

MEMORANDUM OF UNDERSTANDING

between

TAFE NSW

and

**AGEING, DISABILITY AND
HOME CARE, DEPARTMENT OF HUMAN SERVICES NSW (ADHC)**

on

**YOUNG PEOPLE ATTENDING ADHC POST SCHOOL PROGRAMS WHO
ACCESS VOCATIONAL EDUCATION and TRAINING**

Ms Lauren Murray
Deputy Director-General
Ageing, Disability and Home Care
Department of Human Services NSW

Ms Marie Persson
Deputy Director-General
TAFE and Community Education
Department of Education and Training



Human Services
Ageing, Disability & Home Care



1. FOREWORD

Providing vocational education and training opportunities to young people with a disability who are service users in an ADHC funded post school program (Transition to Work or Community Participation Program) will inevitably involve a range of services. In order for these young people to achieve the best possible outcomes, all parties involved must be committed to delivering services in as seamless a way as possible. The recognition of the mutual benefits to be gained through a co-operative relationship promoting the needs of young people with a disability will assist in this endeavour.

The purpose of the Memorandum of Understanding (the Memorandum) is to set out an agreed position on the respective roles of the two agencies, and to provide clear guidance about the way TAFE NSW, ADHC and ADHC funded services will work together to provide vocational education and training to young people in the ADHC funded Transition to Work or Community Participation Programs.

2. GENERAL PRINCIPLES

- 2.1 ADHC agrees that Transition to Work and Community Participation service providers who contract with ADHC will be required to comply with this Memorandum
- 2.2 TAFE NSW core business is vocational education and training. TAFE NSW is committed to ensuring that students with a disability have equitable access to vocational education and training and to meeting its obligations under the *Disability Discrimination Act (1992)* and the *Disability Standards for Education (2005)*. More information is available on the TAFE NSW website.
- 2.3 ADHC funds and delivers community and specialist programs and services that provide people with a disability, older people and their carers with opportunities to live independently and participate in community life.

ADHC funds two post school programs for young people with a disability: Transition to Work and Community Participation Programs. Detailed Program Guidelines have been developed that set out the policy and operating requirements for these Programs. This MOU will be included in the Program Guidelines. Copies of these Guidelines are available from the ADHC website.

The Transition to Work Program is a two year program which aims to achieve employment for young people with a disability. The program develops the skills and/or qualifications needed by young people to successfully secure and sustain employment. The Program provides services to young people with a range of support needs but is primarily targeted to young people with moderate to high needs.

The Community Participation Program aims to assist young people with moderate to very high support needs to achieve their goals, increase their independence and participate as valued and active members of the community, and may also provide an alternative to paid employment or further education in the medium or longer term.

- 2.4 All parties will at all times respect the rights of the students and prospective students who have a disability including their right to privacy. All parties will comply with the relevant privacy legislation and will ensure that at all times appropriate consents are gained prior to any exchange of information about the young person.

3. IMPLEMENTATION

This Memorandum will be implemented through formal protocols negotiated between, and endorsed by, the Deputy Director-General TAFE and Community Education, Department of Education and Training and the Deputy Director-General, ADHC. The Program Guidelines for the Transition to Work and Community Participation Programs will be updated to ensure consistent application of this document by ADHC funded service providers.

A communication strategy will be undertaken in order to ensure consistent application of this document.

3.1 Objective of the Memorandum

The aim of this Memorandum is to assist TAFE NSW and ADHC to engage in a collaborative approach to assessment, planning and program delivery in relation to young people in the Transition to Work or Community Participation Programs. It will achieve this by:

- Facilitating and promoting collaboration in the planning and delivery of vocational education and training for young people with a disability in the Transition to Work or Community Participation Programs.
- Utilising available resources and systems to meet the support needs for young people with a disability.

4. ROLES AND RESPONSIBILITIES

4.1 TAFE NSW will have responsibility for the following:

- 4.1.1 The TAFE NSW Teacher/Consultant for Students with a Disability will assess the prospective student and in consultation with the student, their family or carer, and the ADHC service provider determine whether or not TAFE NSW is the most appropriate vocational provider.
- 4.1.2 If TAFE NSW is chosen as the most appropriate vocational provider then the Teacher/Consultant for Students with a Disability will recommend an appropriate course and outline the reasonable adjustments that can be put in place in order for the student to undertake the course.
- 4.1.3 Ensuring it meets its obligation under the *Disability Discrimination Act (1992)* and the *Disability Standards for Education (2005)* reasonable adjustments may include but are not restricted to pre-course advice; customised courses; assistance with the enrolment process; tutorial support; the use of adaptive technology and/or equipment; sign language interpreters and disability assistants (this includes note-takers and mobility assistants but not personal care).
- 4.1.4 Ensuring individual TAFE NSW Learner Support Plans are developed in consultation with the student and/or family or carer, with input from the ADHC service provider and that these address the possible reasonable adjustments mentioned above including the number of support hours.

- 4.1.5 Ensuring individual TAFE NSW Learner Support Plans are communicated to staff responsible for service delivery in a timely manner and are implemented, monitored and evaluated on a regular basis.
- 4.1.6 The Teacher/Consultant for Students with a Disability will then outline the course contribution costs for young people in the Community Participation Program and the payment time frame, and ensure this information is passed to the ADHC service provider in a timely manner.

4.2 ADHC funded service providers will:

- 4.2.1 With the agreement of the young person and their family or carer, inform the Teacher/Consultant for Students with a Disability in writing via either hard or electronic copy of the student's disability, their specific ADHC post-school program status and any support and/or behavioural needs prior to assessment and enrolment.
- 4.2.2 With the agreement of the young person and their family or carer make available any relevant information contained within the young person's Individual and/or Health Plan, to the Teacher/Consultant for Students with Disabilities prior to assessment and enrolment in writing via either hard or electronic copy.

The aim of paragraphs 4.2.1 and 4.2.2 is to help achieve the best outcomes for the young person and ensure the health and safety of the young person and staff.

- 4.2.3 In respect of paragraphs 4.2.1 and 4.2.2 where the young person or their family or carer decline to agree to the provision of information, the service provider should inform the Teacher/Consultant for Students with a Disability of that fact. As with all students TAFE NSW reserves the right to decline enrolment in TAFE NSW courses where any significant risk to health and safety cannot be adequately assessed due to refusal to provide relevant information or where an unacceptable risk is poised.
- 4.2.4 Notwithstanding paragraphs 4.2.1 and 4.2.2 TAFE NSW needs to be provided with any information necessary to assist it to satisfy its legal obligations. However, ADHC funded service provider's obligations under these paragraphs do not extend so far as to require those service providers to provide information where the provision of such information would cause them to breach any relevant law regarding the privacy of personal or health information.
- 4.2.5 Agree to contribute to the payment of course costs for young people in the Community Participation Program and ensuring these are paid in a timely manner.
- 4.2.6 Provide appropriate personal care or individual support needed by the person, to participate in their chosen course (for example a support worker for some or all of the time to assist a person participate, including on call or back up support, or skills development in particular areas, such as travel training and the provision of advice on behaviour support).
- 4.2.7 Arrange transport in agreement with the young person, their family or carer and the provider and in accordance with the Transition to Work and

4.3 Fees

Course Contribution Costs

- 4.3.1. Where a young person in the Community Participation Program attends TAFE in accordance with their Individual Plan, their funded Community Participation service provider will be charged a service fee as a contribution to TAFE course costs, based on a partial cost recovery rate. This is consistent with the arrangements for brokering access to formal community networks and services set out in the Community Participation Program Guidelines. It is agreed that this is calculated on the 2007 \$10 per hour rate, increasing annually by the CPI.
- 4.3.2 The course contribution cost must be paid in full at course commencement to assist with Institute administration procedures.
- 4.3.3 TAFE NSW core business is vocational education and training. As the focus of the Transition to Work Program is to achieve employment outcomes through the development of vocational skills, the Transition to Work provider will not be required to make a contribution to TAFE course costs.

TAFE NSW Enrolment Fees

- 4.3.4. In accordance with the TAFE NSW Fee policy (2007) students with a disability, including those in the Community Participation and Transition to Work programs are entitled to one full fee exemption for one TAFE NSW course/year, and are eligible for the \$50 concession fee for subsequent enrolments in that year.

5. MONITORING, REPORTING AND EVALUATION

- 5.1 Once the assessment process for the young person has been completed and the outcomes agreed to by all parties then enrolment can proceed. The Teacher/Consultant for Students with a Disability, the student and the ADHC service provider will continue to liaise for the duration of the course regarding the young person's needs.
- 5.2 TAFE NSW and ADHC will keep each other informed of any significant changes to their disability services.
- 5.3 TAFE NSW and ADHC will review the Memorandum in December 2010 and thereafter every two years.

6. ALTERATION OF THIS AGREEMENT

- 6.1 Either party may seek alteration of this agreement by notifying the other to this effect. Alterations must be agreed to by the Deputy Director-General TAFE and Community Education, NSW Department of Education and Training and the Deputy Director-General ADHC.

Signed for and on behalf of the Ageing, Disability and Home Care, Department of Human Services NSW:

Name: Lauren Murray Signature: 

Dated this 16th day of December 2009

Signed for and on behalf of TAFE NSW:

Name: MARIE PERSSON Signature: 

Dated this 23 day of December 2009