



Karangi Public School
A proud member of the Orara Valley Learning Community
School Access to Externally Funded Service Providers

From time to time our school receives requests for externally funded service providers to deliver services within the school setting. The requests may come from a parent and/or external providers. This Family Fact Sheet provides relevant information regarding such requests.

Summary

1. *All requests for the delivery of an externally funded service will be considered against the needs and interests of the student or group of students who are the intended service recipients, other students in the school and the operational requirements of the school.*

From time to time our school receives requests for externally funded service providers to deliver services within the school setting. The requests may come from parents and/or external providers. This Family Fact Sheet provides relevant information regarding such requests.

2. *If agreed, providers must meet all legal and policy requirements and enter into an agreement with the school.*
3. *All service provider staff will undergo all school induction processes prior to commencing any services.*

FAMILY FACT SHEET

Any access to the school by an externally funded service provider will be determined by the principal

The school has the discretion to decide whether or not an external service provider may enter the school and how the arrangements will be managed for the provider's activity with students, where access has been granted.

Decisions will be made on a case-by-case basis considering the individual circumstances of the student or groups of students concerned as well as the wider needs of the school. Decision will take into account the educational needs and priorities of the student (or group of students), including access to the curriculum, the impact on student's learning programs, the school's operational context and duty of care obligations towards all students and staff.

Providers do not have an automatic right of access to a school

Decisions are made on a case by case basis. External providers do not have an automatic right of access even if the provider is already delivering a service to another student at the same school, or the provider has been granted access to another school.

Services funded through the National Disability Insurance Scheme (NDIS)

Some external providers seeking access to schools will be funded by money that has come through an NDIS package of supports for an individual child or young person to meet their disability support needs. In providing this funding to parents and carers for these children and young people, the NDIS does not direct who should deliver those supports or where and how they are delivered.

The NDIS Operational Guidelines state that: "NDIS-funded...therapy services should generally not be delivered at school... Nor should children or young people be taken out of school to receive these supports."

However, there may be occasions where the delivery of an NDIS-funded service at the school may be appropriate.

The contract for an NDIS-funded disability service is directly between the Scheme participant (or their parents and carers) and their chosen service provider. Therefore, any discussion around where and how an NDIS-funded service is provided should primarily take place between the child's parent or carer as the purchaser of the service and the NDIS-funded service provider.

Requests must come from parents or carers

Any request for access to a student by an external provider funded by the NDIS (or other scheme that provides funding to individuals) must come from the student's parent or carer in writing. External providers should only make a direct request to a school where they can demonstrate that they have written parental or carer consent to request access to the student.

Where a student's parent or carer requests the delivery of externally funded services at school, a meeting will take place between school Learning and Support staff and the parent or carer to discuss the possibility of service delivery involvement and any arrangements.

If the student has an NDIS package, parents are encouraged to share those elements of the package that have a relationship with their child's learning. This provides an opportunity for schools to consider how NDIS-funded services can be aligned with the learning supports being provided by the school. These discussions provide an opportunity to determine if any of the disability supports funded by the NDIS are best provided at school or outside of school time.

Parents and carers are advised that that the provision of services by an external provider on school premises is at the school's sole discretion. The school retains the option to limit provider access where there are concerns about the service or the school's ability to provide appropriate facilities to enable the delivery of the service.

Impact of the service on a student's access to the curriculum

Any externally funded service delivered within school needs to support the student's participation in education and access to the curriculum. Where the service does not link with the student's learning needs or enhance access to education, the service should be delivered outside of school time.

The school may consider:

- the relationship between the externally funded service and the student's personalised learning and support provisions and other educational adjustments
- the impact of the student being withdrawn from the classroom to access the service and the impact this will have on their access to the curriculum and their educational program
- whether the service needs to be delivered over a long period of time or at a particular time of day
- whether provision of the service at school is for the benefit of the student or more for the convenience of the provider, and
- whether denial of access within the school setting will result in a student not receiving necessary services (for example, where there are limited opportunities to access services in a rural or remote area, or where family circumstances may limit a child's access to a service outside school hours).

Impact of the service on other students

The school will consider the impact of the service being provided on all students present. If the service provision is to occur in class, the school will consider:

- the potential impact of additional adults in the school environment, in particular the impact on delivery of the curriculum to other students, and
- if the provision of the service to one student is likely to interfere with the learning of other students.

Ability to maintain the ordinary running of the school for the benefit of all students

The benefits of ensuring the delivery of externally provided services in the school will be balanced against the need to ensure that the school continues to be managed and administered for the benefit all students.

Our school will consider:

- whether the externally funded service can be delivered in a way that does not interfere with the operations of the school
- whether the school has a suitable space where the service can be provided
- whether the provision can be adequately supervised or observed, and
- the provider's need to use school equipment or facilities.

Capacity to observe or supervise the delivery of the service

Where service provision is not taking place in the student's classroom, the service will be provided in a space that is readily accessible and can be observed, either directly or through a window or doorway. The ability for school staff to observe the service provision enables the school to ensure all duty of care and child protection obligations to students are met.

Services that specifically require confidentiality or discretion in their delivery, such as counselling or psychology services, are an exception. These providers must be registered psychologists or accredited social workers.

Providers must meet all legal and policy requirements before they can operate in the school

If the school determines that a provider can deliver the service, the school will enter into an agreement with the provider, and the provider must demonstrate that it has all of the necessary checks, protections and training in place.

Prior to delivering a service at the school, the relevant provider staff must participate in a site induction.

Our school may withdraw external provider access approvals

Access for external providers may be withdrawn where it has been determined that the service being delivered is no longer in the student's educational interest. Possible reasons for the withdrawal of provider access approvals could include:

- The service is no longer compatible with the student's educational needs.
- Unintended adverse consequences for other students, staff and the general running of our school.
- High turnover of external providers or their staff delivering a service to a student.
- Unreliable service provision.
- Significant concerns about the quality of service provision.
- Services not being delivered according to the External Provider Engagement Agreement.
- Inappropriate conduct by the provider.

External providers are subject to the same code of conduct and complaints processes and requirements as school staff when they are at the school. External provider conduct issues will be addressed in consultation with DoE Employee Performance and Conduct (EPAC) Unit.

All service delivery arrangements are documented

Where the school agrees to the delivery of externally funded services within the school, written consent for the service delivery arrangements from the parent/carer is placed on the student's file. This consent should also include a requirement for the parent/carer to notify the school if the parent/carer terminates the provider's services.

Duty of Care

The school has primary responsibility for the day-to-day management and control. This includes the actions of any person present on school grounds. Principals remain responsible for the care and wellbeing of all students during school time.

All external providers, including those providing externally funded services, owe a duty of care towards the students to whom they are giving a service. In addition, principals and other school staff maintain their duty of care responsibilities to protect children from harm and this responsibility will not be delegated to the service provider.

Child Protection

Principals are responsible for the safety and wellbeing of all students at the school. Service providers seeking access to the school must be able to demonstrate valid Working with Children Checks.

Any provider working in the school is subject to mandatory reporter legislation. They will need to undertake child protection training and must report any child safety concerns to the principal.

Privacy

Privacy obligations apply to any information sought by a provider from the school. Our school will only disclose information to a provider that is directly related to services being delivered to that student. Privacy obligations also apply to information shared with school staff by a provider.

References**Child protection**

Child Protection Services: <https://education.nsw.gov.au/wellbeing-and-learning/child-protection>

Complaints handling and provider conduct

Employee Performance and Conduct: <https://education.nsw.gov.au/epac>

Supporting students with disability and the National Disability Insurance Scheme (NDIS)

Disability, Learning and Support: <https://education.nsw.gov.au/disability-learning-and-support>

Use of school facilities and equipment

Asset Management: <https://education.nsw.gov.au/asset-management>

Health and safety issues, including duty of care and risk assessments

Health and Safety: <https://education.nsw.gov.au/inside-the-department/health-and-safety>

Legal matters, including use of the template agreement, privacy obligations and duty of care

Legal Services: <https://education.nsw.gov.au/legal>

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