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A D V O C A C Y

SUBMISSION

Supported School Transport and the
National Disability Insurance Scheme

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TABLE OF CONTENTS

Overview	2
Introduction	3
Current arrangements	4
Choosing a provider of supported school transport	6
Transport Broker Role	10
Quality and Safety	11
Payments	13
Conclusion	17

Family Advocacy is a state and federally funded disability advocacy organisation in New South Wales (NSW), founded 28 years ago by families of people with developmental disability. Our goal is to advance and protect the rights of people with developmental disability (hereinafter disability) so that meaningful lives can be enjoyed by experiencing the same opportunities and living conditions as the majority of Australians. Our work includes representing the rights and interests of a person with a disability to Government regarding legislation, policy, funding, monitoring and practice in areas that impact on the needs of people with disability, from a family perspective.

Family Advocacy also assists families to support their family member with disability to create a typical life as a valued member of community. To achieve this, Family Advocacy created an initiative, Resourcing Inclusive Communities, whose primary aim is to assist families to develop skills and confidence so that more choice and control over decisions and supports that facilitate individualised lifestyles for their family member can be achieved. This includes making the most of emerging opportunities for self directing supports through individualised funding. At its heart, the National Disability Insurance Scheme (NDIS), has a similar aim to provide transformational benefits to the lives of people with a disability and putting them at the decision making point concerning arrangements and supports is a critical component of this.

Family Advocacy appreciates the opportunity to provide input into this “Supported School Transport and the National Disability Insurance Scheme” Discussion Paper. We have addressed the areas that are relevant to our work as well as based some input from a survey of family members who have a child with a disability currently accessing transport support. For ease of reference, we have used the same numbering system for the questions as per the Discussion Paper.

INTRODUCTION

Family Advocacy generally supports the potential model of more choice and control being afforded to how students with disability utilise the supported school transport funds and this approach is also encapsulated within the current NDIS funding model and we believe transport should be seen as an extension of this. Further we support the most normative use of these funds in relation to arrangements for transport being as typical as possible so that students with disability get to experience the same expectations and flow of the school years in which 'the school bus' is one element of this. For too long a separate system of transporting students that need support has occurred away from the typical experience of students, which has several impacts. One major impact is the missed opportunity for social engagement with school age peers on the school bus. Many relationships are developed whilst travelling to and from school as well as social development and learning on how best to interact with your peers. This learning also extends to the ability to become more familiar with the expectations and norms of bus travel, adhering to timetables and bus rules. Both opportunities are currently being missed by many students who utilise the current supported school transport system within a parallel transport system.

Our support of more choice and control in the new design is in consideration that every child who needs support has access to it. This is an important point as currently there are significant barriers being experienced by students with disability who attend a regular class in a mainstream school as there are many examples of students with disability in regular class being deemed ineligible to access transport assistance to and from school in this regard.

Family Advocacy believes it is important to remember that what actually creates safe and secure futures for our sons and daughters is social connection and freely given relationships. For this reason, we have made some values-based suggestions for what we believe the new system could look like. We believe in families being given more choice and control and being provided the recognition that everyone is an individual and one option does not fit all and that flexibility and adaptability is an important component to successful supported school transport arrangements.

An issue enveloping this whole process is the obvious need for advocacy. A very important issue relating to the potential revised model is the fact a person with a disability might have a need for advocacy at all steps of this process if things don't go well. Advocacy support has to exist to all people with disability, at no cost and to provide at the very least a reassurance that independent and impartial advice and support is available.

CURRENT ARRANGEMENTS

1. WHAT WORKS WELL WITH THE CURRENT SUPPORTED SCHOOL TRANSPORT SERVICE?

The general feedback is mixed from families however the predominate message is that more choice and control will lead to families directing the supports in a way that will compliment their family routine and not cause havoc as the current system does not fit their needs.

“At the moment we have no choice of driver and find them rude and not disability-friendly. This model might improve flexibility if plans change.”

Jacob, father of Brian

2. WHAT COULD BE IMPROVED?

The main issue families have with the current system is the lack of flexibility coupled with the inequitable manner in which transport support is currently assigned. Many families mentioned that the home to school and return transport service was inflexible and that the scheme should be more adaptable to a families need to make changes. Currently, there is a one month waiting period.

Other feedback suggested that supported school transport needs to be able to take their child from school to after school care in order for families to remain in employment as well as continue with other family commitments. There is currently a significant lack of flexibility around alternative pick up and drop off locations which in many cases creates more stress on the family unit. There is also a significant issue with other alternate pick up and drop off locations, and for many families relying on the informal supports of families and friends before and after school is critical to making the school week successful. Further to this point the current system assumes parents cannot make decisions concerning where the child is taken after school and leaves no room for the natural authority of families in this decision making.

For reform is also that fact that the current system decides whether a child should be left at home alone once dropped off, which clearly shows a disconnect between how a child navigates transport and assumes that due to limited capacity in this regard translates automatically to all levels of functioning in the child's life. An example of this is a child who may find it impossible to navigate the school bus, to understand the social expectations of this and who would be seen as very vulnerable if expected to travel independently. This same child's family may have been developing the child's competence in staying home alone for a short period of time and had been doing so for a period of time successfully. This point highlights again that families know their child best and decision making outside of this arena is not in the best interest of the child as well as lacks the ability for a family unit to operate autonomously.

Clearly the current system is creating more pressure on families. Giving choice and control to design the transport supports around the individual family is a critical piece in providing a workable arrangement.

As also mentioned above there are many instances in which students who are attending a regular class are not receiving transport support as they are being deemed ineligible. This seems to lodge itself in historical approaches whereby a setting earmarks the child's ability and hence the support needed. Many students with significant disability now attend the regular class and do need substantial support in getting to and from school each day. For some families who wish to send their child to the regular class alongside their child's same age peers ineligibility to receive transport support can deter this decision as the family unit needs this support to remain functional. Amendments to the criteria in this regard clearly needs urgent attention as this practice very much contravenes legislations, standards and policy.

3. SHOULD CURRENT ARRANGEMENTS REMAIN?

A strong desire to have more choice and control to enable more flexibility in their transport arrangements has been evident with the feedback received.

“The safety of each child is paramount. This family unfortunately was not an isolated incident and there are multiple reported incidents similar to this situation. This raises concerns about accountability and safety whilst the child is in transit. A number of families expressed the need to have a support worker/ escort as well as the driver. This could be for medical reasons in the case where a child is epileptic or where there are behavioural concerns. Once again this showcases the importance of families having choice and control over what are the most optimal support arrangements for their children. The current system does not allow for the necessary flexibility to safeguard this.”

“Awareness of the other children's suitability when sharing taxis etc with others is important. My child was subject to a physical attack by 2 other children on his taxi - I have no idea as to whether he is safe with them or others whilst isolated with no direct supervision travelling to and from school.”

CHOOSING A PROVIDER OF SUPPORTED SCHOOL TRANSPORT

4. WHAT ELEMENTS OF CHOICE AND CONTROL ARE MOST VALUABLE TO FAMILIES IN ACCESSING SCHOOL TRANSPORT?

"I believe the most valuable elements of choice and control for the families are: they are now able to choose the service they would like to access not just where they have their funding allocated, they have greater control of the types of services they would like and not having services types dictated to them by organisations."

Karen, mother of Rob

- Families strongly expressed the importance of being able to choose pick up and drop off times and locations to suit a family's routine and child's preference, not a provider.
- To be able to make alternative arrangements with the ability to easily lodge requests to change pick up/drop off locations .
- To have confidence regarding approval of changes hence lessening the ongoing stress experienced by family.
- The ability to ensure their child is transported safely in the shortest amount of time and with the driver of choice.
- The ability to choose the company or driver and to change promptly if the service is not meeting the needs of the child and family.
- That choice and control is used by the people who know the student best, the family, and hence designing transport support that works for the child.
- Consideration and adaptations made to the driving arrangements when things are not going well for the child.
- To be able to use funded supports to consider support arrangements on the school bus instead of the outdated model of separations students due to disability.

5. WHAT ARE THE BENEFITS TO FAMILIES OF DIRECTLY ORGANISING SUPPORTED SCHOOL TRANSPORT?

With my son's first NDIS plans which had sufficient core funds, I was able to employ a young person to train my son how to travel on the regular public/school bus. He can now travel together with all the other mainstream students.

Kathy, mother of Dean

"Being able to think outside the square. This is especially important for families in rural and remote areas where options are limited or "disabled" options are not available."

Ben, father of Paul

"It will hopefully change the provision of transport services from 'here is what you get' to 'this is what we need'.

Sharon, mother of Craig

Other benefits raised by families were that they could have a choice of own provider, flexible pick up and drop off times and locations, greater control over the transport staff and the other children that travel in the vehicle, the service will be customised for the child, and the ability to build a connection and rapport with a driver would encourage trust and reliability for both the child and the family.

What are the challenges?

Families have stated the following concerns:

- One family in a rural town expressed that there was poor wheelchair accessible public transport with appropriate 'hubs' near home or school to safely get on and off. There were only wheelchair taxis and only when one was available.
- Having the skills to identify the right person for the job, which is not uniquely a challenge for supported school transport but all areas of the choice and control model.
- Building the skills and understanding of families is important when changing the control structure.

What are the risks?

The risks raised by families were:

- Building of competence of families to self manage support.
- Support or clear guidance may be needed for budgeting this support.
- Resource to enable families to think creatively around transport arrangements.
- Sourcing of available drivers who are trustworthy and reliable.
- Not being familiar with transport providers.
- Lack of supply especially in rural and remote areas.

*“Limited choice
I would like my child to have interaction with other school aged children as normal children have when going to and from school.”*

Jane, mother of Johnathon

“Need flexibility around travel times. When transport is provided to and from school, families should be able to access each trip when it is needed. With the current arrangements, a taxi is organised to arrive each morning at a certain time. If I have to cancel a pickup for whatever reason, I should be able to re-book the taxi at a time that does suit, instead the scheduled trip is forfeited and I have to make other arrangements. I would like to see an allocation of trips - so families could use these as it suited needs.”

Jacinta, mother of James

Ideally, to reduce the risk of harm or abuse as well as social isolation the child with disability should be travelling with the necessary support, on regular school transport, together with other school students who can provide passive surveillance to the adult driver/support worker. This approach should be used wherever possible and this should be the preference.

7. WHAT LEVEL OF FLEXIBILITY WOULD FAMILIES BE LOOKING FOR IN THEIR SUPPORTED SCHOOL TRANSPORT ARRANGEMENTS?

“In my situation I would like to be able to support our small local bus to make the bus wheelchair accessible so my son could travel with his peers and siblings to school. This is the main time of his day that he is isolated and treated as “special”.”

Brad, father of Tegan, living in a rural area

There were many suggestions made by families:

- A pool of drivers to access.
- Ability to easily change when required and at short notice.
- Ability to employ own staff if that is the best option for the family.
- In order for this to be effective for families, they would be required to be able to have control over selecting their driver, support worker for their child, the pick up and drop off destination and time.
- Sufficient NDIS core funding to cover an appropriate person-centred means of travelling to and from school.
- Flexible opportunities as their family members needs change, less rigidity around rules regarding distance or type of school public/private/special.
- Choice of eligible modes of transport.
- Flexibility to choose a different location for pick up or drop off such as a relatives house.

The essence of all of these suggestions by families is the understanding that every child and family are different and so, therefore, are their needs. Having a supported school transport model that supported this would be essential to ensure success of the model.

8. HOW COULD A TRANSPORT BROKER HELP YOU MANAGE SUPPORTED SCHOOL TRANSPORT?

In the first instance, the broker could be a liaison between the family and support staff and do all the administration and checks such as WWCC, licence, first aid, assist with connecting or if there are major changes such as a change of school. A broker may also be helpful for families initially in considering options outside the current inflexible model. It would be critical though that the broker has capacity and knowledge to assist in this regard.

Choice and control could also be utilised in choosing the broker however if this was being considered as an option then it would need to be flexible both in choosing the broker as well as choosing not to use a broker. There is a vulnerability that the same system that currently offers no choice and control could be passed over to brokers to offer the same if not safeguarding appropriately.

If offering a broker type arrangements for families who choose this option was developed then there would need to be some significant considerations into minimising the conflicts of interests of the brokers so that the primary relationship was with the family and child and their best interests.

What are the options if no transport broker exists?

If there were no broker options then families would need to have the support and resources to guide their thinking and planning around developing a successful school transport plan. This could be support by newly developed staff or 'trained up' local area coordinators and planners. There is also the option of engaging a third party capacity building organisation to support families with these arrangements even if initially.

It is important to note that for most families an inherent way of functioning is to plan and develop supports around all our children. In many respects this is just an extension of that.

13. WHAT SYSTEMS NEED TO BE IN PLACE TO MAKE SURE THAT CHILDREN ARE SAFE WHEN TRAVELLING TO AND FROM SCHOOL?

There were many suggestions in this regard:

- All drivers must have all the obvious requirements: Driver's history, Working with Children Check, Police check, First Aid, reference checks
- Familiarity with driver
- An understanding of the child's transport needs and a willingness to accommodate these.
- Ideally, the driver must be known and trusted by the family.
- Regular scheduled and unscheduled audits.
- Emergency contact information with the child, mobile phone with older children.
- A system notifying the family of arrival and pick up times both ends for the parents and the school. This could potentially be a text message service.
- Where possible the child travels on the school bus with other students with appropriate supports.

One mother was concerned that if her daughter travels alone with a driver she would feel much relief if there was a camera placed in the car like a nanny cam or alternatively, have an escort or support worker travel with the child. It was a common submission from parents that there should always be an assistant in the car with the driver.

What other mechanisms are needed to keep children safe?

Driver's car be fitted with a GPS device as commercial enterprises do for their work vehicles to ensure they're on the correct routes in the correct times. Need security & accountability systems if a child with disability is driven with only 1 adult driver.

Jenny, mother of Tabitha

An issue I find alarming is there is no SMS if my son isn't at school. For my other children if they are not at school I will get a text message alerting me and to reply with a reason. Surely for disabled children who are extremely vulnerable, this should also be mandatory. I know of an incident of someone at my son's school that the driver didn't know where the school was and the child could not tell him as he was non-verbal. Her child didn't turn up to school and it was hours later that he was found. This is not good enough. We are trusting these people with our children.

Jason, father of Felix

Other suggestions made by families were:

- Vehicles must have regular maintenance checks and send the mechanics report to the family that the car has passed all the necessary checks.
- Comprehensive vehicle insurance.
- The drivers should attend drivers safety course, and trained to fit a car seat if a child needs a 5 point harness.
- Schools must be willing to greet the child on arrival to school if required and assist with supporting the child into the vehicle at the end of the school day.
- Understanding medical needs to ensure safety and be trained in how to get a child in a wheelchair on/off the vehicle safely.

18. WHAT ARE THE BENEFITS TO FAMILIES OF MANAGING PROVIDER PAYMENTS THEMSELVES?

Autonomy and flexibility. The family is the natural authority of the child and as such know their capacity and what level of support they need to manage different transport options. Families can then directly employ, monitor the quality of service, pay on a user needs basis so not having to pay if sick or on holidays. One family reported that her son had months off due to illness but the transport provider was still being paid for that time. Greater transparency in how their funding has been spent and an understanding of the cost of services. It is also imperative that service agreements are in support of the students travelling requirements so things such as absences from school do not mean charges are continually accrued even when the service is not being used.

For some families managing payments is added pressure and so having flexibility in this arrangement so that a third party admin person or similar can be engaged to make the necessary payments even if just initially. One suggestion was possibly to train support staff or coordinators/bookkeepers in using core supports as this would alleviate the time constraints and payment management by families.

Delays between when payments were due and payments expected by the NDIS to families would need to align to ensure increased financial pressure of meeting these costs was not worn by the family. It was also suggested by families that where families were new to the self management model that a clear and comprehensive guide on how to effectively self manage was necessary and that this would increase confidence.

What support would be helpful in managing this?

Brochures, workshops, webinar that outline how to manage, make payments, keep records, reconcile, provide an understanding of what type of audit the NDIA might require parents to undertake.

Other suggestions:

- A quality control manager with complaints and feedback mechanisms.
- Plan management.
- Budget training, if necessary.
- A dedicated helpline for any questions/difficulties.
- Provide increased core funds so a coordinator/ bookkeeper can be employed to liaise with and organise support workers, ensure transport is booked when needed.
- To ensure transport service providers did not overcharge due to high demand.

21. HOW DOES THE POTENTIAL MODEL IMPROVE ON THE CURRENT ARRANGEMENTS FOR SUPPORTED SCHOOL TRANSPORT?

The potential model may assist families who are currently falling through the gaps created by rigid rules around provision through the school system. Family carer's needs and capacity also need to be taken into account in assessment.

Pip, mother of Jonathon

It would allow for options outside the current model. It would give families the chance to look for ways to ensure their children are an included part of society and allow the children to experience school travel with their peers. It would recognize that one option does not fit all. And importantly it would remove the discrimination that now exists where only families of children with a disability need to prove that they can't take their child to school as opposed to the child needs support to ensure they receive similar opportunities to their peers. Designing transport support around the family unit and what their needs are to sustain the working week. For many families currently major changes have needed to occur to accommodate the existing transport system. If the model turns this approach around then families become more sustainable as their schedules and needs are being met. This is a significant improvement to the current system.

John, father of Christian

The potential model will provide choice, control, flexibility, and access. It may mean that each child spends less time travelling. One family commented that it is becoming increasingly difficult to access education assisted transport. Under the new model, the reasonable and necessary test would apply to eligibility.

22. DO YOU HAVE ANY FEEDBACK ABOUT THE POTENTIAL MODEL FOR SUPPORTED SCHOOL TRANSPORT IN THE NDIS?

All I know is how much I hated to see my son travel separately to school in a 'special' car, in a bubble with other students with disability. With self managing my son's NDIS supports I was able to be flexible with core funds and used them to back up a mixture of public transport, school buses and private cars to get him to & from school. No longer having to be locked into the SST bookings meant that my son could then join after-school co curricular activities with paid support and transport home afterwards.

Darren, father of Todd

Great to have family choice and control. Decisions can be made as to what is in the best interest of the child with disability and not be hijacked by other interests such as what suits the transport providers schedule.

Initially, there would need to be some flexibility by the transport provider to allow time for the child to adjust to the change and get used to it. This might mean the child's parent and siblings travel together with the child until the anxiety dissipates.

Some families express that they feel this will cause more stress and pressure in their caring role.

One family could not send her daughter to their school of choice due to transport being declined. If she could access funding for transport, this would change.

The above feedback illustrates that there is a fine balance between choice and control and the extra work that this entails.

23. WHAT OTHER OPTIONS COULD BE EXPLORED?

Families expressed the following:

Some children could be placed on existing school buses with a support worker.

A family can employ their own staff.

Continuation of the current model for those who are happy and wish to contribute from NDIS their plan. Changing the system needs to be considered very carefully.

Keeping the system as it is, and allocating funds from the NDIS direct to the education system.

Uber options could be explored as in this way a child with a disability could travel with their own siblings which is the experience of other children in society.

Have a case manager for each family, someone assigned to the family throughout their schooling life. This will allow parents to feel supported and be able to speak frequently with the one person rather than several people.

Issues for those that live close to the border requiring flexibility in policy. For example, a family who cannot get their child into a local NSW school in Albury but can in VIC school in Wodonga and not being eligible to receive transport.

Transport should be available for every child regardless of setting. Flexibility to provide choice and control. One family wanted to move from a special school to a mainstream school but was told that they would have their transport funding dropped.



CONCLUSION

Family Advocacy fully supports the same self management funding structure currently available through the NDIS to be transferred to the supported school transport model and sees this step as imperative in ensuring that families are given the autonomy to decide and design appropriate transport supports for their children. It is clear from the feedback received that there are strong objections to the inflexibility of the current model and for many families it is considered to be a broken system. Further to this it discriminates against children due to classroom setting choice which inhibits or makes very difficult for families to sustain arrangements for their child to continue to attend the regular class alongside peers. Utilising the NDIS criteria to assess the child's need we hope should alleviate this current issue.

It is clear from the information provided by families that there is a strong sense that clear direction and capacity building would be needed to ensure that the changes to transport support was not just a duplication of the current system. This can clearly be accomplished by investing in families and considering the normative pathways that are currently available to students with disability but with support. To invest in the development of students whilst ensuring that they are not missing out on important experiences like catching the school bus. With the ability to self manage this supported transport funding families can be supported to think through how this could be accomplished.

Finally it's important to highlight once again that each family has its own method of operating and each child has their own support needs that need to be considered. The family is best placed to make these decisions as they are for their other children without disability and any system changes should have this at the cornerstone of its design.