

Establish an independent complaints body for school students

When a family and a school reach a deadlock over a student's support, there is no independent umpire with the expertise and power to resolve it — because complaints are handled by the very institution being complained about.



Evidence brief for members of parliament



July 2026 · sources verified

WHAT WE'RE ASKING FOR

- ✓ Establish an independent complaints function — a new body, or an existing office given the mandate and powers — separate from education departments, and available to all parents and students, irrespective of whether they attend public, Catholic or Independent schools.
- ✓ Give it investigatory powers and the authority to mandate outcomes (subject-matter expertise in neurodivergence and education can be built or brought in).
- ✓ Make it accessible and low-barrier for families, with transparent public reporting.



Why it matters

Right now, families who reach a deadlock with a school have nowhere independent to turn: existing bodies lack expertise in education and neurodivergence, the authority to investigate the substance of a dispute, or the power to compel change. Even the dedicated offices for children and young people — the state Advocates/Commissioners and the National Children's Commissioner — are, by statute, *systemic* advocates: they promote children's rights in general and refer individual concerns

elsewhere, rather than resolving one family's dispute with a school. In practice, the system investigates itself. An independent umpire with expertise and authority — whether newly created or built onto an existing office — would change that for every family, not only those with the time and resources to fight. What matters is the powers, not the letterhead.

Who can independently hear a complaint? The coverage gap

A university student now has an independent umpire. A school student — in any sector — does not. Here is who is actually covered.

Higher education

Universities & registered providers

✓ Independent umpire

National Student Ombudsman —

independent, since February 2025. Can investigate (with Royal-Commission-style powers) and recommend outcomes, including for disability discrimination. Covers students of TEQSA-registered higher education providers.

Government (public) schools

State-run

⚠ Flawed / internal

The education department's **own** complaints process — it reviews itself. The state Ombudsman generally looks at how a complaint was *handled*, not the educational substance. Only **Victoria** has an independent office.

Catholic schools

Non-government

✗ No independent body

Handled inside the school and diocese. Registration regulators check compliance, **not** individual disputes; the state Ombudsman does not cover them. No independent education umpire.

Independent schools

Non-government

✗ No independent body

Handled inside the school and its board. Registration regulators only. No independent education umpire.

The gap: across all three school sectors there is no national independent complaints umpire. For **Catholic and Independent schools there is none at all**; for **public schools the system largely reviews itself**. University students have exactly what school students are missing.

The model already exists

An independent complaints or dispute body for students is not untested or radical. One already operates federally for university students, and another already operates in a state for schools. What is missing is a body with real power for *school* students, nationally.

STATE · GOVERNMENT SCHOOLS

Victoria — Independent Office for School Dispute Resolution

Independent of the Department of Education; resolves escalated, complex disputes between families and Victorian government schools — “independent, impartial and free.” Operating since 2017.

[Learn more →](#)

FEDERAL · HIGHER-ED STUDENTS

National Student Ombudsman

Opened in 2025 as an independent national complaints body for higher-education students, with powers to investigate and make recommendations — proof the Commonwealth can stand one up. It simply does not yet cover schools. [Learn more →](#)

The evidence — who has already called for this

This reform is not a fringe idea. It is documented in government inquiries, audits and royal-commission findings, and championed by peak advocacy bodies. Every quote below links to its original source so you can read it in context.

INCLUSIVE-ED ALLIANCE · ALL MEANS ALL

“An independent national oversight body/commission for complaints resolution, with ‘own motion’ powers to conduct systemic inquiries.”

All Means All — the Australian Alliance for Inclusive Education, Better and Fairer Schools submission (also seeks an independent tribunal or commission established by national legislation). [Visit All Means All →](#)

PEAK BODY · CYDA

"Clear, independent, and accountable mechanisms for students and families to raise concerns safely."

Children and Young People with Disability Australia (CYDA), 2025 Review of the Disability Standards for Education submission. [Visit CYDA →](#)

NATIONAL DATA · CYDA 2026

"Three in four students with disability (75%) report being bullied, and 72% report being excluded from school activities — both higher than in 2022 (70% and 65%)."

Children and Young People with Disability Australia (CYDA), *Snapshot of children and young people with disability in Australia* (March 2026). When harm and exclusion are rising and complaints are still handled by the schools involved, an independent umpire is what is missing. [Read the report →](#)

PARENT SURVEY · PAAA 2018

"Complaints are useless as education department does not follow them up. There is no accountability by schools or teachers who are breaking disability discrimination law."

Parents for ADHD Advocacy Australia, — a parent respondent quoted in *Critical gaps* (endorsed by ADHD Australia). Just 2% of parents had ever lodged a discrimination-in-education complaint, 53% of those who knew their school's suspension policy found it unfair, and parents called for conflict resolution through third-party mediators "from outside the education department." [Read the report →](#)

PARENT ADVOCACY · FAMILY ADVOCACY (NSW)

"A system with independent oversight for reporting and monitoring."

Family Advocacy (NSW), inclusive-education submission (Recommendation 7c) — an independent review panel, appeal rights to NCAT, and legislation.

[See the campaigns →](#)

STATE ADVOCACY · QAI

"An independent complaints body with powers to investigate, issue binding decisions, and monitor systemic issues."

Queensland Advocacy for Inclusion (QAI), 2025 Review of the Disability Standards for Education submission. [Visit QAI →](#)

NSW AUDITOR-GENERAL · 2024

"Students with disability and their families may be reluctant to make complaints about their school, to their principal, perceiving a conflict of interest and risk of negative consequences."

Supporting Students with Disability (Performance Audit), Audit Office of NSW, 2024 (p.63) — an independent finding of the very conflict of interest this reform addresses. The audit also found the Department "does not have oversight of the number, type or trends in complaints arising at the school level" (p.62), and cited the Disability Royal Commission's call for complaints offices that "operate within educational authorities at arm's length from schools" — accepted in principle by all governments in July 2024. The audit directed the Department to resolve conflicting views "in a timely manner," setting January 2026 for delivery (p.7); that deadline has now passed.

[Read the audit →](#)

ROYAL COMMISSION · 2023

"Independent oversight and complaint mechanisms."

Disability Royal Commission, Final Report, Volume 11 — an entire volume dedicated to this issue. [Read Volume 11 →](#)

At a glance — who has already called for this reform

Each ● marks a report, inquiry or body that has called for this reform. The full grid for all four priorities is on the Helen's Way Reform Agenda page.

GOVERNMENT REPORTS & INQUIRIES



NSW Report 37
(2017)



NSW Report 52
(2024)



Disability Royal Commission
(2023)

PEAK & ADVOCACY BODIES



All Means
All



CYDA



Family
Advocacy



QAI



SAASSO

WHAT YOU CAN DO

Support the creation of an independent complaints body for school students, with investigatory power and the authority to mandate outcomes.

Point to the precedents above — an independent umpire already exists federally (university students) and in Victoria (government schools). The task is to extend it to school students, nationally.

Raise it with your education minister, and ask why school students still have no independent umpire.

Two parliamentary inquiries (NSW Reports 37 and 52) have called for stronger, more independent complaint handling. Notably, the NSW Government's response to Report 52 **did not support** Recommendation 23 for an independent oversight body — so this reform is on the table, and being resisted. It deserves a champion.

See the full picture on our [Reform Agenda](#) and [Resources](#) pages.

