what is happening in those settings, whether it is between children, whether it is restraint of their child, so that there can be a real openness and a really up-front conversation about how to prevent that.

**Melina BATH:** And increasing that clarity between parent and teacher or parent and leadership, principals. One of the child safe standards, actually – I think it is 4.1 – talks about communication, so that should be adhered to and enacted. Is that something that you would like to see?

**Karen DIMMOCK:** Yes. That is a really good point. I think this is perhaps an area of policy into practice. I think there are some very clear policies, and the *Disability Standards for Education* also really talk about that important school–student–parent partnership and consultation. Some schools do this really well. There are very clearly laid out mechanisms from the department in relation to student support group meetings, individual education plans and things like that. How they are implemented in practice obviously varies school by school, and it is that practice that we really want to see improve.

**Melina BATH:** Thank you.

**The DEPUTY CHAIR:** Thanks very much, Ms Dimmock, for coming in today. That brings this session to an end. You will get a copy of the transcript shortly.

**Witness withdrew.**