



**Submission to the Productivity Commission's Inquiry into  
Early Childhood Education and Care  
May 2023**

**“Children that learn together, learn to live together”**

*Jody Carr, Former Minister for Education, New Brunswick, Canada, speaking at Family Advocacy's National Symposium on Inclusive Education 2017*

Cecile Sullivan Elder Executive Officer,  
Family Advocacy

Leanne Varga  
Systemic Advocate

Family Advocacy (02) 9869 0866  
Suite 704, 88-90 George Street,  
Hornsby, NSW 2077, Australia

**Acknowledgement:**

Family Advocacy would like to acknowledge the traditional custodians of the lands on which this report has been written, reviewed and produced, whose cultures and customs have nurtured and continue to nurture this land since the Dreamtime. We pay our respects to their Elders past, present and future. This is, was and always will be Aboriginal land.

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## Executive Summary

With a strong vision for ALL children to live an inclusive life, Family Advocacy shares the barriers that affect access to ECEC services and proposes solutions below. As a disability advocacy organisation that seeks to promote and defend the rights and interests of people with a developmental disability across NSW, we provide evidence which demonstrates the many ways children with disability (and by default their family members) continue to be subject to devaluation, marginalisation, exclusion and discrimination. Solutions to these challenges will be discussed and it is with this lens, we make the following recommendations.

### Summary of recommendations:

- Recommendation 1: Developing an Inclusive Education System.
- Recommendation 2: Encouraging Transformational Leadership.
  - Merging our parallel system of mainstream and Early Intervention Centres into one wholistic system
  - Develop a national inclusive education plan to gradually phase out segregation and exclusionary practices
  - Develop transformational leadership amongst Early Childhood Directors, and educators and parents
- Recommendation 3: Educating for Life.
- Recommendation 4: Promoting an Inclusive Culture.
- Recommendation 5: Developing Partnership.
- Recommendation 6: Investing in Equity.
- Recommendation 7: Tackling Barriers to Participation.
  - Adoption of an Early Childhood and Care Inclusive Education Plan
  - Ensure the legislative/policy frameworks and good inclusive practice are known and understood by early educators/leaders.
  - Independent complaints process
- Recommendation 8: Strengthening Inclusive Pedagogy.
- Recommendation 9: Prioritising Professional Development.
- Recommendation 10: Learning from Experience.
- Recommendation 11: Plotting the Journey to Inclusion.
- Recommendation 12: Effective and efficient funding allocation.

## Introduction

Family Advocacy is an independent disability advocacy organisation that works across NSW to promote the inclusion of and protect the rights and interests of people who have developmental disability<sup>1</sup>. We were founded 32 years ago by families of people with disability and continue to be governed by families. We provide support in the following ways:

- Advocacy advice and advocacy information to individuals
- Advocacy development for family members of a person with disability
- Systemic advocacy

This submission highlights Family Advocacy's strategic vision to promote inclusive lives. Specifically, for children in the early years, our vision is that "children are living valued lives in their family and community with experiences, opportunities and high expectations ensuring they are on a pathway to full and inclusive life". To achieve this, we:

- Build the knowledge of families by providing timely information about child rights, the evidence base, and where they can obtain support, targeting the places and spaces they engage.
- Assist families in the early years to strive high and learn about the rights and interests of people with disability through visioning for an inclusive life and build their advocacy skills.
- Grow family leaders in the early years, who then provide peer support to other families within their communities.
- Influence the influencers of families, so they are providing them with good information and guidance to set them on a pathway for inclusive lives.
- Strategically collaborate and build allies in the Early Childhood Education and Care sector (hereinafter ECEC sector) so children with disability are accessing the same ECEC service opportunities and environments.

Family Advocacy appreciate the opportunity to provide a response to the Australian Government Productivity Commission's Early Childhood Education and Care Inquiry. We applaud the Australian Government's commitment to developing a Commonwealth whole-of-government Early Years Strategy, focused on well-being, education and development of Australia's children with the intent that "*Every child deserves the opportunity for the best start in life*". Within this inquiry, we particularly applaud the equitable nature of the scope of the inquiry directing the Productivity Commission to consider options that improve or support "outcomes for children and families experiencing vulnerability and/or disadvantage, First Nations children and families, and children and families experiencing disability".

In the early years, for obvious reasons, advocacy is undertaken by the parents of the child with disability. We are obliged to highlight the rhetoric-reality gap between this inclusive sentiment and the lived experience of families and their child with disability. Unfortunately, the families we hear from often experience considerable challenges, including stigma, devaluation and discrimination, when advocating for the rights of their children. Parents across NSW report gatekeeping (exclusion during enrolment), demands for partial attendance, suspensions, expulsions, and micro exclusions (being segregated within classrooms). We contend this deep sense of 'othering' of the child is getting worse, not better. Over the last five years, our education (including early childhood, primary and high school, Out-of-school-hours care) related calls have doubled.

Throughout this paper, whilst our frame of reference is the lived experience of children with disability (through their family member), it is well understood that there are a disproportionate number of children with disability in low socioeconomic backgrounds and First Nations backgrounds. Where disability intersects with these cohorts of disadvantage, the negative impacts are multiplied, evidenced by a plethora of statistics including Closing the Gap Report (school to prison pipeline) and recently reported by the Disability Royal Commission<sup>1</sup>.

We encourage the Productivity Commission to have at the forefront of your mind, the children that “fall through the cracks” when making decisions and the well-known saying “the greatness of a nation can be judged by how it treats its weakest member”. We invite the Productivity Commission to be bold and adopt our recommendations for transformation of the ECEC sector, to adopt the attitudinal, structural, relational and environmental changes required in order to achieve genuine inclusion and mitigate the long-term wounding effects of devaluation on children with disability (and by default their family members). Any reference to children with disability includes all disadvantaged cohorts, and the benefits associated with our suggested changes will not only benefit children with disability, and other disadvantaged cohorts but ALL Australian children.

Our comments and recommendations are premised on three decades of experience hearing from and working together with families who advocate with and on behalf of their child with developmental disability in NSW, regular collaboration with the NSW Department of Education and other stakeholders, our widespread knowledge of international research/practice in the field of inclusive education and the multiple submissions we have written for the NSW and Australian governments and the current Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability (hereinafter Disability Royal Commission).

We appreciate the many legislative and policy instruments, frameworks, principles and standards that will need to be considered by the Productivity Commission to develop an overarching roadmap that will shape Government policy in a holistic way. We recommend the following position statements, levers for change and other research listed below be read in conjunction with this submission.

## **Family Advocacy recommends the following position statements in conjunction with this submission**

- Disabled People’s Organisation of Australia’s Position Paper on [Segregation of People with Disability is Discrimination and Must End](#)
- The Australian Coalition for Inclusive Education’s [‘Driving change: A roadmap for achieving inclusive education in Australia’](#) (How to make education better - [Easy English version](#))
- Australian Research Alliance for Children and Youth (ARACY)’s [The Nest](#) child wellbeing framework
- Early Childhood Australia’s [Statement on the inclusion of every child in early childhood education and care](#) and draft [Statement on Play](#)
- Early Childhood Australia and Early Childhood Intervention Australia’s [Position statement on the inclusion of children with a disability in early childhood education and care](#) Thrive by Five & The Minderoo Foundation’s [Time to Act: Investing in our children and our future](#)
- Play Group Australia’s National Advisory Group’s [Playgroup Statement 2022](#)

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<sup>1</sup> [Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability, Research Report, Care criminalisation of children with disability in child protection systems, May 2023.](#)

## Family Advocacy recommends the following levers for change in conjunction with this submission

- [Australia's Disability Strategy 2021-2031](#)
- [Disability Standards for Education](#)
- [Review of the NDIS](#)
- [National School Reform Agreement](#)
- [Disability Royal Commission](#)
- [National Disability Data Asset](#)
- [National Disability Research Partnership](#)
- [National Quality Framework for Early Childhood Education and Care](#)
- [Early Years Learning Framework; My Time Our Place – Framework for School Age Care in Australia.](#)

## Family Advocacy recommends the following research or evidence in conjunction with this submission

There is a significant body of work on inclusive education. We strongly encourage the Productivity Commission to explore the following sources:

- Family Advocacy's webpage, "[What does the research tell us about Inclusive Education?](#)"
- **Dr Thomas Hehir** for The Alana Institute, [A Summary of the Evidence on Inclusive Education](#)
- **Associate Professor Dr Bob Jackson** at ([www.include.com.au](http://www.include.com.au)) has done a great deal of research in inclusive education. His work has encompassed a very extensive review of the literature about inclusion and he has given presentations to parents and teachers across Australia. He has been closely involved with ECEC inclusion, advising families, teachers, ECECs and education systems on the rationale and practicalities of inclusion. Below are two of Dr Jackson's articles. [Inclusion or Segregation for Children with an Intellectual Impairment: What does the Research Say? Why should ECECs include children with a disability?](#)
- **Professor Kathy Cologon** from Macquarie University wrote an issue paper titled [Inclusion in education - towards equality for children with disability](#) for Children with Disability Australia in 2013. This paper states that Inclusive education is an approach to education free from discriminatory beliefs, attitudes and practises, including free from ableism'. It discusses the concept of ableism as the attitude that a person with disability is somehow inferior to a person who has no disability. It also emphasises that every child has the right to an inclusive education and recognises that inclusion is not about disability or ECEC but it is an issue of social justice. Another article written by Professor Kathy Cologon [Inclusive education means all children are included in every way, not just in theory.](#)
- We direct you to **Professor Linda Graham**, the Director of QUT The Centre for Inclusive Education website – notably [Inclusion and Exclusion](#), and [Resources](#) and [DRC Rights and Attitudes Paper](#).
- **Bruce Uditsky**. It can be helpful to revisit what has occurred in other countries who are also challenging a segregated schooling system. In this document '[From integration to inclusion: the Canadian experience](#)', Uditsky moves through an historical overview of the education of children with significant disabilities in Canada, focusing on the parent movement because they were and are the principle leaders and agents of change. Several other themes run through this chapter including:

1. the struggle for inclusion as a reflection of personal and cultural values not educational science
2. educators as allies in the process of change
3. inclusive practices as different from integrated practices.

Uditsky ultimately argues that although a definition of inclusion is still evolving, fundamental to the process is a set of principles ensuring the child is valued and needed. From these principles come several key components to the practice of inclusion: membership, curriculum, teaching practices, friendships and supports. You can view [this interview with Bruce Uditsky and Anne Hughson](#) discussing the opportunities for full inclusive education in Australia. Some main points of reflection from the experience in Alberta Canada is:

- increasing the opportunities for fully inclusive education from ECEC years onward
  - guaranteeing teachers are equipped and qualified to teach in an inclusive classroom
  - ensuring ECEC leaders are being mentored and are able to instruct staff in their ECEC communities
  - upholding the United Nations Convention (note that Australia signed this convention in 2007)
  - working with Universal Design of Learning as a teaching pedagogy that raises the bar for all children to do well by creating a rich learning environment.
- **New Brunswick, Canada's Policy 322 on inclusive education**  
The inclusive education system in New Brunswick and [Policy 322](#) on inclusive education issued by then Minister for Education and Early Childhood Development, Jody Carr in 2013 that was recognised as a global exemplar at the 2016 Project Zero Conference sponsored by the ESSL Foundation, the World Future Council, and the European Foundation Centre at the United Nations Office in Vienna, Austria. Policy 322 states the goal of Inclusive public education:
    - Recognises that every child can learn.
    - Is universal – the provincial curriculum is provided equitably to all children and this is done in an inclusive, common learning environment shared among age-appropriate peers in their neighbourhood ECEC.
    - Is individualised – the educational program achieves success by focusing on the child's strengths and needs, and is based on the individual's best interest.
    - Is requiring ECEC personnel to be flexible and responsive to change.
    - Is respectful of children and staff diversity in regards to their race, colour, religion, national origin, ancestry, place of origin, age, disability, marital status, real or perceived sexual orientation and/or gender identity, sex, social condition or political belief or activity.
    - Is delivered in an accessible physical environment where all children and ECEC personnel feel welcome, safe and valued.
  - **Dr Scott Avery, [Culture is Inclusion](#)**, a narrative of Aboriginal and Torres Strait islander people with disability, First People Disability Network (Australia).

## Inclusive education – Accessible, equitable and high-quality ECEC

*“All children are born included - it's the natural state. Children with disabilities become excluded not because they have disabilities, but because of our actions. If we want them to be successful and included as adults, we need to make sure they are successful and included as children!”*

*From Special Ed Schools: Help or Hindrance? Kathie Snow*

The scope of this inquiry directs the Productivity Commission to make recommendations that “support affordable, accessible, equitable and high-quality ECEC”. As a values-based organisation, we will not address the affordable component and leave this for the experts in this area. We will provide commentary on the latter three descriptors which formulate the components of inclusive education system. Slee<sup>2</sup> proposes that inclusion involves questioning ‘Who is in and who is out? How come? And, what are we going to do about it?’ ([Citation2013](#), 905). These questions will guide the structure of this submission.

### Vision for Australian children

In responding to this first question, who is in and who is out? we must be clear of our nation’s vision for Australian children. We direct the Productivity Commission to draw on the two most important international commitments to advancing inclusive education, (which the Australian Government has signed up to):

The 2006 UN Convention on the Rights of Persons with Disabilities (notable Article 24) calls for an:

*“inclusive system of education at all levels” as a human right and is focused on people with disability.”*

The Sustainable Development Goal No. 4 (SDG4) has a goal to:

*“Ensure inclusive and equitable quality education and promote life-long learning opportunities for all”.*

This directs our attention to three axes defining progress: quality, equity *and* inclusion. It would be our recommendation to ensure all 3 elements were emphasised.

### Quality

In a broader sense, quality directs our attention to what education is for and what it means in the life of all children.

A useful definition is offered by Ken Robinson (British educationalist):

*“education aims to enable children to understand the world around them and the talents within them so that they can become fulfilled individuals and active, compassionate citizens”.*

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<sup>2</sup> Slee, R. 2013. “How Do We Make Inclusive Education Happen When Exclusion Is a Political Predisposition?.” *International Journal of Inclusive Education* 17 (8): 895–907. doi:<https://doi.org/10.1080/13603116.2011.602534>. [Taylor & Francis Online], [Web of Science ®], [Google Scholar]



A similar sentiment is echoed in Australia's *Alice Springs (Mparntwe) Education Declaration* which states:

*“education should continue to promote excellence and equity and enable all Australians to become confident and creative individuals, successful learners, and active and informed community members”.*

We submit these definitions are at odds with Australia's current policies directed at standardisation, which we challenge. Our current approach reflects integration, and needs to evolve towards inclusion, discussed in the dot diagram below.

In terms of the workforce, as the Terms of Reference for this inquiry state, quality ECEC also refers to their capacity to provide “important developmental, social and educational benefits for Australian children”. We discuss this in more detail in “Recommendation 8: Strengthening Inclusive Pedagogy and Recommendation 9: Prioritising Professional Development”.

## Equity

Sustainability Development Goal 4 widens our focus to ensuring access for ALL children. The scope of this inquiry specifically mentions consideration of children and families experiencing disadvantage, First Nations children and families, and children and families experiencing disability. Intersectionality is a word being used to draw our attention to the ways in which different threads of disadvantage are intertwined in the lives of children, which is what early childhood educators both experience and need to engage with, in the ECEC and classroom<sup>3</sup>.

To ensure lip service is not paid to the concept of equity, we want to ensure that it is understood that equity is more than the “permission to be present” (integration) but rather valued full participation and belonging, genuine inclusion, “where the environment/system/teaching approach will make reasonable adjustments to properly support the child with a disability in order that they may reach their full potential”. We wish to challenge the current mindset regarding standardisation and being very outcomes focused towards literacy and numeracy. Rather than current efforts towards sameness with a standardised approach to education, we recommend the Productivity Commission value difference and human diversity and adopt an inclusive education system with an equitable actively anti-biased approach to early education. This approach would ensure all children are included on a physical, social and curricular level, as discussed in the section below.

We suggest the Australian government invest in equity by establishing a Well Being and Inclusion Index to be used as a tool for accountability. See “Recommendation 6: Investing in Equity below”.

## Accessible: Be clear of what inclusion is and what it is not

Family Advocacy has a vision for an accessible, inclusive early education system which means ALL children access learning together in their local area, have a sense of belonging, togetherness, access, opportunity, participation, and can make a valued and recognised contribution. Where inclusive mindsets and practices are the status quo. We use the term accessible and inclusion in the same vein. Inclusion should start early, from 0-6 years as that is the whole ECEC age range and education in its broadest form starts at birth. An ECEC service ought to represent a microcosm of society, where diversity and difference is embraced and accepted. It makes sense to build connections with community from the same age other children do, so that children with disability move naturally with their peers into inclusive education settings. Accordingly, we need to work toward the world we hope for, right from the start. ALL children should be learning together in their local ECEC service. Inclusive education is essential for creating the

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<sup>3</sup> [David Towell, Commentary on Let's Chat about Inclusive Education Series One: Transatlantic Reflections](#)

inclusive society to which every Australian is entitled.

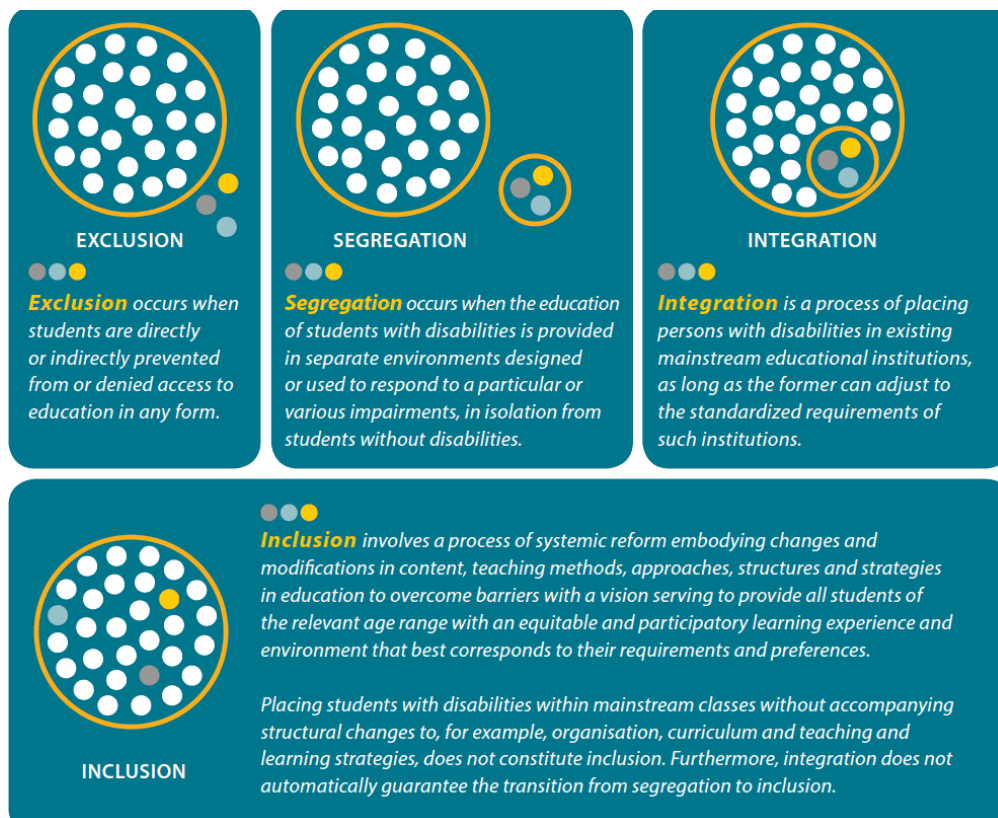
What is inclusion? Defining what inclusion is and what it is not, is essential. Due to frequent misunderstandings of inclusion worldwide (for example, where children with disability congregated together are being called inclusion classes), General Comment No. 4 of Article 24 in the UNCRPD on the Right to Inclusive Education (GC4), was created to define clearly what inclusion is and what it is not:

*Inclusion involves a process of systemic reform embodying changes and modifications in content, teaching methods, approaches, structures and strategies in education to overcome barriers, with a vision serving to provide all children of the relevant age range with an equitable and participatory learning experience and environment that best corresponds to their requirements and preferences.*

Inclusion has three main domains:

- **physical** - where children with disability are present in the same environments as all other children for the same amounts of time
- **social** - where all children are welcomed and seen to belong. Children with disabilities are not separated in the classroom or playground, including through being with the support staff during times when their peers are together
- **curricular** - where all children are included in the same lesson material, with appropriate adaptations.

The dot diagram below is a visual reflection of GC4, distinguishing between exclusion, segregation, integration and inclusion:



If we reflect where we have come from and where we are heading in the early childhood sector, we could see that this dot diagram above reflects the evolution of society where we used to exclude children with disability before the 1950s to segregation in the 1960s (which continues today). By the mid-1990s, we moved to integration where children with disability were allowed to attend mainstream classes, however, they had to adjust to the standard requirements of the environment without appropriate support being provided. The natural progression is for our early childhood sector to move from integration to inclusion, where the environment/system/teaching approach will make reasonable adjustments to properly support the child with a disability in order that they may reach their full potential.

## Objectives of Inclusive Early Education

### 1. An education system for all

All children are accepted into a single, universally accessible and inclusive education system. Children are not segregated or excluded on the basis of disability and receive the support required within the general education system, to realise their right to education on an equal basis with others.

### 2. A welcoming and inclusive environment

All children and other members of the ECEC community are welcomed and belong in a learning environment free from discrimination and prejudice. ECECs embed the values of full inclusion into their culture, policies and practices and adopt effective measures to prevent abuse and bullying.

### 3. Diversity

Diversity is recognised and valued and all children feel respected, included and listened to. The differing requirements and identities of individual children are accommodated and there is a commitment to the elimination of barriers impeding the right to education.

### 4. Access, participation and outcomes

Curriculum, resources, assessment and teaching practices value and respond to the diversity of all children and provide educational experiences that are inclusive of individual needs. Education systems and educators have high learning expectations for children with disability, and seek to optimise learning outcomes. Any support measures provided to individual children strengthen opportunities for them to participate in the classroom and in out-of-ECEC activities alongside their peers, rather than marginalising them.

### 5. Transparency and accountability

The Australian and State/Territory Governments are accountable to Australia's agreed international human rights conventions, treaties and agreements, particularly the right to inclusive education under Article 24 of the United Nations [\*Convention on the Rights of Persons with Disabilities\*](#) and [\*General Comment No. 4\*](#) (Right to Inclusive Education) and the [\*Sustainable Development Goal No. 4\*](#) (SDG4) goal to "Ensure inclusive and equitable quality education and promote life-long learning opportunities for all" by 2030. The Australian and State/Territory Governments take significant action to provide inclusive education for children with disability, and monitor and report on progress towards meeting their human rights obligations.

## 12 Principles of Inclusion

We recommend the following Principles of Inclusion be incorporated in to the early childhood learning space. These principles also apply to all education settings from primary, secondary to tertiary levels, as well as Out-of-hours-school care (OOSH).

## 12 Principles of Inclusion

<b>Leadership</b>	Children with disability flourish when leadership in the early learning environment ensures children with a disability are valued and disability is viewed as adding diversity to the class.
<b>Natural Proportions</b>	Children with disability should be spread out in natural proportions rather than being grouped together by the category of their disability.
<b>Supports</b>	Support needs to come direct from the educator rather than aides (ECEC learning support). We need to move away from 1:1 support.
<b>Time for Planning</b>	Teachers should have sufficient co-planning time to ensure children with disability have adequate and appropriate support and reasonable adjustments made.
<b>Mobile services</b>	Rather than taking a child out of the regular classroom, services should be delivered in the context of the regular classroom. Learning skills in a natural environment is more effective than practicing a new skill in an isolated setting once or twice a week.
<b>Specialist Teachers</b>	should be supporting the educator in the regular classroom
<b>High expectations</b>	assume every child can learn without requiring evidence of their capacity. Inclusive education needs no prerequisite skills.
<b>Collaboration</b>	Develop partnerships based on mutual commitment, trust and respect between the ECEC, the child and their family/guardian.
<b>Peer Learning</b>	To foster friendships and avoid micro exclusion in classrooms, instigate peer learning opportunities.
<b>Changed mindsets</b>	are required for inclusive education where traditional views of education are transformed. Disability competency training in formal educator settings.
<b>Continuous reflection</b>	required on practices, policy, values and beliefs and how they impact the inclusion of children with disability.
<b>Children and parent voice</b>	acknowledge the lived experience of the child with a disability and their parent, their experiences, their needs and their solutions.

### Successful elements of Inclusion

We know from the lived experience of many families we come across, inclusion can and is being done well in some pockets. Where authentic inclusion has worked well for a child with disability, and over the years, the common theme to a positive inclusive experience has been the “will” of the ECEC to give it a go (mindset of a welcoming culture), the “skill” to provide the supports needed for the child to thrive, to see inclusion as a journey (a process not a target), and the willingness to collaborate with the family (positive partnerships, learning together).

### Case studies of exclusion

Unfortunately, these positive stories are not widespread. For many of the families we hear from, inclusion is conditional upon the child’s ability to fit in. We share a case study and comments from parents below of gatekeeping, segregation, suspension and exclusion. There are many more we can share if the Productivity

Commission would like to hear more. As may be gleaned, the cost to families – financial, emotional and social – cannot be underestimated. Many families have resorted to home schooling as the least-worst option. This has an impact on a family's income capacity, let alone the impact on a child's academic and social learnings.

**Case study:** *Early Childhood service*

**Participant:** *5 y.o. boy with ASD, Sydney West*

**Overall themes:** *Lack of adjustments and skilled staff, leading to expulsion*

**Case summary and process:** *Child has attended this EC centre since he was 1 year old. At around age 4 he was diagnosed with ASD. Centre attempted Inclusion Support but was utilising extra educator to 'prop up' ratio numbers while staff did paperwork, meaning the ratios were not raised as per funding model. Child's behaviour was deteriorating due to lack of adjustments and skilled staff to support his individual needs. Child inevitably showed signs of being overwhelmed which at times involved hitting and kicking. At these times, the child was sent home, sometimes only after 20 minutes (suspensions). The Centre Director first encouraged the family to enrol the child into their "Autism support unit" centre which was a 30 minute drive away, saying they cannot provide adequate care for him. Parents declined, knowing their vision was for him to remain with his friends and graduate with all his peers. Next Director then requested family to agree to a partial enrolment, reducing hours to 9-3 so they had all core staff around to 'manage him'. Parents could not agree to this, due to their own medical needs and family responsibilities with 3 other children. Four more months of minimal support and incidences and the EC Centre resorted to expulsion, giving the family no other option but to leave and find a new EC Centre. The child left his friends and a bond with one of the educators in the pivotal year before primary school. Family was left with 3 separate drop offs and pick-ups each day.*

**Systemic issues:** *Pressure into segregated setting, under skilled EC educators, lack of adjustments, partial enrolment/hours, expulsion.*

**Outcomes:** *Family left and had child home with them for extended period of time before finding a new centre with vacancies. The new ECEC is providing fantastic adjustments and child is no longer showing signs of overwhelm.*

*It became obvious my young child had a good day whilst he was in an inclusive EC learning space in a regular daycare (where **he was treated like a child first before a label**) but not in the Early Intervention Centre (EIC), which was therapy based. I wanted him to be in a regular class at his local ECEC service but was pressured that he would be better off in the support unit (SU).*

*In term 1, he received an award for being the most inclusive child in the playground where all children, including from the mainstream, played together. In term 2, they decided to restrict all the SU kids to a sandpit with a locked pool fence euphemistically named "the sensory garden". This is a form of social and environmental restrictive practice. He could not read or write by the end of the year.*

*He regressed socially and academically. He displayed similar behaviour to when he attended the EIC. His speech went backwards, he would only grunt like when he was 3 years old. He refused to enter the classroom. He could not read or write.*

*During this period, I started to learn about my child's rights and the legal obligation of the ECEC service. I decided to move him to a regular class in a mainstream ECEC. By the end of Year 2, he could read and write at peer level and when he is sick, his friends run up and tell him they missed him.*

*The difference? The attitude of the Principal and teachers treating him like one of the kids and provide support where needed. See him as a person first and label after that. Staff have a collaborative working relationship with me with the focus on what is best for the child.*

Cherie, Parent of child with disability with First Nations background

*I would question what is the antecedent to the behaviour. Often, I would not be told the whole story. It would become clear that my child's needs were not being met, or it was from not understanding him as a person first, his developmental needs were not being recognised, and/or not enough care had been provided to him, being expected to do things he did not have the capacity to do. If the teacher had recognised my child's behaviour was his way of telling her something, a form of communication, there may have been a different end result. No kid wants to be in trouble.*

*We found a very insightful psychologist who taught the teacher that time out for my child is unhelpful, suspension will embed the behaviour, the child needs support not punishment. Using words like violence is stressful and unhelpful. For a child with severe ADHD and Autism, if they are feeling elevated, it is important to have a safe space to go to such as the library and a safe person to talk to, to build a strong relationship with an adult at the ECEC service.*

*To the ECEC's credit, they took the psychologist's advice and after a long process of teacher/parent collaboration, my child is happy and calm, attending full time hours, maturing as he feels he is in a secure environment that is supporting him. The teacher has a personal passion for different learning styles, made incredible accommodations for our child such as wobble chairs, or making the alphabet out of 3D foam so my child could learn in a tactile way. My child is thriving. Behavioural issues were a daily occurrence. Now they are just every now and again.*

Greg, Parent of child with disability

Below are comments from ECEC leaders and school principals when parents attempted to enrol their child with disability:

*But this is what we have always done  
Teachers aren't therapists  
They are becoming mainstream but not there yet We  
do reverse integration  
You have your head in the clouds  
You do realise your child has a disability  
When they grow out of disability they can come  
You haven't accepted your child's disability  
We already have a child with disability We  
have done all we can for your child  
We only take children with high functioning disability  
You don't always get what you want in life  
Your child is not disabled enough for individual funding  
There is such a big academic gap so it won't work They  
are not a good fit  
This will be too exhausting  
We don't have enough resources  
We don't know how to teach children in mainstream  
Our teachers aren't babysitters  
Our teachers aren't nurses  
We have no specific disability knowledge  
Your child is a risk to others  
Your child excludes himself/herself  
We are already dipping into the general budget  
Kids are cruel so they are better off somewhere else  
Their self-esteem will be affected*

*We have no resources We  
don't have the skills  
We can't afford the modifications  
Your child won't get funding  
We are heritage listed so it's not a good idea When  
she is toilet trained  
My teachers don't have to teach your child  
The gap gets wider so why put them through it?  
They will take teacher's attention away from the children Will  
you be paying for this?  
You don't realise how tired this will make the teachers  
We are not experts  
They won't identify with their peers  
You will get backlash from other parents  
We don't teach them  
She can't be educated  
He doesn't meet school requirements  
She can't come here because we can't lift her  
We have done all we can  
We can't solve all the world's problems  
Your child is not a good fit  
There are special places for your child  
You are ruining your child's future  
You are not doing the best for your child  
We will get a teacher's assistant to teach them  
There is best practise and there is reality*

This is in part a consequence of general community attitudes of low expectations of children with disability – that educators and other children fail to recognise children with disability as capable of learning. Or it could be the educator is not confident and/or competent of how best to educate a child with disability, and therefore may not feel adequate to consider the different learning needs of these children. But a big factor is the medical model of disability that focuses on labels, and deficits and devalues people with disability. More on this in the section on “Understanding Devaluation and breaking the cycle through inclusion” below.

Systemic discrimination, also referred to as structural violence exists before a child has set foot in an ECEC. Children without disability and their families do not encounter these barriers. Instead, they are given a welcoming attitude with high expectations and a willingness to do what it takes to support that child’s learning and involvement in ECEC. There is no question about this. Conversely, for those with a disability, this is not the case. The consequence of gatekeeping to both child and family are obvious. Rejection, stigmatisation, lack of educational outcomes, isolation, low self-esteem, the beginning of the pathway towards the justice system. Far more needs to be done to teach and enforce the laws and policies prohibiting the prevention of enrolment of children, suspensions/expulsions, and forced partial enrolments. Further, a recent research report with the Disability Royal Commission recommends the provision of educational supports, maintaining educational engagement and earlier disability assessment targeting educational needs will decrease the risk of entering the justice system<sup>4</sup>.

## Understanding devaluation and breaking the cycle through inclusion

Fostering inclusion in childhood has the potential to break the cycle of stigma associated with disability. It is worthwhile briefly explaining these negative assumption/unconscious bias and the impact this can have on a child with disability for the rest of their life.

Rather than a person being seen with an identity, a personality, likes, dislikes, dreams, people are perceived as their impairment, a deficit orientation where one does not see the potential in a person with disability. This type of thinking leads to the “othering” of whole groups of people, whereby it is assumed a person with disability needs to be in a special place with special people with special materials. People with disability end up being distanced, pulled apart and away, physically and/or socially and/or with the curricular. It is this othering that can dangerously lead to the likelihood of abuse, neglect, violence and exploitation, of which we have heard many reports in the current Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability (hereinafter Disability Royal Commission).

Confronting as it may be, some of the negative roles and perceptions that get in the way of people with disability being afforded the opportunity of having access to things that most Australians enjoy and act as a barrier are some of the perceived devalued roles below:

**Not being fully human** - We have many examples of comments from people to justify this, which are shocking. For example, being told the person with disability don’t know the difference if they have a friend or not. People with intellectual disability do not experience grief, or do not need a medical procedure that most people would need. There are many examples where people with disability are not given the same access to rights, choices or the right supports to achieve this, things we would automatically afford as essential to a person that was not devalued.

**An object of pity** - charity recipient, with approaches often derived from a place of pity not rights or valued

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<sup>4</sup> [Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability, Research Report, Care criminalisation of children with disability in child protection systems, May 2023.](#)

status. Often leaving the person more vulnerable.

**Burden** - people see the person with disability as a burden to the family or society more broadly. Unable to contribute back to society and to constantly take and not give.

**Menace** - crafted as a menace by being caged like an animal such as those reported in some ECEC services /schools/support units. Being seen generally as being menacing such as violent, sexual deviate with this stereotype filtering across many people with a particular disability diagnoses and often carrying this unworthy reputation with them for year. Often this dramatically affects how they are seen and what treatment they receive and, in many cases, putting them at substantial risk due to this.

**Loss of authentic identity** - not called by name but as “clients” or being equated with their impairment, for example, the downs girl or the autism kids. People see the label first or the role of client rather than the human behind it.

**Eternal Child** – people with intellectual impairment are often seen as children who will never grow up. Families who embrace this idea find it hard to break out from this. And of course, it is then reinforced by many specialist roles such as pediatricians, GP, service professionals, educators and broader society. All those reinforcing this negative assumption cause many people with disability only knowing this way of being treated and results in many learnt responses being experienced with this. ‘An adult man of 55 years who has a mental age of 6 years’ is a very common negative assumption and keeps many people trapped in childhood role forever.

**Better off dead** - people may not be aware they are thinking this way. However, we only have to take a look at the statistics around people with disability of all ages to identify that quality of life measurement that is afforded to most Australians aren't often afforded to people with disability. Mortality rates are grossly avoidable, with many lives cut short due to a call from medical specialist in relation to whose life is worth living and what conditions makes a person's life not worth living. This is a modern-day reality with medical safeguarding being seen as essential for both formal and informal advocacy.

These perceived devalued roles bring with them horrific consequences. For many people with developmental disability, due to the historical practice of being placed on a segregated path, valued roles have become out of reach. The more valued roles a person who is devalued has the more other nondisabled people can personally relate to them creating a safeguard against some of the negative assumptions which heighten the risk of abuse, neglect, violence and exploitation. We now know from the Royal Commission into Institutional Responses to Child Sexual Abuse<sup>5</sup>, segregated settings are harmful and are a factor that heightens risk of abuse of children with disabilities. The more recent Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability, also heard many accounts validating this point. For this reason, we recommend gradually phasing out segregation.

## Phase out segregation

For many parents, “special” ECEC services are like manna from heaven, an answer to a prayer, based on the advice given that their child be “safer and get the supports they need”. We now know that segregating children with disability is not an evidence-based practice, but rather stem from traditional old ways of thinking based on the negative assumptions/unconscious bias about people with disability discussed above. When we look beyond the apparent benevolence of “helping” young children with disabilities, we'll know that the special

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<sup>5</sup> Royal Commission into Institutional Responses to Child Sexual Abuse Final Report in 2017

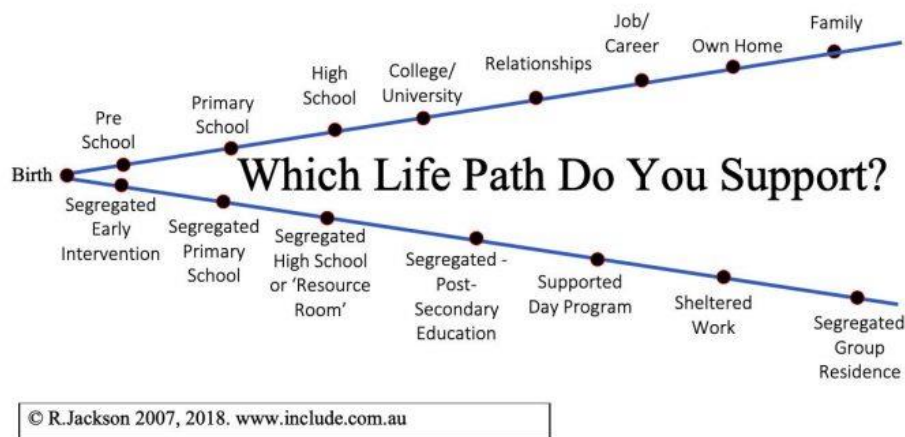


education ECEC experience may well be a hindrance to a child's current and future success.

Many parents argue that their child's special education ECEC is a wonderful, inclusive classroom. However, when we look at the environment, it reveals a congregated setting based on having a disability. The natural proportion of children with disabilities in Australia is 1 in 5 (according to National Consistent Collection of Data), so in a group of 20 children, no more than 4 should be children with disabilities. But this natural proportion is always violated in special ECEC settings. Children who have not yet acquired speech are placed in a class with other children who cannot talk yet. How does this make any sense? As one parent stated, "How will his speech improve when he is in a class with children who don't speak?"

Segregation harms children with disability in the long term, irrespective of good intentions. It is an unintended consequence of an historical and unsubstantiated practice. The Disability Royal Commission hearings have revealed that within these segregated environments, which children and young people are more commonly funnelled into, people with disability experience more exposure to violence, abuse, neglect and exploitation. This finding prompted Family Advocacy to join with 42 organisations to call for an end to segregated environments<sup>6</sup>.

More than sixty years later, we now know these segregated settings and their surrogate support units in mainstream settings were not based on best practice or evidence. There is no evidence base to continue to support segregation. Current evidence and values of community inclusion no longer support this harmful model of segregation. As a society, we need to dare ourselves to think otherwise and confess to our ignorance that the labelling of "special" and the setting of "special" has wounded and done a great disservice to people with disability.



Segregating leads to segregation. This is best depicted in the diagram here which shows the natural pathways of childhood and the impact of an ordinary pathway versus a segregated pathway. Every step taken down the segregated pathway is a step away from being part of regular society/community. As one family member noted, "the further you travel down the segregated path, the harder it is to come back to being part of the community". We cannot underestimate the damage that can be done due to subconscious devaluation and segregation. When children are excluded from a regular EC centre, we set them up on a path of being "othered" and "done to" in all areas of their life. In short, they are seen as different and often are not afforded many of the things most Australians take for granted.

We need to gradually phase out all segregated settings towards full inclusion where ALL children, even those with severe and profound disabilities, are included. We refer to the Australian Coalition for Inclusive Education's paper - ['Driving change: A roadmap for achieving inclusive education in Australia'](#) which provides

<sup>6</sup> <https://dpoa.org.au/endsegregation/>

a 10-year plan underpinned by six pillars to help realise inclusive education in Australia in schools. These pillars are drawn from the evidence base and embed the rights of children as set out in the United Nations CRPD. We recommend the Strategy be based on the ACIE roadmap and adjusted to suit the ECEC sector.

## How come? Benefits of inclusive education

Following Slee, addressing the question “How come?”

Apart from the moral imperative, there are many other justifications for inclusive education. It is a:

- human right<sup>7</sup>;
- it is supported by legislation and policy<sup>8</sup>;
- decades of research showing better social, academic and life outcomes for ALL children<sup>9</sup>;
- it increases the likelihood of employment (economic contribution) in the post school years with less reliance on the welfare system<sup>10</sup>; and
- it is better for society as a whole because our society is made up of diverse communities and this reality should be reflected in our education settings, including ECEC.

## What are we going to do about it? Systemic Transformation of our dual education system to one wholistic system to benefit ALL children

*“Change may often proceed through small steps but the changes required to deliver this vision of inclusive education cannot be achieved just through tinkering with traditional education; rather it requires a transformation in which new ways of thinking are reflected in action at all levels in the education system, especially of course in the classrooms where teachers and children meet.*

*Transformational change requires a significant investment in developing transformational leadership, not only among policy-makers and professional staff but also among parents and children.”*

Gordon Porter, Director, Inclusion Canada, Advancing Inclusive Education, May 2017

Following Slee, addressing the question “What are we going to do about it?”. Australia is lagging behind other jurisdictions around the world in their education and treatment of children with disability. For example, some jurisdictions such as Italy, some states in the USA and New Brunswick, Canada, have created educational

<sup>7</sup> [United Nations Convention on the Rights of Persons with Disabilities; General Comment No. 4 \(Right to Inclusive Education\) \(August 2016\); United Nations Convention on the Rights of the Child](#)

<sup>8</sup> United Nations Educational, Scientific and Cultural Organisation, *The Salamanca Statement and Framework For Action on Special Needs Education*, June 1994; UN Sustainability Goals 2030, Goal No.4 being to “Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all” by 2030; Disability Discrimination Act 1992; *Disability Standards in Education 2005* (Cth) Australia’s Disability Strategy and the Early Childhood Targeted Action Plan;

<sup>9</sup> Jackson, R (2008). Inclusion or segregation for children with an intellectual impairment: What does the research say? Queensland Parents for People with a Disability. Kathy Cologon (2013). Inclusion in education: towards equality for children with disability. Children and Young People with Disability Australia. <http://www.cyda.org.au/inclusion-in-education>

<sup>10</sup> [http://alana.org.br/wp-content/uploads/2016/12/A\\_Summary\\_of\\_the\\_evidence\\_on\\_inclusive\\_education.pdf](http://alana.org.br/wp-content/uploads/2016/12/A_Summary_of_the_evidence_on_inclusive_education.pdf);

reform to ensure that no child is in a segregated setting and that all children are given the best opportunity to learn and develop normatively in these formative years, together. We encourage the Commission to look further afield and would be happy to assist in this regard.

It is important to highlight that Family Advocacy has worked in partnership with the NSW government and the NSW Department of Education and has been funded by both over many years to provide training to support families in NSW around inclusive education. This includes teaching them about their rights, in an attempt to counteract the barriers that they face in trying to get access to an equitable quality education for their child.

The many government inquiries held in previous years, and recommendations that follow them, have shown that the system's attempts at reform have been tinkering around the edges and have not come close to providing the positive outcomes expected in 2023. The changes have been tantamount to renovating the kitchen within the Titanic, which is heading in the wrong direction. Even though it may not be easier, we need to change the direction of Titanic in order that Australia meets its international obligations to be a fully inclusive education system by 2030. This is why we recommend not tinkering, but systemic **transformation** below.

We urge the Productivity Commission to adopt our recommendations suggested below, which are inspired by the Inclusive Education Canada's (world leader in inclusive education), Advancing Inclusive Education document on the Keys to transformational change in public education systems, May 2017. They are based on the need to mutually reinforce actions at all levels with all stakeholders – from the early childhood service to the school classroom, and government level. These suggestions are not meant to be seen as prescriptive but rather a helpful stimulus to the Productivity Commission to find its own route to transformation.

## Recommendation 1: Develop an Inclusive Education System.

As shared through the case studies above, there are large gaps between policy and practice. There is a need to fully engage with inclusive education as transformation – a transformation to education settings and experiences that enable and are underpinned by a genuine valuing of all people in all our diversity and a flexible and responsive approach within systems and individual settings<sup>11</sup>. This can only happen if mainstream ECECs become capable of educating all children in their local communities. We have previously discussed the rationale and benefits of developing an inclusive education system, being mindful of the inadequacy of current systems and the negative assumptions of society. It will not be easy but it will be worthwhile. To be reminded of the bigger picture, in a widely quoted section, the Salamanca Statement<sup>12</sup> concluded that:

*Regular schools with [an] inclusive orientation are the most effective means of combating discriminatory attitudes, creating welcoming communities, building an inclusive society and achieving education for all; moreover, they provide an effective education to the majority of children and improve the efficiency and ultimately the cost-effectiveness of the entire education system. (ix)*

To achieve an inclusive society, we must start in the early years with the inclusion of ALL children.

## Recommendation 2: Encouraging Transformational Leadership.

The largest barrier to implementing an authentic inclusive education system which improves educational

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<sup>11</sup> [K Cologon, Is inclusive education really for everyone? Family stories of children and young people labelled with 'severe and multiple' or 'profound' 'disabilities', 26 Nov, 2020](#)

<sup>12</sup> Salamanca Statement and Framework for Action on Special Needs Education 1994.

outcomes for all children is the existence of the parallel segregated special settings. This leaves early education/ECEC leaders and mainstream educators feeling compelled to indicate that there is another place for children with different learning needs. A more enabling model is one where the system is expected to guarantee participation in the regular ECEC and all those involved ask “what will it take” to enable the child’s full participation. This can only happen if the option to segregate is not available.

**Recommendation 2a: Merging our parallel system of mainstream and EIC into one holistic system** of education so all children are placed in their EC settings, with reasonable adjustments and supports so they can access the curriculum and extra-curricular activities.

**Recommendation 2b:** The starting point for this reform will be to use the Strategy to **develop a national inclusive education plan to gradually phase out segregation and exclusionary practices** and to undertake development of a comprehensive plan to revolutionise our system. See our previous discussion under “Phasing out segregation”.

This will involve **political leadership** through legislation and policy, which are discussed below under “Tackling Barriers to Leadership”. Ensuring inclusion in the local ECEC will require multi-layered strategies such as ensuring an attitude that is welcoming to a child with a disability and their family, increasing the inclusive practice capacity of teachers, and providing adequate systems and resources to implement quality inclusive education.

To do this, we can move teaching expertise from segregated settings to the local ECEC, to work together with the local educator to educate every child. There are schemes that already exist that build a whole system<sup>13</sup>—state, district, ECEC, and community – with capacity to provide academic and behavioural support to improve outcomes for all children. In many cases, the wheel does not need to be recreated but modified to our particular system<sup>14</sup>.

**Recommendation 2c:** Transformational change will also require investment in **developing transformational leadership amongst ECEC Directors, educators, parents and children/children**. Such leadership needs to be found and nurtured, be given opportunities to be inspired, especially through learning from the achievement of children/children, as well as “space” for developing their skills through reflecting on their own experiences in the company of fellow leaders.

### Recommendation 3: Educating for Life.

Traditionally, education has been focused on standardised knowledge acquisition and assessment on subjects defined academically, achieved through whole class instruction in ways which fail to recognise that every child is different. By contrast, Article 24 of the UNCRPD offers a more holistic and empowering conception of education. This refers to children with disability but is relevant to all children.

We acknowledge this more holistic philosophy was no doubt the intention behind the *Alice Springs (Mparntwe) Education Declaration* and *Australia Disability Strategy* and the *Early Childhood Targeted Plan*.

Moreover, if a better future requires active citizens with different skills, thinking critically and working collaboratively, then these attributes need to commence in the early years and be further developed during the school years. We repeat the quote from the title page from Jody Carr, the Minister for Education in New Brunswick, Canada when they implemented the now internationally award winning Policy 322 in Inclusive Education “Children that learn together, learn to live together.”

<sup>13</sup> [K. Lane, et al, School-wide systems to Promote Positive Behaviours and Facilitate Instruction](#)

<sup>14</sup> [Association of Independent Schools, Using SWIFT in the Australian context](#)

## Recommendation 4: Promoting an Inclusive Culture.

Despite the rhetoric, to achieve inclusive and accessible communities requires a paradigm shift in community attitudes. We previously discussed the inherent unconscious devaluation of people with disability. Communities and institutional contexts can only become inclusive and accessible when they are made aware of these unconscious biases and too take on board that people with disability are citizens first and foremost, and entitled to a respected place in society, due process and protection from harm.

The exclusions and micro exclusions children with a disability currently face highlight the Disability Discrimination Act has its limitations. But a positive attitude of those in charge of the ECEC service as well as a collaborative approach with parents, can make a lot of difference.

We currently have a culture of exclusion which prohibits children with disability from enrolment in the regular classroom. The research provided shows unequivocally that exclusion has a negative impact on children with disability, and children without disability are missing out by not having children with disability in their class. Therefore, continuing to segregate will adversely impact educational outcomes for all children. A transformation in culture and practice is required to ensure that all children benefit.

## Recommendation 5: Developing Partnership.

Collaborative processes are an integral way to bring about best practice and positive outcomes.

We have seen positive inclusive outcomes from a pilot project in South Australia (JPA Purple Orange) where an **Inclusive Schools Community of Practice** was established. School leaders and mentors who live with disability form a Community of Practice. They work together to make schools more inclusive and develop a toolkit for other schools to use. They create a new Community of Practice with more schools to share what they have learned. We strongly encourage the Productivity Commission to explore this project and recommend that a similar pilot be put together for the ECEC sector<sup>15</sup>.

We also recommend creating a collaborative engagement framework for educators and parents. We draw the Productivity Commission's attention to [Conversations for Collaboration](#), Family Advocacy developed a collaborative engagement framework developed by Family Advocacy (through a funding grant from The Department of Education) which aims to guide conversations between educators, parents and children that will enhance children supports and successes for a positive educational experience. We recommend this guide be adopted as a tool across the ECEC sector, or if it is considered necessary, tweaked to be more ECEC-centric.

EC educators can be very influential (along with the medical and allied health profession) when parents are guided by their opinions around inclusion or exclusion pathways. It is also important that EC educators are equipped to direct a family to know their child's inclusion rights and how to access advocacy supports.

## Recommendation 6: Investing in Equity.

To achieve this transformational change, governments need to invest resources in early education system development and ensure that specialist expertise moves into the support of mainstream ECECs. Resources need to be allocated in a way which encourages inclusive enrolment and fairly reflects the needs in each ECEC.

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<sup>15</sup> <https://www.inclusiveschoolcommunities.org.au/>

### **Create an Inclusion/Well Being Index.**

No need to reinvent the wheel. We suggest creating an Inclusion/Well Being Index, drawing on what already exists for ECECs and tweak them to suit the Early Childhood sector. The benefit of this approach is that ALL children benefit from an inclusive approach, not just children with a disability.

It would be very possible to develop something very useful drawing on the [UK Index for Inclusion, developing learning and participation in schools](#), the Disability Standards for Education 2005, relevant research, and the broader work toward inclusion.

Other suggestions are:

- [Inclusive schooling IQ](#), Julie Causton
- [Signposts for School Improvement: Inclusive Education](#), Queensland Department of Education
- [Queensland School Autism Reflection Tool](#), Autism Hub adapted from an original version created in the UK. Although through the lens of Autism, it is easily applicable across disability generally.

Find helpful resources and readings for each QsArt section:

- [Section 1: Individual children](#)
- [Section 2: Physical environment](#)
- [Section 3: Collaborations and partnerships](#)
- [Section 4: Pedagogy and differentiated teaching](#)
- [Section 5: Leadership and continuous improvement.](#)

### [NCCD Reflection Tool](#)

- Consultation and collaboration with the children and/or their parent, guardian or carer
- Assessing and identifying the needs of the children
- Providing reasonable adjustments to the children to address their identified needs
- Monitoring and reviewing the impact of the adjustments provided

### [All Means All indicators of inclusion](#)

While every inclusive ECEC may have its own different “look and feel”, the following are common indicators of inclusive ECECs:

1. All children belong as of right – inclusion is not something that needs to be “earned” or for which a child has to prove “readiness”. All children are readily seen learning the same curriculum (with differentiated instruction and appropriate support for those who need it), sharing the same spaces, having the same type of day (length of day, time of arrival and departure) and having the same opportunities to participate in extra-curricular activities.
2. Positive attitude to difference – the ECEC environment is friendly and human differences are accepted by staff and children as valuable and are not denied or stigmatised.
3. A climate of children cooperation and effort, not competition and ranking – the ECEC is committed to maximising learning outcomes of ALL its children regardless of background or ability and children are encouraged to work together and support each other, individual progress is celebrated and children are not privileged or shamed depending on their grades or comparative skills.
4. A moral commitment to being inclusive is reflected at every level – in the ECEC’s vision, beliefs, policies, practices and culture, and in strong and engaged leadership.
5. ECEC openly embraces its role in promoting an inclusive society.

6. ECEC welcomes working collaboratively with families and community - to share “learnings” and support children.
7. Inclusive language is used. Words can show how we value diversity.
8. Shared Communication: Communication Partner skills<sup>16</sup>
9. Disability equity education: eliminate ableism

## Recommendation 7: Tackling Barriers to Participation.

As discussed, there are physical and attitudinal barriers to the equitable participation for a quality early education. Some may be about the physical design of buildings, the local transport system, availability of aids and adjustments, or about how children/children are understood or learn differently. Identifying and reducing these barriers so no child is disadvantaged is an important task of legislation, policy and practice. First, there is a need to see disability as a consequence of poorly designed environments, not something which is located inside the individual. The Strategy can set out the requirements for ECECs to make ‘reasonable adjustments’ including ensuring children that normally experience obstacles to learning, can gain access.

**Recommendation 7a: Inclusive Education Strategy.** As we have previously recommended, Australia needs a National Inclusive Education Plan. As discussed, the Productivity Commission must be clear around the definition of inclusion (as discussed above with the dot diagram). Without this directive piece, ECEC services are left to interpret what it means in their settings, and critically what impact it has on young people and their learning journeys. We must ensure clarity as to the definition of inclusion, affirming the human rights of each children to an inclusive education in accordance with the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD), General Comment No 4 (2016) on Article 24: Right to Inclusive Education (Para 9).

**Recommendation 7b: Ensure the legislative/policy frameworks and good inclusive practice are known and understood by early educators/leaders.** This includes the Disability Standards for Education 2005, Universal Design for Learning, and disability competency training. Make these mandatory requirements through the NQF.

**Recommendation 7c: Independent Complaints process.** Family Advocacy’s position on restrictive interventions in educational settings is that the rights of children and teachers would be better protected by establishing a system with independent oversight for reporting and monitoring. Independent, transparent data and analysis, combined with continuous quality improvement review mechanisms in place to support ECEC services to manage behaviours of concern while protecting the rights and dignity of children in their care.

Timeliness would be critical to this process. In the event that the decision is unsatisfactory to the person with disability or their parent/guardian/advocate, then appeal options should form part of this process through current structures such as the Administrative Appeals Tribunal or NSW Civil and Administrative Tribunal. This will require legislation. Whilst it may take longer, this is a preferred pathway as it critical that this process be both independent and rigorous.

## Recommendation 8: Strengthening Inclusive Pedagogy.

Families having a good inclusive ECEC experience tell us that good educators think carefully about how each child learns best, consider different aptitudes and learning styles. In doing so, where the child is feeling properly supported to learn, we hear about a huge reduction in behaviours of concern. We have previously mentioned Universal Design for Learning and tailored individual adjustments provide a framework for equitable participation.

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<sup>16</sup> <https://towardinclusion.com.au/>

In addition, we also recommend the Productivity Commission explore and adopt the Collaborative & Proactive Solutions Model (Dr Ross Greene, USA)<sup>17</sup> as a very effective and humane approach to children struggle with self-regulation and problem solving (often referred to as behaviours of concern).

ECEC services ought to have their capacity built so as to provide support to educators through sharing best practice, providing multi-professional expert advice, and allocate relevant resources such as co-teachers and teaching assistants. We refer the discussion on the Inclusive Schools Community of Practice above. The Productivity Commission can foster inclusive pedagogies through policies on flexible curricula and investment in educator education.

## Recommendation 9: Prioritising Professional Development.

For mainstream educators, until there is an authentic expectation of children with disability in the mainstream classroom then they will continue to feel unprepared and unable to teach to diverse cohorts due to either inadequate pre-service education, not having done 'inclusive ed' electives or a lack of experience. It is important that teachers and other staff are fully equipped to deliver inclusive practices in the ECEC sector.

We need practitioners to feel equipped and empowered to support the needs of all their children because "teachers prepared to work effectively with a diverse range of learners' needs can act as multipliers for inclusive education"<sup>18</sup>.

Lack of quality EC educators and support is a barrier to inclusive education. Attitudes directly influence the implementation of inclusive practices in the classroom. Pre-service education is directly related to educator attitudes. Educators who receive education about inclusion (which includes the Disability Standards for Education 2005) have been found to be more likely to have positive attitudes towards the inclusion of children with disability<sup>19</sup>.

From the experiences of our families, an approach to pre-service early educator education would be to move away from deficit thinking with low expectations to an approach that welcomes and celebrates differences. It is not only disadvantaged and vulnerable children, but all children who will benefit from this approach.

In part, this is about the reform of educator education in the Universities and other training institutions, but also for those who are already part of the workforce. It would be useful to make inclusive education (as distinct from special education) a mandatory requirement via the Australian Children's Education & Care Quality Authority (ACECQA) as part of in-service training.

The Productivity Commission can foster inclusive pedagogies through policies on flexible curricula and investment in early educator education. We recommend disability competency and awareness training is taught to early educators/ leadership and offered to the broader parent community. We refer to the body of work done by ACECQA's on [cultural competency](#)<sup>20</sup>. We recommend a similar approach to teach "disability competency". In the past, when this has been raised, governments mistakenly interpreted this to mean simply defining a list of disabilities. It must go beyond this to include understanding concepts of devaluation, normalisation, ableism, negative assumptions/ unconscious bias, Universal Design for Learning, Understanding Behaviour is a form of communication, and trauma informed practice. Family Advocacy are open to discuss/ assist with formulating a

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<sup>17</sup> <https://www.cpsconnection.com/the-cps-model>

<sup>18</sup> European Agency for Development in Special Needs Education, 2012

<sup>19</sup> Cologon, K. (2012). Confidence in their own ability: Postgraduate early childhood children examining their attitudes towards inclusive education. *International Journal of Inclusive Education*, 16(11), 1155-1173.

<sup>20</sup> [ACECQA website](#)



“Disability Competency Training” program for early educators, leaders, and parents and more broadly with the medical profession, allied health professionals, and bureaucrats.

It is important that it is distinguished from special education, and prioritising continuous development for qualified practitioners. Educators need to be afforded the time and space to reflect on their experiences with other educators, and learn from parents. In Canada, one method that works well is a “solution circle” which offers practical and efficient ways in which small groups of educators can help each other find practical solutions to challenges arising in the classroom. Another suggestion as previously mentioned, is to set up a Community of Practice for Inclusive Education with all of the EC centres, ECECs, and childcare centres where inclusive practices can be shared.

### **Recommendation 10 - Learning from Experience.**

Not only is leadership development and professional development important for educational transformation, but it is also vital to learn across the system as a whole, both vertically and laterally, so that policy is responding to experience and vice versa, and one innovation area is informing the other. We need leaders to be engaging with each other, assessing challenges, identifying priorities, and monitoring progress against the shared vision of inclusion.

Family Advocacy has had the opportunity to observe the Inclusive Education system in New Brunswick which started the process in the 1970s. What stood out to us was the commitment to regular review of progress in the whole province. There are many tools they have created to assist in this review process. We have previously discussed a number of measuring tools, but one example is an Index for Inclusion: Developing Learning and Participation in ECECs<sup>21</sup>.

### **Recommendation 11 - Plotting the Journey to Inclusion.**

Inclusion is a journey not a target. Value driven and creative leaders work with each other to plot the journey and this can start in different ways - parents seeking mainstream ECEC services, educators starting to innovate in their own rooms, education leaders taking their own ECEC service in new directions, political leadership inspired by a human rights perspective. Whatever the initial impetus, leaders will need to establish a compelling vision of inclusive education and build wider support for change. In this regard, we direct the Productivity Commission to the Australian Coalition for Inclusive Education’s - [‘Driving change: A roadmap for achieving inclusive education in Australia’](#) which provides a 10-year plan underpinned by six pillars to help realise inclusive education in Australia in schools. These pillars are drawn from the evidence base and embed the rights of children as set out in the United Nations CRPD. We recommend the Strategy be based on the ACIE roadmap and adjusted to suit the ECEC sector.

### **Recommendation 12 - Effective and efficient funding allocation.**

Whilst we appreciate the early childhood sector is run by a large proportion of privately-owned organisations/corporations, we invite the Productivity Commission’s recommendations to consider ways to influence them to adopt an inclusive culture. Inclusion indicators, such as a requirement that every leader/educator knows the Disability Standards for Education 2005, Universal Design for Learning, have disability and cultural competency training, could be made part of the National Quality Framework (NQF). Funding could be directed to support inclusive education, and to shift the organisation of resources and infrastructure from the segregated setting to the inclusive setting.

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<sup>21</sup> Booth, T, Ainscow, M (2011) Index for Inclusion: Developing Learning and Participation in Schools

Consideration must be given as to the intersection of funding with the National Disability Insurance Scheme, which does fund therapies. We do caution there is a danger of over therapising the child. Early intervention and educational learning support of a child with disability should take place within the settings the child would naturally be part of – family life, local community daycare, playgroups and community ECEC<sup>22</sup>. Supports should be brought to the child to facilitate his/her participation in natural settings, rather than removing the child from his/her [natural setting](#) to access disability or early intervention support.

It is also extremely important to highlight that the success of inclusive education is not solely reliant on funding. What is also significant is having ECEC leaders that create an inclusive culture. An ECEC service with an inclusive culture will search out solutions, use collaborative problem solving and flexible working structures. As previously discussed, the inclusive culture not only provides a significant positive impact on learning outcomes for children and families experiencing vulnerability and/or disadvantage, First Nations children and families, and children all children but ALL Australian children.

## Conclusion

Australia's vision for the ECEC sector should be for an inclusive education, which is about setting ALL children up to have a meaningful and safe life. Unfortunately, the current early education system is deeply flawed with ableist structures, attitudes and environments that promote exclusion and segregation. A segregated education system leads to a segregated life. Despite the vast number of legislative and policy instruments and the string of parliamentary inquiries at all levels of government over decades, the early education system is failing children with disability, First Nations children and those experiencing disadvantage (and their families). It is time for the Productivity Commission to show leadership and recommend transformation.

There is no linear progression from "special education" to inclusive education". We acknowledge that our NSW and Australian Government have made attempts for ECEC services to be "inclusive" with good intentions but this has been more of a "bolt on" approach. Using what we had and adding in the "special needs". This has been ineffective, harmful and costly. The onus has been heavily placed on the parents of the child with disability to make inclusion happen.

A transformational solution is required. A fundamental paradigm shift. A new way of thinking.

Moving to more inclusive ways of working therefore requires shifts in policy-makers' values and ways of thinking, which enable them to provide a vision shaping a culture of inclusion, through to significant changes within ECEC services. And, of course, this has to involve the wider community.

We ask the Productivity Commission to be strong in its assertions and recommend this transformation towards a system of genuine inclusive education as defined by General Comment No.4 on Article 24 of the UNCRPD.

If it is true that the political act of education reflects the principles and values of the people and society of each time<sup>23</sup>, then the question becomes what values do we hold, as individuals and as a society, and what values do we wish to hold going forward?

We invite the Productivity Commission to ask: As a nation, do we continue to support an outdated ineffective

<sup>22</sup> [Following the natural paths of childhood](#), Bob Jackson (This paper is a development of a paper "Should schools include children with a disability?" Robert Jackson, Ron Chalmers and Daryl Wills, Interaction 2004)

<sup>23</sup> Freire, P. 1970. *Pedagogy of the Oppressed*. London: Zed Books. [Google Scholar]

dual education system, whose existence is based on a historical habit of segregation rather than best practice? Do we continue to uphold a system that sends a strong message to a child (and their family) that they are seen as something broken or needing to be fixed, that subjects them to rejection, exclusion, isolation, and stigmatisation?

Or do we use this moment in time to evolve as a society and reconstruct a system that is based on evidence of what is best for the child, and sends a clear message to the child that they are unique, loved, respected, accepted, belong, have value and can contribute to society?

Reflecting the understanding of inclusion as a valuing of human diversity, the Productivity Commission must consider the challenge posed by Slee (2013)<sup>24</sup>, in which inclusion involves questioning “Who is in and who is out? How come? And, what are we going to do about it?”

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<sup>24</sup> Slee, R. 2013. “How Do We Make Inclusive Education Happen When Exclusion Is a Political Predisposition?.” *International Journal of Inclusive Education* 17 (8): 895–907. doi:<https://doi.org/10.1080/13603116.2011.602534>. [Taylor & Francis Online], [Web of Science ®], [Google Scholar]

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