



National Disability Insurance Scheme (NDIS) provider access to state schools policy

Version: 1.2 | **Version effective:** 30/11/2020

Audience

All state schools

Purpose

This policy outlines the Department of Education's (the department) policy regarding how principals will consider and make

Policy statement

The department is committed to improving outcomes for students with disability by delivering high-quality education supported by reasonable educational adjustments.

The department recognises that NDIS supports may contribute to improving a student's ability to access and participate in education and achieve. The NDIS funds supports for eligible students through NDIS plans, which are focused on supporting children and young people in their daily living. In Queensland, these supports are not provided for educational purposes and do not include supports such as therapy or specialist health supports, which are provided by schools as reasonable educational adjustments necessary to enable students to access and participate in education.

Parents may request that NDIS providers, either engaged by them or NDIS plan managers, deliver supports included in NDIS plans (NDIS supports) at school, during school time.

NDIS providers do not have an automatic right to access schools to deliver NDIS supports. However, the department recognises that there may be times when it is appropriate to enable NDIS providers to deliver NDIS supports at school, during school time.

Principals will consider requests from parents for NDIS providers to access schools to deliver NDIS supports at school, during school time on a case-by-case basis.

A principal may also terminate NDIS provider access to their school.

This policy does not cover allowing third party providers, including NDIS providers, to observe a student in classrooms. It also does not affect access by providers engaged by schools or the department to provide services or programs at schools.

Principles

Principle	What this means for the department
Student focus	<p>All students have the right to be safe at school.</p> <p>The safety of all students will be considered in all aspects of decisions to allow and terminate access.</p> <p>The impact of allowing or continuing to allow access on the student receiving the support and others at the school, will be considered at all times.</p>
Responsiveness	<p>Access requests are acknowledged and responded to fairly, reasonably and in a timely manner.</p> <p>Parents will be supported to make access requests.</p> <p>Principals will advise parents of their decision within a reasonable timeframe.</p>
Objectivity	<p>Access requests will be considered in a fair, objective and unbiased manner.</p>
Privacy and confidentiality	<p>The privacy and confidentiality of student and staff information will be maintained at all times.</p>

Requirements

Considering parent access requests

Principals must consider written requests from parents that an NDIS provider delivers a support under an NDIS plan at school, during school time, on a case-by-case basis taking into account:

1. The principal's non-delegable duty of care to the safety and wellbeing and privacy of all students.

- Considerations include that the:
 - NDIS provider meets mandatory [Working with children authority](#) requirements
 - NDIS support can be provided in a space that is accessible and enables school staff to observe the NDIS provider's interactions with the student
 - NDIS provider has undertaken mandatory departmental training or training as required by the principal.
- The impact of providing the support at school, during school time on the student's learning. If delivering the NDIS support results in the student being removed from the classroom or not participating in school activities and events, considerations include:
 - the frequency of the support being provided during school time
 - the time taken to provide the NDIS support during school time.

2. The benefit to the student receiving the NDIS support at school, during school time

- Whether not allowing access will result in the student not receiving the NDIS support. Considerations include:
 - if there are limited opportunities for the NDIS support to be provided outside of school, for example in rural and remote communities
 - if providing the NDIS support at school is for the convenience of the parent or the NDIS provider and other arrangements could be made.

3. The impact on other students and their learning

- What the impact on other students at the school is and to what extent any impacts can be reduced. Considerations include:
 - any potential disruption in classrooms and other learning environments
 - the level of adjustments, if any, that need to be made to the educational program to reduce disruption to other students' learning.

4. Workplace health and safety

- Enabling NDIS provider access to school, during school time does not pose an unreasonable risk to workplace, health and safety.

5. The good management and running of the school

- The NDIS support can be delivered in a way that does not interfere with the running of the school. Considerations include:
 - the school has a suitable space where the support can be provided
 - NDIS provider access does not result in unreasonable workloads for staff
 - the ability of the school to operate and continue educational programs of all students
 - the school's capacity to manage the NDIS provider's access, including situations where multiple NDIS providers are accessing the school.

Access is not to be conditional on the parent or NDIS provider sharing information about the student's NDIS plan, other than information about the NDIS support being provided at school, during school time.

Terminating access

- The principal may terminate an NDIS provider's access to the school in the one or more of the following circumstances:
 - non-compliance with the Access agreement by the parent or NDIS provider
 - providing the support at school, during school time is having an adverse impact on the learning of the student receiving the support and/or other students
 - unforeseen disruption to the delivery of education program to other students, or impact on staff and the general running of the school
 - high turnover of NDIS providers or their staff delivering a support to a student resulting in unreliable service provision or administrative burden on the school

- o significant concerns about the safety and wellbeing of the student receiving the support or other students at the school
- o inappropriate conduct by the NDIS provider or their staff including a breach of the Code of Conduct, child protection concerns, privacy concerns or workplace, health and safety issues
- o any other circumstance that the principal considers appropriate.

Definitions

Term	Definition
Access agreement	The agreement between school, parent and the NDIS provider outlining conditions of the access to provide NDIS funded support at school during school time.
Access request	A written request from a parent for NDIS providers to access schools to deliver NDIS supports at school, during school time.
National Disability Insurance Scheme (NDIS)	A national scheme, which funds eligible people with permanent disability to access supports for their daily living and enables them to exercise choice and control by engaging providers of their choice.
NDIS participant	A person who meets the NDIS access requirements in order to participate in the scheme.
NDIS Participant Plan	A written agreement between the NDIS participant and the National Disability Insurance Agency setting out the reasonable and necessary support the NDIS will fund.
NDIS plan manager	An organisation or person engaged by the student's parent or the National Disability Insurance Agency to coordinate NDIS Participant Plan supports and engage NDIS providers to deliver those supports.
NDIS provider	An organisation or individual engaged by parents or NDIS plan managers to deliver supports funded by the NDIS and included in NDIS Participant Plans.
NDIS supports	Supports funded by the NDIS and included in NDIS Participant Plans. Supports do not include those provided by schools as a reasonable educational adjustment to enable students to access and participate in education.
Parent	Refer to s.10 of the Education (General Provisions) Act 2006 (Qld) for the meaning of parent.
Principal	The principal or officer in charge of a state educational institution.

Term	Definition
School time	The daily hours during which school operates. In Queensland, most schools hold classes from 9 am to 3 pm Monday to Friday, except for public and school holidays and student-free days. Principals may change school hours to suit local arrangements.

Legislation

- [Education \(General Provisions\) Act 2006 \(Qld\)](#)
- [Human Rights Act 2019 \(Qld\)](#)
- [Information Privacy Act 2009 \(Qld\)](#)
- [National Disability Insurance Scheme Act 2013 \(Cwlth\)](#)
- [Public Service Act 2008 \(Qld\)](#)

Delegations/Authorisations

- Nil

Policies and procedures in this group

- [National Disability Insurance Scheme \(NDIS\) provider access to state schools procedure](#)

Supporting information for this policy

- Nil

Other resources

- [Code of Conduct for the Queensland Public Service](#)
- [Department of Education – Standard of Practice](#)
- [Equipment management for schools procedure](#)
- [Information privacy and right to information procedure](#)
- [Student protection procedure](#)
- [Management and completion of mandatory all-staff training procedure](#)
- [Working with children authority procedure](#)
- [Fact sheet for parents – NDIS provider access to Queensland state schools](#)
- [Fact sheet for principals – NDIS provider access to Queensland state schools](#)
- [Fact sheet for NDIS providers – NDIS provider access to Queensland state schools](#)
- [Student protection training](#) (DoE employees only)

- [Induction and mandatory training](#)
- [Workplace health and safety: Visitors on education sites](#)

Contact

For any queries State Schools – Disability and Inclusion can be contacted at:

Email: DET.NDIS@qed.qld.gov.au

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12/11/2023

Superseded versions

Previous seven years shown. Minor version updates not included.

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