

Submission to the Senate Education and
Employment References Committee
inquiry into the current levels of access
and attainment for students with disability
in the school system, and the impact on
students and families associated with
inadequate levels of support

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About CREATE Foundation

CREATE Foundation is the national peak consumer body for children and young people with an out-of-home care experience. We represent the voices of over 40,000 children and young people currently in care, and those who have transitioned from care up to the age of 25.

Our vision is that all children and young people with a care experience reach their full potential.

Our mission is to create a better life for children and young people in care.

To do this we:

- **CONNECT** children and young people to each other, CREATE and their community *to*
- **EMPOWER** children and young people to build self-confidence, self-esteem, and skills that enable them to have a voice and be heard *to*
- **CHANGE** the care system, in consultation with children and young people, through advocacy to improve policies, practices and services and increase community awareness.

We achieve our mission by facilitating a variety of programs and services for children and young people in care and developing policy and research to advocate for a better care system.



Introduction

CREATE Foundation thanks the Senate Education and Employment References Committee (the Committee) for the opportunity to respond to the Terms of Reference (TOR) of its inquiry into the current levels of access and attainment for students with disability in the school system, and the impact on students and families associated with inadequate levels of support.

It is essential that child protection issues are recognised by the Committee as children and young people in out-of-home care are one of the most disadvantaged groups in Australia. There is a need to work across government portfolios to ensure that the educational needs and outcomes for children and young people with a disability who have an out-of-home care experience are recognised, understood and addressed.

Broadly, this submission substantially addresses TOR (j), “any other related matters”, as CREATE seeks to draw the Committee’s attention to those children and young people with a disability who are living in out-of-home care, and their experiences of education systems in Australia. Where relevant, CREATE will refer to other TOR.

CREATE is developing a Position Paper on Education and out-of-home care, which will be available later this year. That Position Paper will summarise the evidence relating to the experiences of, and outcomes for children and young people in out-of-home care and their engagement and achievement within educational systems. The Position Paper will highlight the areas for action to improve engagement and outcomes in education for children and young people with a care experience. CREATE will forward the Position Paper to the Committee upon its completion.

CREATE urges the Committee to hear directly from children and young people with a disability who are in out-of-home care, their carers, and peak organisations to gain a better understanding of the particular needs associated with being in care.
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Children & young people in out-of-home care

At 30 June 2014, there were 43,009 children and young people living in out-of-home care across the eight states and territories of Australia, with 93.4% in home-based care (i.e., foster and kinship care) and 5.5% in residential care (AIHW, 2015). The number of children and young people in out-of-home care continues to increase each year, largely driven by increasing numbers of Aboriginal and Torres Strait Islander children and young people entering care, and children and young people remaining in out-of-home care for longer (AIHW, 2015; Tilbury, 2009).

CREATE recognises education as an important gateway to health and emotional wellbeing, job acquisition and satisfaction, economic prosperity, and independence. An absence of education can compound disadvantages already faced by children and young people with a disability who have an out-of-home care experience. CREATE examined Education in its 2006 Report Card and in 2013 looked at educational outcomes in its benchmark report towards the National Standards for Out-of-Home Care (CREATE Foundation, 2006); McDowall, 2013).

Improved educational outcomes for children and young people are to be sought through two of the National Standards for Out-of-Home Care:

National Standards	Measures
6. Children and young people in care access and participate in education and early childhood services to maximise their educational outcomes.	6.1 The proportion of children and young people achieving national reading and numeracy benchmarks. 6.2. The number and proportion of 3 and 4 year olds who participate in quality early childhood education and child care services.
7. Children and young people up to at least 18 years of age are supported to be engaged in appropriate education, training and or employment.	7.1 The proportion of young people who complete year 10 and the proportion who complete year 12 of equivalent Vocational Education and Training.

(Department of Families, Housing, Community Services and Indigenous Affairs (DFHCSIA), 2011)

The Australian Institute of Health and Welfare (2014) is progressing its project to compare national educational results collected through NAPLAN tests for children and young people in out-of-home care with their peers who are not in care, to highlight where additional work may be required by state and territory governments, and carers and care organisations to support children and young people in care to reach their full potential (AIHW, 2014). It may be difficult to use NAPLAN achievement scores to assess how having a disability impacts on children and young people in Australian schools as having a disability is one of the allowable exemptions for NAPLAN testing. CREATE (2006) notes that the Queensland government reported higher than average exemption of children and young people in care from literacy and numeracy tests conducted at that time, namely 14-18% compared with 2% of general population.

It is difficult to assess current levels of access and attainment for students in out-of-home care with a disability in the school system (TOR (a) and (g)), without consistent data from the state and territory governments. It is important that consistent data reporting on outcomes for children and young people in out-of-home care takes account of disability.

CREATE recommends the Australian Government, through the Australian Institute of Health and Welfare, ensures that data linkage is extended to child protection, disability, and educational engagement and outcomes.

Disability and out-of-home care

It is estimated that 7% of Australian children and young people under 25 years of age have a disability (AIHW, 2013). There are wide variations in estimates of the number of children and young people with a disability in out-of-home care in Australia depending on how disability is defined and measured, ranging from as low as 4% to as high as 60-70% of children and young people in out-of-home care (CREATE Foundation, 2012). Children and young people who are or have been in out-of-home care are recognised as one of the most disadvantaged groups in Australia, stemming from the reasons that brought them into care and their in-care experiences. It is critical that children and young people with a disability who are in out-of-home have their educational needs specifically addressed.

The CREATE Report Card 2013, interviewed 1069 children and young people in care about their lives and experiences across many life domains. Of these children and young people, 241 (22.5%)

identified as having a disability, with 68.9% of these receiving treatment or support (McDowall, 2013, p. 14).

Table 1

Number of Respondents Who Reported Having the Respective Disabilities and Who Received Support for That Disability


DISABILITY	Number with a disability	Number receiving support
Intellectual (including Down syndrome)	23	16
Specific learning ADD	80	57
Autism (including Asperger’s syndrome)	20	13
Physical	7	6
Neurological (including epilepsy)	6	5
Deaf/blind (dual sensory)	3	2
Vision (sensory)	12	5
Hearing (sensory)	9	5
Speech	9	7
Psychiatric (mental illness)	11	11
Developmental delay	5	1
Multiple disabilities	56	38
TOTAL	241	166

Of those 166 children and young people who were receiving support in relation to their disability (Table 1), the majority were living in foster care and kinship care, with 26 young people (15%) living in residential care. Of the 75 children and young people not receiving assistance related to their disability, it is not known if they do not require assistance or are perhaps missing out on much needed assistance.

The Australian Institute of Health and Welfare (2014) should be supported to collect and report on a range of factors through the Child Protection National Minimum Data Set, including data that allows some understanding of the educational outcomes for children and young people in out-of-home care generally, as well as any relationship between disability and engagement in education.

In 2012, CREATE Foundation published a literature review, *“Supporting children and young people with a disability living in out-of-home care in Australia”*. The following findings within the research are relevant to this inquiry:

- There is no uniform definition of “disability” across the eight state and territory child protection jurisdictions in Australia, making it difficult to accurately and consistently measure how many



children and young people in out-of-home care have a disability. Without this knowledge it is impossible to say whether the support needs of children and young people with a disability are being identified or met. It is also important to have clear descriptions of disability for supporting carers and training staff.

- While the number of children and young people with a disability in out-of-home care in Australia is unknown, it is generally accepted that children and young people with a disability are over-represented in out-of-home care in Australia. The literature indicates it varies from as few as 4%¹ of all children and young people in care to as many as 60-70%.
- The lack of data and consistency in understanding issues for children and young people with a disability in out-of-home care makes it difficult to identify trends in outcomes for these children and young people.
- The number of Australian children and young people in care continues to grow and, increasingly, children and young people with high and complex needs are entering or are in the care system.
- There is evidence that children and young people with a disability are not well supported when they transition from out-of-home care, and many leave care without a planned and gradual “transition from care plan”. The literature suggests that many young people with a disability leave statutory care without a carer, family support, education and employment prospects, or somewhere suitable to live.
- There are a number of issues for children and young people with a disability who are in care that limit their chance of successful outcomes, including:
 - placement instability;
 - being placed in residential care rather than family based care (foster/kinship care);
 - low life and educational expectations;
 - the development of extreme and complex challenging behaviour;
 - high levels of mental health issues;
 - lack of educational and development opportunities; and
 - lack of support needed at transitional points in education, placements, and life stages.

The issue of low life and educational expectations for children and young people in out-of-home care can arise because they, and those around them, are either unaware of the educational possibilities open for them or are unable to explore these possibilities (Harvey, McNamara, Andrewartha, & Luckman, 2015). This kind of low expectation may be compounded depending on the level of disability a child or young person has.

With regard to TOR (g) on inclusion of students with a disability, it is critical for children and young people in out-of-home care that they are not excluded from education or reporting on educational outcomes due to the low expectations of those around them.

CREATE recommends state and territory governments develop strategies o compounded disadvantage faced by children and young people in out-of-home care with disabilities to improve their educational engagement and outcomes.

CREATE recommends that state and territory governments agree to establish an evaluation framework to report on educational outcomes for children and young people with a care experience to the age of 25 years, including reporting on disability.

¹ The lower range of 4% represents children and young people with higher levels of disability.



Education and out-of-home care

CREATE's 2013 Report Card surveyed 1069 children and young people in out-of-home care, aged 8-17 years old across Australia. The results showed that two thirds of respondents found their overall school experience to be at least "Quite" or "Very good". However, there were a number of negative educational outcomes found. In particular, disrupted schooling due to changing primary schools was likely to be experienced, with those in residential care more likely to have "many changes" of primary schools, as were Aboriginal and Torres Strait Islander children and young people (McDowall, 2013).

Only 25% of all children and young people surveyed were aware of having an Individual Education Plan (IEP); however, of the 241 children and young people who reported having a disability, slightly more of them, 32%, were aware of an IEP. As this is a key tool for ensuring access and attainment for students in out-of-home care, it is something all children and young people in care should have, and CREATE would argue, should be involved with and understand (McDowall, 2013). Twenty-two percent of children and young people with a disability reported their learning experience at school to be "Quite poor" or "Not all that good" (McDowall, 2013). Of respondents with a disability, 28.6% attended three or more primary schools while in care, which is not ideal for learning, and 30% had repeated one or more years of schooling.

CREATE recommends that state and territory governments continue work to ensure that all children and young people in care (especially those with a disability) have an Individual Education Plan, and children and young people are involved with their IEP.


CREATE is also aware that children and young people in out-of-home care, like their non-care peers, often require encouragement and support to stay engaged and succeed in education. Children and young people told CREATE that when seeking help with school work from someone other than their teachers, they are most likely to ask their carers (McDowall, 2013). This indicates the need for support for carers to ensure they are able to meet the educational needs and queries from the children and young people in their care.

A small consultation with young people in South Australia found that young people in out-of-home care had little or inconsistent support with their education, and that their carers, caseworkers, and teachers had low educational expectations of them (CREATE Foundation, 2014). Care environments need to be oriented to positive and enduring educational experiences, which may mean additional support for carers to update or extend their own educational pathways.

CREATE recommends that state and territory governments work with peak carer and disability agencies to design strategies that assist carers to support children and young people to stay engaged in education and achieve to the best of their abilities.

The contributing factors to poorer educational outcomes for children and young people in out-of-home care are complex, so a range of strategies is needed to improve educational outcomes while children and young people are in care and beyond transition to 25 years of age. Harvey et al. (2015) in their review of literature on educational outcomes for children and young people with an out-of-home care experience, found evidence in Australia that educational achievement for children and young people with a care experience is generally lower than their non-care peers. This includes the work of CREATE (2006), which in its last dedicated report into the education of children and young people in care found that, while the majority of children and young people surveyed felt supported in their education, their experiences indicated high levels of instability in placements and schools, missed days of schooling, and being older than their classmates.

Harvey et al. (2015) argue the need for a national policy for care leavers covering all levels of education and including the community services sector to increase attainment levels in school



education and increase the opportunities for young people with a care background to go on to further education. TOR (b) seeks to understand the social, economic, and personal benefits of improving outcomes for students with a disability, which for care leavers, who are largely excluded from the levels of education that lead to higher wage premiums and lifetime rewards, further entrenches their disadvantage (Harvey et al., 2015).

It is important to address the many factors that may impact on educational engagement, which for children and young people in care may include strategies to address bullying and stigma experienced in school. When asked about bullying, 25% (n=271) of respondents to the CREATE Report Card 2013 reported they had been bullied at least “Reasonably often” at school (McDowall, 2013). Of these, 28.4% were children and young people with a disability.

CREATE recommends targeted strategies to improve placement stability and education engagement in primary, secondary, and further education.

Transition from care

No consistent data exist in Australia to show the higher and further education attainment of young people who have left care (Harvey et al., 2015). The National Framework for Protecting Australia’s Children 2009-2020 recognises the importance of transition planning from when young people turn 15 years old through to when they turn 18 years old and, generally, the government’s legal responsibility ceases as they legally become adults (DFHCSIA, 2011). At this stage, their care providers, regardless of their model of care, are also no longer required (or funded) to provide ongoing support and unfortunately many don’t. When CREATE asked young people who had left care whether they had been able to stay in their placement when they turned 18 years old, about 50% indicated that they had been required to leave (McDowall, 2009).


The CREATE Report Card 2009 also found that:

- 64% of respondents did not have a leaving care plan; and
- After leaving care:
 - Only 35% had completed year 12;
 - 35% were homeless in the first year of leaving care;
 - 29% were unemployed (compared to the national average at the time of 9.7%); and
 - 70% were dependent on some form of income support. (McDowall, 2009)

The CREATE Report Card 2013 found that 33% of young people aged 15 years or over reported they were aware of having a leaving care plan, and, of these, 48% had been involved in their planning (McDowall, 2013). A planned and staged approach to leaving care prepares young people for being able to cope with living independently. CREATE believes that additional post-care support is critical to ensuring young people are able to overcome the usual life challenges that their peers might otherwise have family to rely on. Because of the special needs of young people with disabilities, adequate planning for accessing support services in the future is even more critical.

Young people with an out-of-home care background who fail to complete year 12, are disadvantaged in their employment prospects and engagement with further and tertiary education (McDowall, 2009; Mendes, 2009). Post care support, and particularly stable accommodation, can facilitate young people being able to improve their educational outcomes and employment prospects (Mendes, 2009).

CREATE recommends that state and territory governments fund specialist leaving care services for all young people with an out-of-home care experience, and ensure that they are responsive to young people with disabilities who have been in care with a focus on improving their educational outcomes.



CREATE recommends that specific funding be allocated to support targeted re-engagement strategies, including enrolment at TAFE, college, university, or equivalent, tuition fee waiver provisions, and funding to assist vocational education programs for young people with a care experience (including young people with a disability).

Conclusion

The exact number of children and young people in out-of-home care in Australia who have a disability is not known, but if it is between 7 – 25 % of all children and young people in care that represents over between 3,000 and 11,000 children and young people across Australia. CREATE recognises education as an important gateway to health and emotional wellbeing, job acquisition and satisfaction, economic prosperity, and independence. It makes sense to plan for the best educational outcomes for young people who face significant disadvantage depending on the circumstances that brought them into care and the experiences they have in care, particularly stability of placement.

On an individual level, it is critical that these children and young people are engaged in education through their Individual Education Plans (IEP), and that strategies are in place to deal with bullying and stigma they may face in school. Their transition planning as they enter their mid-teenage years must take account of the educational and employment desires of the young person, with assistance to aim higher than the low expectations many face now. This includes support for their carers who may also have little knowledge and experience of education.

While attention to education across the early, primary, and secondary school years is essential, it must continue beyond the end of high school and the transition from care, to support further and higher educational opportunities for care leavers. Targeted strategies at all levels of education can improve educational engagement and outcomes for children and young people with a disability who also have an out-of-home care experience. The following recommendations are strategies to achieve this:


CREATE recommends the Australian Government, through the Australian Institute of Health and Welfare, ensures that data linkage is extended to child protection, disability, and educational engagement and outcomes.

CREATE recommends state and territory governments develop strategies to compounded disadvantage faced by children and young people in out-of-home care with disabilities to improve their educational engagement and outcomes.

CREATE recommends that state and territory governments agree to establish an evaluation framework to report on educational outcomes for children and young people with a care experience to the age of 25 years, including reporting on disability.

CREATE recommends that state and territory governments continue work to ensure that all children and young people in care (including those with a disability) have an Individual Education Plan (IEP), and children and young people are involved with their IEP.

CREATE recommends that state and territory governments work with peak carer and disability agencies to design strategies that assist carers to support children and young people to stay engaged in education and achieve to the best of their abilities.



CREATE recommends targeted strategies to improve placement stability and education engagement in primary, secondary and further education.

CREATE recommends that state and territory governments fund specialist leaving care services for all young people with an out-of-home care experience that are responsive to young people with disabilities who have been in care with a focus on improving their educational outcomes.

CREATE recommends that specific funding be allocated to support targeted re-engagement strategies, including enrolment at TAFE, college, university, or equivalent, tuition fee waiver provisions, and funding to assist vocational education programs for young people with a care experience (including young people with a disability).



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