



25 September 2020

Review Chair
2020 Review
Disability Standards for Education
Department of Education, Skills and Employment
50 Marcus Clarke Street
CANBERRA ACT 2601

Via email: DisabilityStrategy@dese.gov.au

Dear Chair

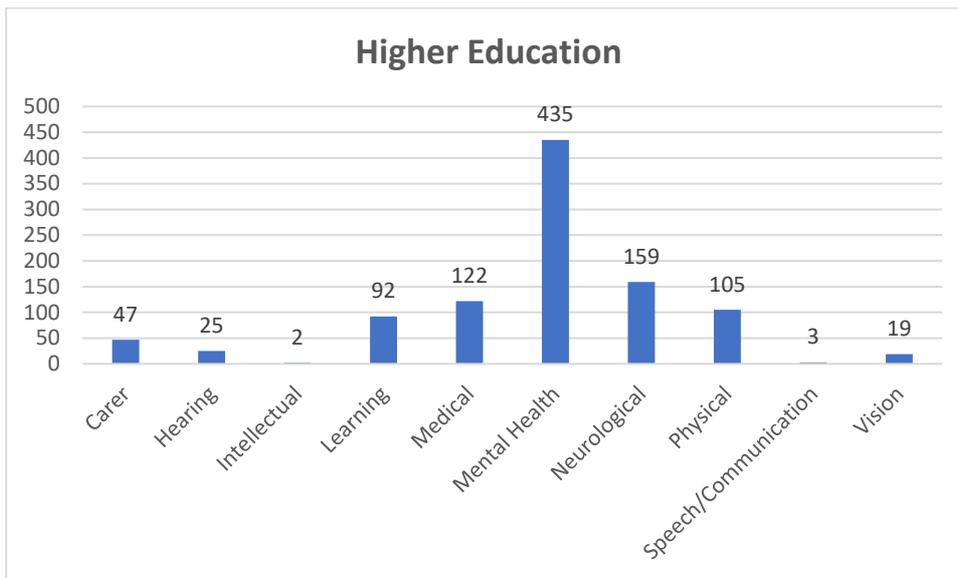
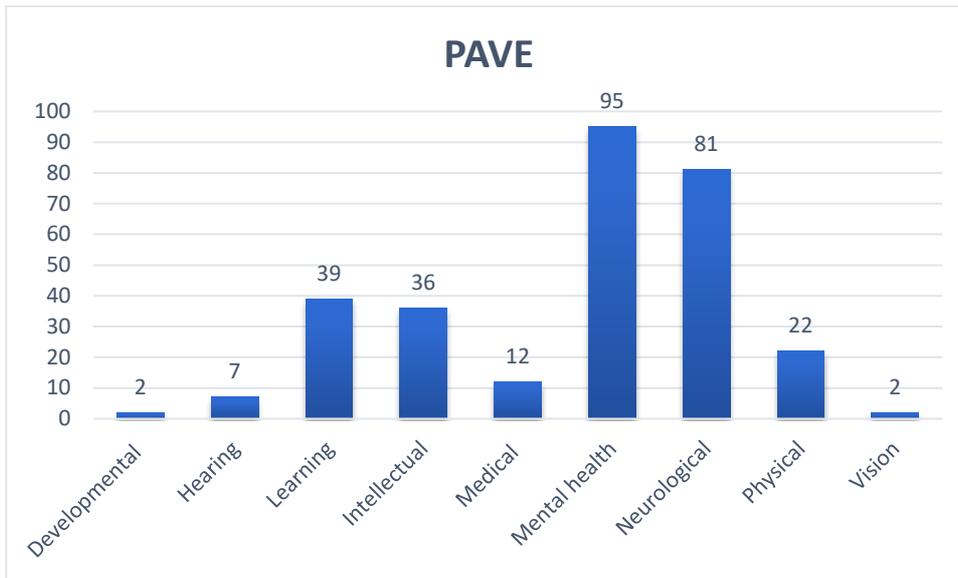
Swinburne University of Technology welcomes the opportunity to make a submission to the 2020 Review of the Disability Standards for Education.

Swinburne is a dual-sector university, delivering both higher education and vocational education and training programs across our three Melbourne campuses, and our Malaysian campus in Sarawak to over 60,000 students.

At Swinburne, we are all responsible for creating a culture that provides an environment that is safe, flexible and fair. It is also culturally appropriate, friendly and professional – free from discrimination and harassment. We seek to create a culture of acceptance. We cultivate and respect the strength that difference creates. Swinburne celebrates the diversity of its community and recognises the rights and responsibilities of all those within it.

In September of 2020, Swinburne recorded 1,305 students who are registered with AccessAbility Services. Students with a disability represent 5% of Swinburne's total student population (4% in higher education and research and 7% in pathways and vocational education), as compared to 7% in the broader higher education sector and 20% in the general population. 1,009 of registered students are undertaking higher education degrees and 296 students are undertaking PAVE courses.

The following figures provide an overview of the disability types that Swinburne students are experiencing and represent a consistent trend year on year.



Mental health conditions (MHC) are the most prominent type of disability across both sectors. The second most prevalent condition are Neurological conditions, such as Autism Spectrum Disorder (ASD) and Attention Deficit Hyperactivity Disorder (ADHD). 'Health or Stress' is also the most common reason (46%) why students are considering leaving university according to the 2019 Student Experience Survey national report. It is clear that mental health issues are a serious concern for students in the tertiary education sector and needs to be proactively addressed in policy, national programs and by individual institutions.

Our submission addresses the most pressing issues, opportunities and insights which have emerged since the last review of the Standards in 2015. We maintain that most of the challenges raised in the report by Urbis in 2015, and the recommendations made to the Government at the time, remain valid in 2020 from the perspective of a tertiary institution. We submit that the Standards “do their job” to the extent that they remain an important reference document for providers and students alike in the pursuit of eliminating disability discrimination in tertiary education. Access and participation rates of students with disability in higher education have increased markedly in the last 5 years (from 5.5% to 7%). However, success ratios of students with disability remain stubbornly low (0.94) and the transition to employment for graduates with disability remains challenging (2019 labour force participation rate of graduates with disability was 88.3% vs. 92.4% for the total cohort).

In our view, the Standards are not as effective as they could be in ensuring that students with disability can participate in tertiary education on a level playing field because:

- Students have limited awareness of the range of conditions, especially mental health conditions, covered by the Standards and that they can access help in their transition to tertiary study;
- The complexity of students' lived experience and the cumulative disadvantage they may suffer in an inflexible learning environment is not sufficiently addressed in the Standards;
- Federal and State Departments of Education do not sufficiently support the consistent implementation of the Standards across different tertiary education providers;
- A complaints-driven approach to improvement is unlikely to achieve material equality for students with disability and should be complemented by stronger expectations on providers.

A more inclusive definition of 'disability' to encourage help seeking

We propose that the Standards should include a plain language, accessible description of what disabilities are covered and eligible for support. This is particularly important for young people who develop, or are first diagnosed, with mental health or neurological conditions when they are at university/TAFE. Creating a more inclusive definition of disabilities may facilitate increased awareness and help seeking and, thus, more targeted support for people experiencing non-visible disabilities.

As it stands, the definition of 'disability' used in the Standards is highly technical. Moreover, the definition used in the DDA and associated materials is also too abstract to enhance awareness and help seeking:

“The DDA covers people who have temporary and permanent disabilities; physical, intellectual, sensory, neurological, learning and psychosocial disabilities, diseases or illnesses, physical disfigurement, medical conditions, and work-related injuries.”

Disclosure remains to be an issue, especially in regard to mental health conditions. Orygen Youth Health released the report 'Under the Radar' in 2015 which highlights that university students are not comfortable to share their mental health information.

One of the biggest issues for student disclosure is the perceived stigma associated with mental ill-health. In one Australian study, 25.3 per cent of participants who had mental health difficulties said they had not sought help because they were afraid, anxious, embarrassed or ashamed to do so.

Students have reported that they are concerned that sharing their mental health condition may prevent registration from professional bodies (aeronautical, occupational therapy), be included on academic transcripts, or affect their fitness to practice (nursing, education). In turn, the lack of help seeking creates conditions that do not support a student's learning, i.e. they may not receive the necessary flexibility in the delivery of their practicum placements they need to do well. Students are often not aware that they can negotiate reasonable adjustments if they are not registered with AccessAbility Services.

Recommendation: The Department should consult with students and practitioners to produce a plain language, accessible description of what disability is, what conditions are covered by the Standards and the rights of people with disability in educational settings which can be used in promotional campaigns and professional development activities by institutions.

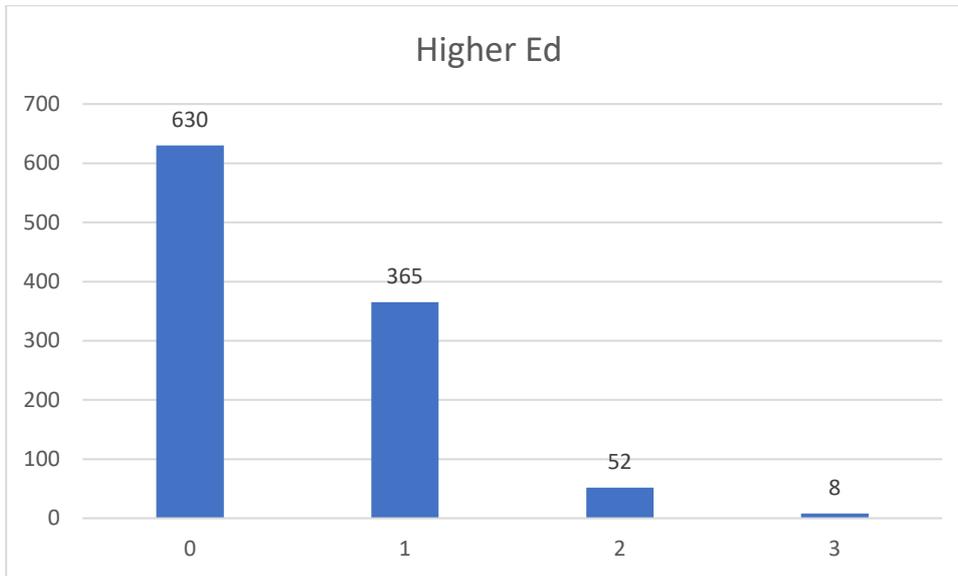
Cumulative disadvantage

Additional thought could be given in the Standards to the ways in which cumulative disadvantage through multiple equity group membership impacts the student experience and academic progress of students with disability. Analysis conducted by the Institute for Social Science Research at the University of Queensland for the Department demonstrates that students with disability have a substantially lower likelihood to complete their degree programs within 8 years of commencement than the total cohort (62.5% versus 72%). The likelihood of completion reduces further for students who belong to multiple equity groups and falls below 50% for students with disability who belong to at least two other equity groups, i.e. low SES, regional and remote or Indigenous students.

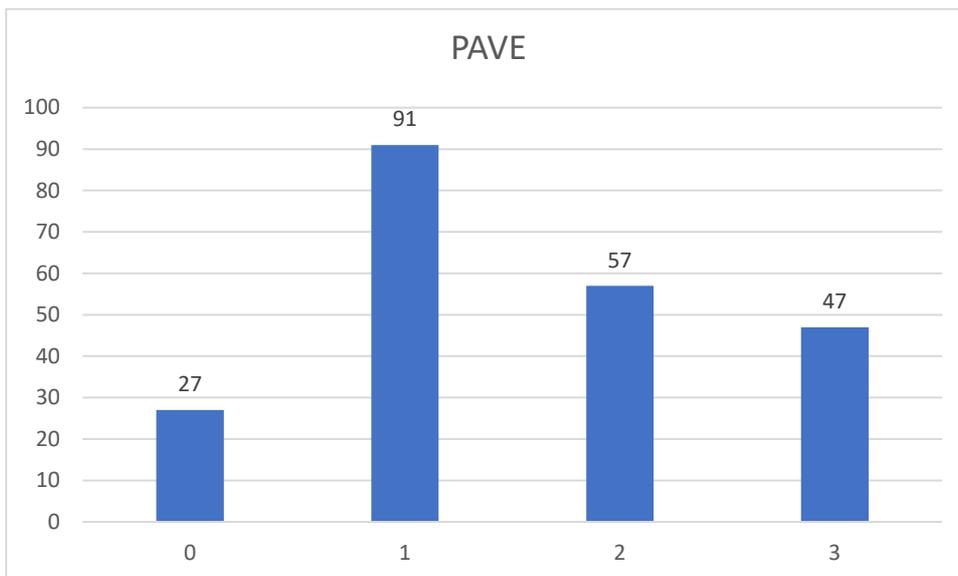
We illustrate the practical challenges that cumulative disadvantage creates by contrasting the raw numbers of students registered with AccessAbility Services with the level of complexity of the student's circumstances which determines the amount of support required to enable a student to succeed in their studies. We have created a complexity rating scale with 0 being the least complex circumstance and 3 being the most complex. Factors considered in the rating include: how often students require contact to negotiate reasonable adjustments, whether students require in-class support (personal assistance, interpreters, education access workers), whether renegotiation of equitable assessment arrangements are required.

As can be seen from the figures below captured in July 2020, most higher education students (60%) fall into the least complex category while almost half of PAVE students (47%) are in the two most complex categories. PAVE students are a more vulnerable cohort with students as young as 16 and more commonly from non-English speaking backgrounds. Mental health conditions emerge in people as young as 12 and can create interrupted education pathways for these young people.

Higher Education



PAVE Sector



Recommendation: that the Government address the existence of cumulative disadvantage in the Standards in order to highlight the often complex lived experience of students to further contextualise their needs for adjustments.

Dual sector institutions and the lack of consistency between federal and state support

In light of these findings regarding the varying levels of complexity, we note with some dismay that the Australian Government in 2015 did not agree to Recommendation 13 which suggested that it needed to advocate for consistency of funded support for students with disability in different post-compulsory educational settings to ensure equitable access across settings. In a dual-sector institution like Swinburne, the costs for adjustments made for higher education students can be partially recovered through the Disability Support Program. However, with the exception of dedicated funding for apprentices through the Disabled Australian Apprentice Wage Support Program (DAAWS), there is no Commonwealth financial support for the more costly adjustments the University makes for students enrolled in vocational and pathways programs. It seems that because the Standards are a federal responsibility, the Australian Government has a leadership role to ensure that students and their learning institutions are supported across the student's educational journey.

At the institutional level, consideration and implementation of reasonable adjustments that work in the context of the training package requirements is challenging for some PAVE departments where the training package does not provide flexibility in learning. This is particularly the case for early childhood, nursing and community services. Placements are also common in these courses. Both limitations of the Standards highlighted in the 2015 review, i.e. the inconsistency of support offered by vocational education providers and the ambiguous role of education providers in ensuring application of the Standards to education activities conducted outside the classroom (particularly industry placements/practicums), remain challenges five years on and need to be addressed for the benefit of this more vulnerable cohort.

Recommendation: the Australian Government leads a process to ensure more consistency across the tertiary education system in the provision and funding of reasonable adjustments for students with disability.

Negotiating reasonable adjustments

Many students struggle to negotiate reasonable adjustments in a timely manner when their condition affects their executive functioning, help seeking behaviour and time management. Nationally consistent expert guidance could assist students and institutions alike to implement adjustments more quickly and with less ambiguity. National programs exist, namely the National Disability Coordinating Officers and the Australian Disability Clearinghouse on Education and Training, and there is an opportunity to expand their brief to assist the Department in implementing recommendations from this review and support the sector in implementing the Standards.

We would like to reiterate the need for the Standards to provide further clarity about consistency in reasonable adjustments and timeframes for response. We strongly support the recommendations made in the 2015 review, especially Recommendation 3:

That the Australian Government develop a range of exemplars of good practice which illustrate effective adjustments, including how decisions are made on what is 'reasonable'. The exemplars should be accessible to both education providers and to students with disability or their associates and serve to support development of a common language and understanding.

Implementation is the core challenge with regard to the Standards and tertiary institutions would benefit from proactive assistance and expert advice to create national consistency so that students can expect similar reasonable adjustments across all tertiary institutions in Australia.

Recommendation: That the scope of ADCET is increased to be more than a clearing house and instead provide tailored resources, guidance and advice to tertiary providers and students.

Inclusion of the Disability Standards for Education into the Higher Education Standards Framework

Since the 2015 review, the Disability Standards for Education have been included into the Higher Education Standards (HES) Framework with the Principal Standards concerned with diversity and equity being in Part A, Section 2.2, Diversity and Equity. The requirements articulated by the DDA and the Standards are set out in the Guidance Note for Diversity and Equity.

The prominence of the Standards in the Guidance Note is an opportunity for universities to think more deeply about diversity of the student cohort across all stages of the student lifecycle and with explicit reference to curriculum and assessment design. The Guidance Note states that:

Any provider that admits students without considering how all students will have equivalent opportunities for academic success and an appropriate learning environment is likely to face multiple difficulties in meeting the HES Framework.

An embedded level of flexibility through inclusive curriculum and assessment design would reduce barriers to equitable participation and could alleviate the necessity to negotiate and implement individual adjustments for students with disability. The inclusive design of university processes and the choice of accessible IT systems can further reduce the need for costly workarounds.

Recommendation: leverage the intersection of the Standards and the HES Framework to encourage universities to invest in inclusive systems, processes, curriculum and assessment to reduce the need for individual adjustments.

Thank you for your consideration of Swinburne's submission. Should you require any further information, please contact Associate Professor Nadine Zacharias, Director of Student Engagement, at nzacharias@swin.edu.au.

Yours sincerely



Dr Andrew J Smith
Vice-President (Students & Alumni)