# Stand Up For Your Rights:

# Primary and Secondary Education

## A guide to building relationships to ensure your child’s rights in primary and secondary education.



## About this Quick Guide

Building relationships is a great way to maximise learning outcomes and success in education.

Getting to know your child’s teachers is the best place to start. If your child requires any adjustments or other supports in the classroom, they will be responsible for implementing these and monitoring your child’s progress, so it’s important to have a productive relationship with your child’s teachers, both for you to feel comfortable to check in on a regular basis and for them to be able to raise any concerns with you.

It is also useful to identify other relevant staff who can influence and support your child’s inclusion in education. In pre-school, primary and secondary schools, this is usually staff in student support and wellbeing roles. Their role is to provide assistance to students to manage studies and to provide and support you to find relevant information for any education related supports. They can often help you to work with your child’s teachers to reach their educational goals.

## Establishing the support system

As well as having productive relationships with staff at the school, it is beneficial to have some formal systems in place for identifying and addressing your child’s needs and to monitor their progress.

The most common and effective ways of doing this are:

* Establishing student support groups which bring together everyone involved in your child’s education on a regular basis to discuss your child’s needs, how your child can be supported, who will be responsible and means for monitoring and reviewing all of this activity;
* Developing an individual learning plan which outlines your child’s education goals and the activities you, your child and the school will do to achieve these. You should agree to a process for monitoring and reviewing this plan throughout your child’s education.

## Raising concerns

If your child faces any barriers to their participation in school, you should raise concerns as early as possible to ensure they can be addressed quickly and learning outcomes are not negatively affected. Often issues are more easily and quickly addressed when they first emerge than when they have already escalated to more serious and entrenched problems. We recommend you encourage your child to know their own needs and what should be happening in the classroom and at school generally to support their learning. This will enable them to speak up for themselves in the moment and concerns can be addressed immediately.

You can raise more serious or ongoing concerns by speaking with those directly involved, such as your child’s teachers. It’s helpful to have these discussions with an outcome in mind and any ideas you may have for change.

Keep in mind both your rights and what is expected of both your child as a student and the school. This will help you to be realistic and understand the benefits and consequences of any proposed changes. At this point, it may be appropriate to ask for or review reasonable adjustments.

You may choose to have this discussion in person or in writing. Either way, any proposed or agreed changes should eventually be recorded in writing so you may refer to these in the future if required. You could do this by sending a follow up email confirming what has been discussed and agreed to.

After you have raised your concerns with those involved, it is useful to let anyone who supports you, such as school support staff or your child’s specialists, know about the discussion and any outcomes reached.

## Maintaining productive relationships

Since your child is likely to continue to attend school while issues are being addressed, it is in the interests of all to ensure that the relationship between you and the school remains productive. Although you should not be passive when a serious barrier prevents your child from participating fully in their education, you should also aim to avoid conflict which might damage the potential to work together to enable change.

An assertive approach lies between being too passive at one end of the scale and too aggressive at the other. Whenever possible, you should aim to be assertive, advocating to ensure your child’s needs are addressed while also considering and respecting the interests of others.

## Formal complaints

If the barriers to full participation continue and you have raised your concerns to those directly involved as well as support staff, you may need to consider making a formal complaint to the education provider. Again, knowing your child’s and the provider’s rights and responsibilities is essential for you to have a successful outcome from a formal complaint.

As well as the relevant anti-discrimination and inclusion policies, it is useful to know whether the school or the relevant Department of Education has an established complaints or grievance procedure so you are aware of what to expect once you have made a formal complaint.

Your formal complaint should be made in writing and should cover:

Details of the current situation;

The barrier the current situation poses to your child’s full participation;

Details of your attempts to address the barrier through means other than by formal complaint; and

* The outcome you are seeking.

You may also choose to highlight something in the current situation that is working for your child to identify how their participation is possible.

To reach a successful outcome, it is important to make your complaint in a way that shows that you are reasonable and willing to work with the school to enable change. To do this, it is helpful to prepare your complaint at a time when you are not too emotional and have been able to consider potential options for change. It may be useful to have a trusted friend or colleague review your complaint before you send it.

If the complaint remains unresolved you may wish to escalate your complaint to the relevant Department of Education. In most cases, the Department will expect that you have made all attempts at resolving the complaint at the school level before escalating it.

### Complaints to the Australian Human Rights Commission

Often successful advocacy occurs without the need to lodge a discrimination complaint to the Australian Human Rights Commission (AHRC). However, if your education provider is not fulfilling their obligations under the DDA and Standards and you have tried all avenues to reach an outcome and you are still encountering barriers to your child’s participation, you can consider making a formal complaint to the AHRC.

It is useful to seek advice from an independent advocate about making a formal complaint in this way.

## Find out more

For more information on advocacy in education, call our advocacy team on 1300 84 74 66 or email advocacy@visionaustralia.org.