



**NACCHO**

National Aboriginal Community  
Controlled Health Organisation  
*Aboriginal health in Aboriginal hands*

[www.naccho.org.au](http://www.naccho.org.au)

# 2020 Review of the Disability Standards for Education 2005

**SUBMISSION**

October 2020

## About NACCHO

NACCHO is the national peak body representing 143 Aboriginal Community Controlled Health Organisations (ACCHOs) Australia wide on Aboriginal and Torres Strait Islander health and wellbeing issues. NACCHO's work is focused on liaising with governments, its membership, and other organisations on health and wellbeing policy and planning issues and advocacy relating to health service delivery, health information, research, public health, health financing and health programs. Our members provide about three million episodes of care per year for about 350,000 people across Australia, including about one million episodes of care in very remote regions.

Sector Support Organisations, also known as affiliates, are State based and represent ACCHOs offering a wide range of support services and Aboriginal and Torres Strait Islander health programs to their members including advocacy, governance and the delivery of state, territory and national primary health care policies.

ACCHOs range from large multi-functional services employing several medical practitioners and providing a wide range of services, to small services which rely on Aboriginal Health Workers/Practitioners and/or nurses to provide the bulk of primary health care services, often with a preventive, health education focus. Our 143 ACCHOs operate approximately 700 facilities, including about 450 clinics. ACCHOs and their facilities and clinics contribute to improving Aboriginal and Torres Strait Islander health and wellbeing through the provision of comprehensive holistic primary health care, and by integrating and coordinating care and services. Many provide home and site visits; medical, public health and health promotion services; allied health; nursing services; assistance with making appointments and transport; help accessing childcare or dealing with the justice system; drug and alcohol services; and help with income support.

Collectively, we employ about 6,000 staff, 56 per cent of whom are Indigenous, making us the second largest employer of Aboriginal and Torres Strait Islander people in the country.

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## Introduction

NACCHO welcomes this opportunity to provide input into the 2020 Review of the Disability Standards for Education 2005 (the Standards), with our focus being on how Aboriginal and Torres Strait Islander students with disability can be given every opportunity to succeed in their education.

This submission points to the need for all initiatives aimed at improving educational, health and wellbeing outcomes for Aboriginal and Torres Strait Islander students with disability to align with the Priority Reforms outlined in the National Agreement on Closing the Gap (July 2020).<sup>1</sup> Disability is identified in the National Agreement on Closing the Gap as integral to Aboriginal and Torres Strait Islander students achieve their full learning potential (Outcome 5).<sup>2</sup> The four Priority Reforms include the need for: shared decision-making between Australian governments and Aboriginal and Torres Strait Islander people; strengthening the Aboriginal and Torres Strait Islander community controlled sector; systemic and structural transformation of mainstream government institutions; and ensuring Aboriginal and Torres Strait Islander people's access to and use of data.

With input from our Affiliates, Victorian Aboriginal Community Controlled Health Organisation (VACCHO) and Queensland Aboriginal and Islander Health Council (QAIHC), we focus in this submission on issues that continue to impact a disproportionate number of Aboriginal and Torres Strait Islander people, and recommend what can be included in the Standards. We would welcome the opportunity to speak further with you about how educational and wellbeing outcomes for Aboriginal and Torres Strait Islander people with disability can be optimised.

## Key points

- Health and wellness are not synonymous with the presence or absence of a disability; with good health, persons with disabilities have the freedom to work, learn and engage actively in their families and communities.
- Education is a key determinant of health, with access to and success in education enabling Aboriginal and Torres Strait Islander people's full participation in society and maximising their health and wellbeing.
- Increasing access to a range of health services, including those provided by ACCHOs, will significantly improve educational outcomes for Aboriginal and Torres Strait Islander people with disability.
- People with disability are entitled to the same educational opportunities as people without disability<sup>3</sup>, and Aboriginal and Torres Strait Islander people with disability are entitled to the same educational opportunities as other Australians with disability.<sup>4</sup>
- Australian governments and other key stakeholders must embed the Closing the Gap Priority Reforms across the delivery of the NDIS services, including the need for shared decision-making with ACCHOs and other Aboriginal Community Controlled organisations (ACCOs) in the education and disability sectors.

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<sup>1</sup> National Agreement, 2020, *Priority Reforms*, <https://www.closingthegap.gov.au/national-agreement-closing-gap-glance>

<sup>2</sup> National Agreement, 2020, *Priority Reforms*, <https://www.closingthegap.gov.au/national-agreement-closing-gap-glance>

<sup>3</sup> *The Disability Discrimination Act 1992*, <https://humanrights.gov.au/our-work/employers/disability-discrimination>

<sup>4</sup> *The United Nations Declaration on the Rights of Indigenous Peoples* (UNDRIP), <https://www.un.org/development/>

## Recommendations

That the Strategy make explicit the need for genuine partnership and shared decision-making between Australian governments and Aboriginal and Torres Strait Islander community representatives in the education and disability sectors, including ACCHOs and other ACCOs, to:

1. increase funding for:
  - a. disability support services for Aboriginal and Torres Strait Islander students with disability, including to increase accessibility to the Early Childhood Early Intervention (ECEI) scheme
  - b. Aboriginal and Torres Strait Islander teachers, teacher aides, integration aides and other ancillary/support staff, with opportunities to progress their careers and access fair remuneration
  - c. sufficient equipment and resources for Aboriginal and Torres Strait Islander children to learn and thrive
  - d. adequate physical access to education institutions and infrastructure, and
  - e. accessible and affordable housing and other accommodation options for Aboriginal and Torres Strait Islander students with disability to assist them to live close to the education provider.
2. expand definitions of disability and funding to recognise and support students with disabilities currently not supported, including mild intellectual disabilities, behavioural problems and learning difficulties.
3. expand opportunities for Aboriginal and Torres Strait Islander students with disability to study on Country, through:
  - a. enhancing the curriculum and modes of learning, including online, distance and face-to face education options, and
  - b. enhancing and expanding opportunities for Aboriginal and Torres Strait Islander students with disability to access Telehealth support.
4. coordinate the delivery of holistic, culturally safe and competent disability support services that are accessible to Aboriginal and Torres Strait Islander students with disability, and increase the access to culturally safe health services in schools.
5. with additional, allocated funding, ACCHOs and/or other ACCOs coordinate information sharing to Aboriginal and Torres Strait Islander students and their families, regarding:
  - a. options for educational settings and support for Aboriginal and Torres Strait Islander students with disability
  - b. where to access physical and digital materials and supports, and
  - c. procedures for how to make a complaint about discrimination experienced.
6. identify mechanisms for:
  - a. education institutions to better engage with parents and other family members of Aboriginal and Torres Strait Islander students with disability
  - b. empowering Aboriginal and Torres Strait Islander students with disability and their families to access support, and
  - c. ensuring disability assessments are undertaken prior to intervention prior to school enrolment to ensure awareness of students' conditions and capacity.
7. mandate cultural awareness training for all staff delivering educational services and developing educational policies affecting Aboriginal and Torres Strait Islander people with disability and their families, and

8. increase access to data for ACCHOs and other ACCOs in the education, disability and health sectors, to assist in the development of well-informed policy and services affecting Aboriginal and Torres Strait Islander people with disability.

## Issues

Positive educational experiences and outcomes have a large impact on the future employment, health and wellbeing of Aboriginal and Torres Strait Islander people. However, the gap in educational outcomes between Aboriginal and Torres Strait Islander people and other Australians remains wide. Although the proportion of Aboriginal people in post-secondary education with a qualification of Certificate Level 3 and above has significantly increased in the last 25 years, other Australians are more than twice as likely to have completed a post-secondary qualification.<sup>5</sup> Compared with other Australians, Aboriginal and Torres Strait Islander people 15 years of age (21%) are four times more likely to not be participating in school education.<sup>6</sup> VACCHO reports that ACCHOs in regional Victoria have observed teachers in local schools acting as gatekeepers to protect their school from confrontation or questioning from parents about the lack of support provided to at risk Aboriginal and Torres Strait Islander children with disability.

When adequate supports are not in place, students with disability face a range of barriers to accessing education and achieving desired results. Over half of Aboriginal and Torres Strait Islander people with disability report Year 11 or higher as being their highest level of education (which has increased significantly since 2012).<sup>7</sup> Aboriginal and Torres Strait Islander students with profound or severe disability were less likely than Aboriginal and Torres Strait Islander students without disability to be studying (14% compared with 25%).<sup>8</sup> In addition, smaller proportions of those with profound or severe disability had attained a Certificate III or higher qualification (19% compared with 34%), Year 12 (11% and 15%) or Year 11 (7% compared with 12%). Aboriginal and Torres Strait Islander people with profound or severe disability were more than twice as likely as those with no disability to have reported educational attainment below Year 10 (42% compared with 18%).

Post-school, the level of employment of Aboriginal and Torres Strait Islander people with a disability is 41.7%, with one in three living in households in the lowest income quintile.<sup>9</sup> Almost one in four Aboriginal and Torres Strait Islander people live with disability with approximately one in three having a profound or severe disability. Two in five Aboriginal and Torres Strait Islander people with disability live in major cities, and three in five (regardless of location) need assistance with at least one activity in their daily lives.<sup>10</sup>

Aboriginal and Torres Strait Islander people with disability experience discrimination relating to their disability almost twice as much as other Australians with disability.<sup>11</sup> In a 2019 speech, the Disability Discrimination Commissioner Ben Gauntlett stated that current community attitudes towards people with disability are 'not good', as it is presumed that people with disability do not have a meaningful role in society. Double discrimination is often experienced by Aboriginal and Torres Strait Islander people; discrimination based on their disability and on their ethnicity and/or culture. A 2019 study found that 76.5% of respondents reported having experienced discrimination on the basis of their disability and, of the 3% of those surveyed who identified as Aboriginal and Torres Strait Islander people, 60% identified they were discriminated against on the basis of their ethnicity and/or culture.<sup>12</sup>

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<sup>5</sup> Stopher, K., & D'Antoine, H., 2018, *Aboriginal People with Disability: Unique Approaches To Unique Issues*

<sup>6</sup> Stopher, K., & D'Antoine, H., 2018, *Aboriginal People with Disability: Unique Approaches To Unique Issues*

<sup>7</sup> ABS, 2015, *2015 Survey of Disability, Ageing and Carers*, <https://www.abs.gov.au/ausstats/abs>

<sup>8</sup> ABS, 2016, *Social and Economic Wellbeing of Aboriginal and Torres Strait Islander People with Disability*, <https://www.abs.gov.au/ausstats/abs>

<sup>9</sup> ABS, 2015, *2015 Survey of Disability, Ageing and Carers*, <https://www.abs.gov.au/ausstats/abs>

<sup>10</sup> ABS, 2016, *Social and Economic Wellbeing of Aboriginal and Torres Strait Islander People with Disability*, <https://www.abs.gov.au/ausstats/abs>

<sup>11</sup> ABS, 2016, *Social and Economic Wellbeing of Aboriginal and Torres Strait Islander People with Disability*, <https://www.abs.gov.au/ausstats/abs>

<sup>12</sup> Disabled People's Organisations Australia (2019). *CRPD Shadow Report consultation survey results*

## Barriers

Aboriginal and Torres Strait Islander students with disability face a range of barriers to accessing supports for ensuring educational success.<sup>13</sup> Australian governments must engage with ACCHOs and other ACCOs in the disability and education sectors in genuine partnership and shared decision-making (as per Priority Reform 1 in the National Agreement on Closing the Gap) to best address these barriers and improve educational outcomes for Aboriginal and Torres Strait Islander people with disability.

### Information sharing about options

A mix of services is often required from the child's early years to a student's primary and secondary school education. While schools and disability services in urban locations often provide minimal options, there is even less in rural and remote areas. There can be a lack of information provided by schools to families of students with disability about the options available to them, including around accessing assessments, special schools, inclusive schools and/or ancillary services. This is often particularly the case in the child's early years when the child's family is trying to understand and identify the education and disability support services their child needs. Information sharing must extend into a students' secondary and tertiary education, with older students with disability often finding it difficult to obtain sufficient information about vocational education, pre-employment training and support services, or adult and community education. ACCHOs and other ACCOs need to be central in this information sharing to Aboriginal and Torres Strait Islander families, and receive additional, allocated funding to do so. ACCHOs and other ACCOs have rapport with and know their communities, they are best placed to determine what information is shared and how it is shared according local need.

Transitioning across institutions and learning stages (e.g. from early childhood, to Kindergarten, to primary school, to secondary school, to tertiary education) is another area of difficulty facing Aboriginal and Torres Strait Islander people with disability, especially when programs and supports are not replicated in the new setting. Change can impact on progress, with it being difficult for Aboriginal and Torres Strait Islander students with disability to move across jurisdictions, and between the private school sector and the public-school sector.

### A lack of coordinated service provision

Coordinated provision of disability support services is essential for meeting the needs of Aboriginal and Torres Strait Islander students with disability, but in many locations and institutions it is lacking. Ancillary staff of the most necessary disciplines of speech therapy, occupational therapy and physiotherapy are often not easily accessible to schools, and, when they are accessible, Aboriginal and Torres Strait Islander students often miss out. With additional, allocated funding to enhance, ACCHOs and/or other ACCOs capacity, they can assist with increasing coordination of needed services to assist Aboriginal and Torres Strait Islander students with disability. This would include coordination of disability funding, to access appropriate disability and educational support services. ACCHOs and/or other ACCOs are well known and trusted by local Aboriginal and Torres Strait Islander community members, and are best placed to ensure holistic, culturally safe and competent services are accessible to Aboriginal and Torres Strait Islander people with disability.

### Insufficient funding for student disability support

NDIS funding inadequately covers the cost of equipment and salaries of service delivery practitioners, including aides, therapy staff and interpreters, which is one of the biggest issues in providing equal access to education for Aboriginal and Torres Strait Islander students with disability. Funding provision, coming through numerous federal and jurisdiction government departments, is very fragmented and difficult to map.

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<sup>13</sup> AHRC, 2020, Access to education for students with a disability: barriers and difficulties, <https://humanrights.gov.au/>



There are currently major barriers facing Aboriginal and Torres Strait Islander children accessing disability support services, including via the Early Childhood Early Intervention (ECEI) scheme.<sup>14</sup> In the Cape York region, for example, there has been no access for young children to the scheme for the last five years, resulting in children not being afforded disability support services. Accessing the ECEI scheme and disability support services under the NDIS reduces the long-term impact of the disability and assists the child and their family and community to live a fulfilled life.

Greater funding and better coordinated funding is required from federal, state/territory and local governments to ensure service providers can better meet the needs of students with disability. This must include significant funding for ACCHOs and other ACCOs delivering services to Aboriginal and Torres Strait Islander students with disability, to better coordinate primary healthcare to enhance holistic health and wellbeing.

### **Unrecognised or undiagnosed disabilities and funding unavailable for some conditions**

Failure to recognise and/or diagnose a student's disability remains a considerable problem, and there are barriers to accessing tests that will diagnose disabilities. The legacy of colonisation and ongoing trauma and reality of child removal makes some Aboriginal and Torres Strait Islander parents reluctant to present their children with FASD and other disabilities to service providers. In early childhood, it may not be possible to identify a child's disability if it is a learning difficulty and the child is too young for it to show up, with each child's development being unique and different. Complex combinations of muscular, behavioural, emotional and intellectual disabilities are often not diagnosable until an older age, especially in remote areas where there is a lack of access to specialists. Delays in diagnosing a disability and the ensuing problems caused can be exacerbated for Aboriginal and Torres Strait Islander children with disability and their families, who may face additional barriers to accessing diagnosis assessments and educational and disability services in relation to affordability, location and cultural appropriateness.

ACCHOs have reported that there are often long waits on paediatric assessments, a lack of resources to support parents trying to access special schooling, a lack of Aboriginal and Torres Strait Islander Liaison Officers in schools, and a lack of coordination between health and education. ACCHOs, including Gidgee Healing in Queensland, have spearheaded solutions to these problems, but additional, allocated funding would assist them and other ACCHOs to better coordinate such service delivery. The criteria established by federal and state/territory funding for students' disability support requirements does not correspond with the Disability Discrimination Act (DDA) definition of disability, including mild intellectual disabilities, behavioural problems and learning difficulties. A disproportionate number of Aboriginal and Torres Strait Islander students experience mild intellectual disabilities, behavioural problems and learning difficulties. Federal and state/territory funding for students' disability support requirements need to be accordingly broadened.

### **Insufficient equipment and culturally safe teachers' aides and ancillary / support staff**

There is often a lack of appropriate equipment for Aboriginal and Torres Strait Islander students with disability, from hearing and vision aids, to electronically adapted mobility devices, to walking frames. More teachers' aides and integration aides are required to meet the needs of students with disability, including Aboriginal and Torres Strait Islander students with disability, and provision of ancillary staff employed by education departments has been discontinued. Insufficient training and professional supports provided to teachers' aides and integration aides impedes educational outcomes for Aboriginal and Torres Strait Islander students with disability. Not only do these workers need to be trained in the complexities and sensitivities of their task, but also given cultural awareness training. Aboriginal and Torres Strait Islander teachers' aides and integration aides require opportunities to progress their careers and access fair remuneration to increase their retention.

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<sup>14</sup> Early Childhood Early Intervention scheme, 2019, <https://raisingchildren.net.au/disability/ndis/>

A greater number of Aboriginal and Torres Strait Islander people must be employed in the education and disability sectors and occupy key positions in decision-making processes in relation to disability support services for Aboriginal and Torres Strait Islander students.<sup>15</sup>

### **A limited and/or insufficient curriculum**

Although much work has been and is being done to devise appropriate adaptations of educational curricula for a range of students with a different capacities and abilities, limited curriculum for students with disability is one of the largest areas of difficulty for education providers and their students. A separate problem is when courses for qualification (vocational, pre-employment or academic) contain particular segments which a student with a disability cannot complete or cannot access, which creates difficulties with enrolment (advice and information issues) and with granting qualifications and/or accreditation. ACCOs and Aboriginal and Torres Strait Islander educators and education service providers must be involved in the development of curriculum for Aboriginal and Torres Strait Islander students with disability to optimise educational outcomes.

### **Conscious or unconscious discrimination in educational institutions**

Aboriginal and Torres Strait Islander people, including those with disability report regularly experiencing direct or indirect, and conscious or unconscious discrimination in educational institutions. Double discrimination is often experienced; discrimination based on their ethnicity as well as their disability. Disability discrimination can be based on a lack of knowledge or concern about disability issues and inclusion practices. Individuals and institutes will continue to discriminate until staff in the education and disability sectors develop a greater knowledge and understanding of disability and its effects, the law and human rights principles, and the experience and the practice of inclusion as the norm.

Cultural awareness training for all practitioners would reduce experiences of discrimination faced by Aboriginal and Torres Strait Islander students with disability in early learning, primary, secondary and tertiary education settings. Such training will assist in reducing incidence of Aboriginal and Torres Strait Islander students being expelled from school, including from boarding school which results in students returning to their community where educational supports are not accessible.

## **What else is needed**

As well as addressing these barriers, the following approaches will improve educational outcomes for Aboriginal and Torres Strait Islander students with disability.

### **The diverse primary healthcare services delivered by ACCHOs**

Removing barriers and increasing access for Aboriginal and Torres Strait Islander students with disability to a range of health services are a large part of the solution. ACCHOs provide a large range of primary healthcare services, including in schools and specific to disability support, that can optimise outcomes for Aboriginal and Torres Strait Islander students with disability. With additional, allocated funding to support Aboriginal and Torres Strait Islander students with disability, ACCHOs, in collaboration with schools, would be able to further extend its service delivery to provide greater support for Aboriginal and Torres Strait Islander students with disability.

### **Parental and family involvement and support**

Parents and other family members of students with disability have a significant role to play in identifying their child's disability, selecting the preferred school and educational setting to meet the learning needs and informing the pre-school or school about the disability and required supports. Schools need the support from parents and other family members to advise them of what disability and education supports the student needs, and to also take advice as to what experts can provide

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<sup>15</sup> Griffis, D., 2015, A call to action: Meeting the needs of Aboriginal people with disabilities. Keynote address presented at the ATEND Pathways 12 Conference: Navigating New Frontiers, Fremantle.



the needed assistance. Education, health and disability support workers must take a large part of the initiative to work closely with parents and/or other family members in making these arrangements. ACCHOs and/or other ACCOs can assist in raising family and community awareness of the need to seek educational and other support for children with disability, and to engage with the school.

### **Improving teacher training and support**

Pre-school and school (primary and secondary) teachers and teacher aides must be trained and supported to better engage Aboriginal and Torres Strait Islander students with a disability. Without training, teachers can be negative and resistant about teaching students with disability or feel incapable of doing so. Recognition needs to be given to the substantial burden on teachers of inclusive classes due to inadequate professional support, inadequate training in teaching the adapted curriculum and managing students, which includes those with disability. Cultural awareness training is essential for teachers and teacher aides to learn how to teach Aboriginal and Torres Strait Islander students with disability sensitively and effectively, and ACCHOs and other ACCOs are well placed to deliver such training.

### **Improving physical access to buildings and other infrastructure**

The infrastructure of childcare centres, pre-schools, schools, and premises need to be physically accessible for Aboriginal and Torres Strait Islander people with disability. Many of these do not lend themselves to modification, or modification would necessitate enormous expenditure. Greater federal and state/territory funding for improving disability access in rural and remote schools is required, involving the construction of new educational facilities and refurbishing existing facilities.

### **Increasing opportunities to study on Country**

Mobility and transportation issues for many Aboriginal and Torres Strait Islander students with disability can be compounded due to remoteness. Even with access to transport, Aboriginal and Torres Strait Islander children and young people, many may not want to leave their families to go and study. Internet connectivity issues are prevalent in remote areas, with most significant impacts seen recently during the nation's response to the coronavirus pandemic when students are required to work from home. Combined with overcrowding and inadequate housing and income, Aboriginal and Torres Strait Islander students with disability face considerable barriers to achieving educational success.

Australian governments in genuine partnership and shared decision-making with Aboriginal and Torres Strait Islander people and communities need to identify how best to increase Aboriginal and Torres Strait Islander students' with disability access to educational and disability support services on Country so that they may achieve academic success while remaining with family and community. ACCHOs and other ACCOs are well placed to connect Aboriginal and Torres Strait Islander students with disability and their families with programs and services to optimise educational outcomes.

### **Increasing familiarity with the Disability Discrimination Act 1992 (DDA) and the role of the Attorney-General**

It is quite clear from the Disability Discrimination Commissioners' consultations with education providers representing every sector of education that there are a great many providers who do not know what their legal obligations are under the Act. Sectors of concern include early education providers, particularly private providers, community childcare centres, after school care centres, vacation care providers, some smaller independent schools, and private training organisations. Numerous education providers are aware of the existence of the legislation and have either some or a good concept of the overall requirements, but very few have a practical or detailed knowledge of what their obligations under the Act are.

Continual review of the Attorney-General's decision-making powers in allocating funding to services for people with disability is essential, as they may make Disability Standards to specify rights and

responsibilities about equal access and opportunity for people with a disability in more detail than the DDA itself provides. Again, ACCOs and other Aboriginal and Torres Strait Islander community representatives in the education and disability sectors need to engage in shared-decision making with all levels of government, including with the Attorney-General, to the development of policies that affect Aboriginal and Torres Strait Islander students with disability.

### **Housing**

Aboriginal and Torres Strait Islander people in general, including students with disability, often do not have access to appropriate, safe and secure housing. This can further impede school attendance and performance. Overcrowding, noise and interruptions to healthy home practices, such as homework, eating and sleep time, as well as possible tension and stress, can have a detrimental impact on Aboriginal and Torres Strait Islander people with disability. In addition, they may not have family or community members nearby who can encourage and support them during times of difficulty. We welcome the Supreme Court having just raised remote housing standards in the Northern Territory,<sup>16</sup> which will assist in achieving better educational outcomes for Aboriginal and Torres Strait Islander students with disability currently living in inadequate housing.

### **Universities**

Universities need to provide a greater range of educational and disability support services to Aboriginal and Torres Strait Islander students with disability and make these services, including assistive technologies, visible and accessible on their websites.<sup>17</sup> An audit in 2016 of Australia's 40 universities' websites revealed that 35 of them provided disability support services but not specific support services for Aboriginal and Torres Strait Islander students with disability. Of the five universities that did, three merely linked the website user to general all students services and Aboriginal and Torres Strait Islander student support (i.e. there was no specific service or advice for Aboriginal and Torres Strait Islander students with disability). It is important that universities offer support to Aboriginal and Torres Strait Islander students with disability via various modalities.<sup>18</sup>

Whole-of-university efforts and responsibility is essential for achieving better outcomes for Aboriginal and Torres Strait Islander university students with disability,<sup>19</sup> which includes ensuring all educators receive cultural awareness training.<sup>20</sup>

Adequate, safe and affordable accommodation for Aboriginal and Torres Strait Islander students with disability on university campuses is also essential.

### **Complaints mechanisms**

The 2010 and 2015 Reviews of the Standards found that the complaints mechanisms for the Standards, including negotiation and arbitration processes can be inaccessible, time consuming and hard for students and their families and carers. Greater support is needed for Aboriginal and Torres Strait Islander students with disability and their families to make a complaint and access negotiation and arbitration processes and services when needed.

### **The need for greater access to data**

Toward Aboriginal and Torres Strait Islander children being engaged in high quality, culturally appropriate early childhood education in their early years, it is recognised that greater data on the health and disability of children, parental education, health and disability, and barriers to attendance (including out-of-pocket costs, access to services, transport, housing) is essential. The new National

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<sup>16</sup> Katherine Times, 2020, *Court decision on remote housing living standards welcomed*, <https://www.katherinetimes.com.au/>

<sup>17</sup> Kerr, S., 2019, *Meeting the needs of our Indigenous students with disability*, ADCET, <https://www.adcet.edu.au/resource/>

<sup>18</sup> University of Canberra, 2016, <https://www.ncsehe.edu.au/wp-content>

<sup>19</sup> Behrendt, L., Larkin, S., Griew, R., & Kelly, P., 2012, *Review of higher education access and outcomes for Aboriginal and Torres Strait Islander people: Final report*. Canberra, ACT: Australian Government.

<sup>20</sup> Behrendt, L., Larkin, S., Griew, R., & Kelly, P., 2012, *Review of higher education access and outcomes for Aboriginal and Torres Strait Islander people: Final report*. Canberra, ACT: Australian Government, p189.

Agreement on Closing the Gap sets out under Priority Reform 4 the need for greater access to data for Aboriginal and Torres Strait Islander people.<sup>21</sup> Data disaggregation of educational outcomes of Aboriginal and Torres Strait Islander students with disability is imperative to identify what is required to meet targets associated with closing the gap in education, disability and broader health and wellbeing outcomes over the next ten years.

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<sup>21</sup> National Agreement, 2020, <https://www.closingthegap.gov.au/national-agreement-closing-gap-glance>, p21