



Northern Ireland  
Assembly

Committee for Employment and Learning

# OFFICIAL REPORT (Hansard)

Inquiry into Careers Education, Information,  
Advice and Guidance in Northern Ireland:  
NICCY Briefing

10 April 2013

# NORTHERN IRELAND ASSEMBLY

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**Members present for all or part of the proceedings:**

Mr Robin Swann (Chairperson)  
Mr Thomas Buchanan (Deputy Chairperson)  
Mr Jim Allister  
Mr David Hilditch  
Mr Fra McCann  
Ms Bronwyn McGahan  
Mr Pat Ramsey  
Mr Alastair Ross

**Witnesses:**

Mrs Patricia Lewsley-Mooney	Northern Ireland Commissioner for Children and Young People
Ms Mairéad McCafferty	Office of the Northern Ireland Commissioner for Children and Young People

**The Chairperson:** Patricia and Mairéad, you are very welcome. Thank you for your formal submission, which, we assume, all members read prior to your coming. We would like you to give back-up and supplementary information to what you have presented already. Over to you.

**Mrs Patricia Lewsley-Mooney (Northern Ireland Commissioner for Children and Young People):**

Thank you very much, Mr Chairman. I thank the Committee for inviting us to give evidence to the inquiry. I will introduce Mairéad McCafferty, who is the chief executive of the Northern Ireland Commissioner for Children and Young People (NICCY) and whose background is in education. I will give a brief presentation and then take questions from members.

Under the legislation that created my office, I have a mandate to keep under review the adequacy and effectiveness of the relevant authorities in law practice and services relating to the rights and best interests of children and young people. In carrying out my office's functions, my paramount considerations are children's human rights. The work of my office is based within the United Nations Convention on the Rights of the Child (UNCRC) and other relevant human rights instruments, including the United Nations Convention on the Rights of Persons with Disabilities. In correspondence last year with the then Chair regarding the Committee's request for written evidence, which you outlined, I welcomed the Committee's inquiry into this important area. I understand that the purpose of the inquiry is to identify areas in which the 2009 joint Department for Employment and Learning (DEL) and Department of Education (DE) careers education, information, advice and guidance (CEIAG) strategy is failing to meet the needs of a number of target groups. I am aware that, in carrying out the inquiry, the Committee has a particular interest in groups, including school-age pupils, young people, the unemployed and those living in rural and urban areas.

Members may be aware that the age remit of my office for children and young people is 0-18, except in two particular instances — children who are care-experienced or those who have a disability — in which case the remit is up to the age of 21.

In conducting work under my statutory remit, I seek to focus on the most vulnerable groups of children and young people in Northern Ireland. Last year, and following the Committee's call for evidence to the inquiry, I provided it with a copy of my review of transitions to adult services for young people with learning disabilities. I commissioned that scoping report in response to concerns that were reported to my office regarding the effectiveness of transition arrangements for young people with learning disabilities. Although NICCY's transitions review did not focus on careers education, information, advice and guidance directly, it identified that there are gaps, weaknesses and inconsistencies in arrangements to support young people with learning disabilities and their families in enjoying a successful transition to adult services. Having received the written briefing from us to accompany my oral evidence today, members will be aware that my presentation focuses on the key findings of that review that are of relevance to Committee's inquiry.

Before talking further about the inconsistencies that were identified through my transitions review, it is important to outline the rights that children and young people should enjoy in careers education, information, advice and guidance. As outlined in the briefing, a number of articles of the UN Convention on the Rights of the Child contain key provisions that are of note to the inquiry. The convention has four general principles, two of which are highlighted in my briefing: article 2 and article 12. Article 2 is essential to my role in seeking to promote the human rights of the most vulnerable groups of children and young people in Northern Ireland. It acknowledges that children and young people have the right to enjoy those rights in equality with others and without discrimination. Article 12 highlights children's rights to be heard and to have their views taken into account in all decisions affecting them in line with their age and maturity. It also provides children with the right to representation to ensure that their views are adequately considered in matters that affect them. Article 13 complements article 12 and is crucial to the provision of careers education, information and advice guidance. So, article 13 outlines young people's right to seek and to receive information that is useful to them.

Like article 13, article 29 contains a further right of provision. It explains the key benefit that children and young people should enjoy as a consequence of their right of access to education. Crucially, as outlined in my briefing, article 29 implies that education should prepare children and young people for embracing the broad range of life experiences and learning processes that will enable them to develop their personality, talents and abilities and to live a full and satisfying life in society. It is important that the Committee is mindful of the interdependence of those articles in considering how barriers to opportunities for vulnerable young people can emerge.

In its previous round of the concluding observations to the UK Government, which included the Northern Ireland Executive, on their implementation of the UNCRC for children in this jurisdiction, the UN Committee on the Rights of the Child expressed concern that several groups of vulnerable, disadvantaged and school-distant groups of children and young people cannot fully enjoy their right to education. It is noteworthy that such groups include children with disabilities, Traveller and Roma children, children who are subject to immigration control and other school non-attendees. The committee recommended that considerable additional resources be invested. I am aware that a number of voluntary agencies have already presented to this Committee on its inquiry, outlining a range of issues from some of those groups and the services that they provide.

In its 2008 concluding observations, the Committee on the Rights of the Child also stated that, where participation rights are concerned, on the part of government:

*"insufficient action has been taken to ensure that the rights enshrined in article 12 are applied to children with disabilities."*

It is important to note that the joint DEL and DE strategy was published a year after the UN committee's observations.

As I stated, NICCY's 'Review of Transitions to Adult Services for Young People with Learning Disabilities', which was published last September, did not directly address careers guidance. However, it highlighted cross-cutting themes that should be addressed, including the provision of information and support to young people as laid out in articles 12 and 13 of the UNCRC. Participation rights are concerned with the status of children as individuals with a contribution to make to society. I

reiterate that that includes the right to be heard in matters that affect them and the right to information and to express and communicate their ideas and thoughts. That should include ensuring that all necessary communication aids are available and that young people's views are given due weight in decision-making processes.

My review highlighted that the views of young people with learning disabilities are not routinely sought in transition processes. The report draws attention to the complexity of such transition processes and highlights that information for young people must be accessible and readily available. It is also essential that families have access to information throughout the transitional process. It is imperative that young people with learning disabilities have access to individually tailored and responsive CEIAG support, which is integral to the transition-planning process. As I highlighted, again in my written briefing, the joint DEL and DE strategy noted that young people with disabilities were a "high priority" for careers guidance work, and the importance of specialist support and close co-ordination with education and library boards transitions officers was recognised.

A further development can be seen clearly in the recently published Bamford action plan, which designates the Department's Careers Service as the lead for taking actions that are aimed at improving careers decision-making and increasing participation in education, training and employment among young people with disabilities. It is also important that careers services for young people with learning disabilities are considered in the context of work that the Children and Young People's Strategic Partnership is undertaking to progress effective integrated transitions planning.

In taking cognisance of young people's rights to seek and receive information that is useful to them, we must ensure support for all young people with learning disabilities, as for all young people, throughout the transition process. That support should ensure that they are fully aware of the range of choices that are available to them and that they are able to make appropriate choices that offer meaningful progression routes with access to all necessary support, including transport, which has been mentioned. NICCY is aware of cases in which young people were not able to start placements or courses as transport arrangements were not agreed, or the young people repeated the same course in subsequent years as no progression route was identified or made available.

It should also be noted that young people with learning disabilities are at significantly greater risk than others of becoming and remaining not in education, employment or training (NEET). Young people with learning disabilities should be identified as a priority in work to address the needs of young people who are in the NEET category, and they should also be identified in the Department's current Pathways to Success strategy and in actions to strengthen careers services as outlined in the joint 2009 strategy.

I note the timeliness of the Committee's inquiry, given that the DEL and DE strategy is due for review in 2014. I suggest that, in reviewing the progress to date of the strategy for young people with learning disabilities, the Departments should consider fully NICCY's review of transitions, as well as our special educational needs work and engagement with the Department of Education.

It is imperative that government acknowledge that effective support for young people with learning disabilities requires proper co-ordination and collaboration across a range of agencies, including careers education, information, advice and guidance services. Young people with learning disabilities should enjoy access to effective services and support on an equal basis with other young people, particularly some of our most marginalised and vulnerable. I believe that the Committee's inquiry offers a timely opportunity to highlight many of those issues.

**The Chairperson:** Thank you, Patricia. The evidence that we have heard so far suggests that careers guidance is focused mostly around schools. Given your responsibility under article 13, how do you see careers guidance professionals accessing young people who are in custody or detained in other settings, or those who are in mental health settings or secure care? Do you see that as a responsibility under article 13?

**Mrs Lewsley-Mooney:** Yes, for want of a better word. That is important, and I think that there are very often many gaps in careers guidance, including for those vulnerable young people that you mentioned. We find gaps in a number of services for those young people not just in careers but in transition from custody or care to the world of independent living. There is also training in access to training, what that means and how those young people can access it once they leave that institution, for want of a better word. Sometimes there is disconnect, even in mental health services.

**The Chairperson:** At the close of the previous presentation, Fra raised the issue of different organisations having small remits or small pockets. Does your office have a responsibility to try to ensure that there is a one-stop shop or one level of service across all those facilities?

**Mrs Lewsley-Mooney:** Just as we did with this report, I suppose that we can identify some of the gaps that are out there. I learn that as I go out and meet many of the young people. I met young people in Woodlands and others in Beechcroft who have mental health issues. They raise the importance of support once they leave what they have when they are in those places. Once they move beyond that, they find it much more difficult to access information or to have that support.

So, it is about ensuring that we have joined-upness, for want of a better word, so that there is a clear line of transition for those young people, whatever their level. We find that there are transition officers, particularly for young people with learning disabilities. However, at an event some weeks ago at Hill Croft Special School, two transition officers were covering more than 200 young people in transition. Given that, how can they be doing that job appropriately?

I then hear from parents who say, "When my child left the school, I was left with some advice on direct payments, but here I am a year later still waiting on the direct payments." I had to go out and seek vocational work for some young people in the local donkey sanctuary one day a week. They believe that they have been let down by the system, for the want of a better word, in the support that they should be given. Although there may be careers choices, nobody tells them how to get to the pathways to that choice or how to get the door open to be able to access those choices. There may be some models of good practice around — we heard in the previous presentation about what universities are doing — but many of our young people who have special needs will never go beyond schooling. They may never go on to further education.

There is another issue for me. I was out at the Lisburn campus just a couple of weeks ago to look at the two classes that it has for young people with disabilities. They say that the big barrier for them is that they cannot get those young people work experience, and even when they do, they cannot get them full-time employment.

So, there is a whole issue with joined-up government. It is not about just DEL; it is about the Department of Enterprise, Trade and Investment (DETI), and it is how we engage with the employers and prove to them that these young people have a contribution to make to their community and to society as a whole. I think that lots of work needs to be done on that.

**Mr P Ramsey:** Patricia and Mairéad, you are very welcome. I will just focus on children with learning disabilities, which, for me, is a very personal topic, given the number of constituency cases that I deal with.

I note that DEL and DE's 'Preparing for Success' states that young people with disabilities were supposed to be given "high priority" for careers guidance work. However, that clearly is not the case and is clearly not happening. That means that the system is failing those children who have learning disabilities. So, who will be the champion to ensure that there is effective prioritisation of our young people who are the most vulnerable and marginalised in the community? Going back to the Chair's point, which was originally about young people who are in prison or in care, a lot of those young people may become estranged from their families are more likely to be in the NEET bracket than anyone else. We held an inquiry into that previously. So, how do we make sure that there is a level of determination throughout and a joined-up approach to maximise and utilise the strength of people who have worked in that arena so that we can ensure that we get action at the appropriate time? We have had young people as witnesses, particularly for the inquiry into NEETs, and someone said that they had the right opportunity at a period in their life that changed their journey. However, not all young people are getting that same intervention. How do we create that?

**Mrs Lewsley-Mooney:** I will answer first, then I will let Mairéad come in. There is an issue of consistency and standard across the board. For want of better terminology, it is still a postcode lottery. It might depend on the school that you go to or the teacher or person that you come across. However, we need to get a standard that is equitable across the board so that all young people are getting that help or support. That is relevant whether they are in a mainstream school, a special school or in the juvenile justice or care systems. Part of what we were doing with our report was trying to highlight those gaps to government and to have those conversations with the Ministers. However, I think that there is also the opportunity in the work you are doing — the report that you are creating — to highlight those gaps. It has to take direction from government saying that this policy needs to be

changed or added to or that legislation needs to be changed. I would even look at statutory duty. There needs to be statutory co-operation between Departments, because I do not think that it is the responsibility of DEL on its own; I think that the Department of Education and Department of Enterprise, Trade and Investment should also be involved.

**Ms Mairéad McCafferty (Office of the Northern Ireland Commissioner for Children and Young People):** I will come in and support the commissioner's outline. One of the main recommendations to come out of our report concerned the need for integrated planning and delivery. Sometimes we are very good at developing strategies, as well as action plans, for that matter, but I think that we tend to fall down in the actual delivery. Certainly, we do and should have a mandatory obligation to make sure that all our children and young people are given access to the same advice and guidance, particularly, as you say, those groups that are disproportionately represented in the whole NEET category, which your previous inquiry referred to. The most vulnerable and marginalised children and young people will be in that category.

We are talking about not just those young people with learning disabilities but, as Patricia highlighted, those young people who are in care and custody. If we are serious about addressing the whole issue of our failing generation, which is what we are actually talking about, we have to develop that integrated approach. If that requires a statutory duty to co-operate, so be it. That is the road that we have to go down. I think that it is very much about getting away from the silo mentality of thinking that this is DE or DEL's responsibility. As Patricia highlighted, it is very much about having an integrated approach between the Departments of Education, Health and Justice. DETI is key in this, because it is very much about identifying the trends and gaps that are in the employment market and our young people's training needs and about meeting their needs to ensure that they can access employment opportunities later in life.

**Mr P Ramsey:** I have one further point to make. I appreciate that the integrated approach is right, but, during the NEETs inquiry, we saw that other regions are doing much better with a cross-departmental approach. However, it is very difficult for somebody with a learning disability to take guidance in a school environment. That can go over their head. So, I will go back to the previous comments about individually tailored approaches. Is there an approach to absolutely make sure that each side has an individual approach to guide them in careers? Are there costings on that, even? We heard from the previous delegation about the cost and human resource implications, but surely we can do it in a better way.

**Mrs Lewsley-Mooney:** There is a structure in place through the transitions officers. That should be part of their role and remit and how they engage not just with the young person but with the parents and the school. Once they do that work with that young person and take it forward in the direction that it needs to go, they may say that a young person is geared towards a certain kind of career advice. However, what is the follow-on, and what happens once they leave school? That seems to be where the big gap is. A lot of work seems to be done on where we would like you to go and where we would like to go, but once they try to go there, all those barriers appear. There needs to be a joined-upness and an opportunity to do that transition easily. The transitions officers will tell you that when they go to the local college, only certain things are offered and that not a wide range of courses are offered. If we go to local employers, they may say that they cannot take somebody on because they do not have the capacity or whatever. So, it is about how to engage all those others to make those choices accessible. That is the issue.

One other issue, Pat, is the information and guidance that is given to the young people and parents to enable them to make appropriate choices. However, once they have made that choice, how do they make the easy transition to wherever they want to go?

**Ms McCafferty:** One of the aims is to have someone who will bear the lead responsibility for monitoring what we do with the transition and careers guidance that we issue to our young people. There also needs to be a mechanism to review that on a periodic basis. That way, we will know about and potentially highlight the young people who are falling through the net. So, we need to make sure that we have that mandatory obligation and that we identify a lead Department. We also need to identify key personnel whose job it is to monitor what we do and say to our young people, how that advice is acted upon and what support services may be needed further down the road to make sure that they access their opportunities equally across the board.

**Mr Allister:** Apart from the scoping report on the kids with learning disability and their transition, has the commission ever done any work on careers?

**Mrs Lewsley-Mooney:** We have obviously been involved in NEETs, and we did a response to that inquiry, but we have not been involved in careers in the widest sense, no.

**Mr Allister:** Have you never had a child come to you complaining about provision or the lack of it?

**Mrs Lewsley-Mooney:** Yes, we have had individual cases, but we have not done any kind of report.

**Mr Allister:** Without breaking any confidence, tell us the type of complaint that you have had.

**Mrs Lewsley-Mooney:** We had a complaint from a young person with a disability who wanted to do a specific course in a college but was refused the opportunity.

**Mr Allister:** Outside people with disability, have you ever had a complaint about careers?

**Mrs Lewsley-Mooney:** Not that I am aware of.

**Ms McCafferty:** There have been instances with young people outside the mainstream education system and in alternative education provision because they were not being given the same access to careers guidance. I know that from personal experience. It took a number of years for the Careers Service to put in place the mechanism to provide that guidance for those young people. They do not necessarily have learning disabilities, but one or two may have had special educational needs, for example. Some of them will have been care-experienced young people. However, they were outside the mainstream school provision, and it took a number of years to put that in place.

**Mr Allister:** Would it be a fair conclusion to draw that there has been a distinct absence of complaint from children, in general, about careers advice provision?

**Ms McCafferty:** It probably would be a fair comment, but I think we have to go back and look at why there would be an absence of complaint. It goes back to some of the previous comments. It is very much about raising awareness of careers guidance generally, and about when you should start doing that, so that the young people are aware that they are entitled to access this guidance and the advice and information that goes with it.

**Mrs Lewsley-Mooney:** I think that it goes back to parents knowing that there is specific advice on careers that children should be getting. If they are getting only a minimal amount of advice from school, they will not know whether it was the right, wrong or appropriate advice. So they would not necessarily —

**Mr Allister:** Could it also be a failure of the commission?

**Mrs Lewsley-Mooney:** No.

**Mr Allister:** You do not think so?

**Mrs Lewsley-Mooney:** No.

**Mr Allister:** If people do not know they have the right to complain, or that there is a body like the commission to which they can complain, might that be an explanation for the dearth of complaints? Either it is something like that, or there is nothing to complain about.

**Mrs Lewsley-Mooney:** No, I am saying that young people may not know that the advice that they were given was inappropriate advice, in order for them to make a complaint about that advice not being the right advice. I could go back to the office and check, because, again, I do not know every individual case that comes through the door. Some of the cases are brought to a speedy resolution. There may have been a child that has come to us saying "I was not given the appropriate advice in my school, I do not feel it is appropriate", and one of my legal team could have phoned the school and resolved the situation and had a conversation with the school and the child.

**Mr Allister:** Either way, it has not been a burning issue for the commission.

**Mrs Lewsley-Mooney:** No, not for the commission.

**Ms McCafferty:** The issue is probably not couched as careers guidance as such, but there are issues that obviously impact on that in education before a young person is transitioning from education into employment. So, I think it probably has not been categorised in that way.

**Mr Allister:** Thank you.

**Mr F McCann:** I will just pick up on the last point. Over the past number of years, tens of thousands of young people have left school without any formal qualification. Many of them have drifted into the ether. That is one of my problems about the NEETs strategy. Although they say that they have provided good levels of training and education, thousands of young people fell underneath and did not get it. A lot of it is down to the education that they got in school and the advice that they were given in school. They just drift into that thing. It is difficult. There are a thousand different reasons why people do not take up the mantle and complain.

As you said, all of this has been concentrated in and around primary schools, and post-primary, and how people are given advice, but there is another tier that needs to be fitted in, and I have said this about NEETs; it is the community sector. It is usually the poor relative in all of this, but it has a crucial role in connecting with young people. Thousands of people have left school without any formal education, and, in amongst them, there are thousands of people with learning difficulties, and, because of what has happened in the past, they are left to their own devices. When we look at how we advise people on careers or education, the community sector has to be a full partner in a partnership that allows you to try to tackle that. Schools cannot tackle it on their own; colleges cannot tackle it on their own. Most of them will not get to college, and that is a crucial point.

One of the things that I have picked up over the last while — and you mentioned it — is the level of training that is available. You go in to some of the training organizations, and because there has been a collapse in the construction industry, young people who would formerly have gone for the likes of joinery, bricklaying and plastering — those rooms are empty. Most people are heading towards fixing cars or whatever, but there is not enough space in there to be able to do it, so people are left to their own devices. So the experience that they have had in school is the same experience that they get in the level of training that is available. Many of them are just biding their time to get out of it. When we are looking at this whole issue, we need to collapse it all into one. Just to ask the question that I asked the previous witnesses, for young people with learning disabilities, if you had a magic wand at the end of this — a huge amount of information has come before the Committee, and I have no doubt that more will come before the Committee before the end of this. A huge amount of advice has come through. If you had a couple of points that we needed to concentrate on to ensure that young people with learning disabilities get the help and assistance that they need, what would they be?

**Mrs Lewsley-Mooney:** I do not think that any one thing will fix it all. Obviously, the big one for us is the voice of the young people in the whole process and the support and access that they have to information, along with their parents. However, it is that clear line of transition: it is not just once they are in that education setting moving into adult services. The fear is that all the support that they get when they are in education will disappear once they try to access that in adult services. It is that clear line of transition — that that support continues in whatever guise it takes. Some young people who were given transport to get to that special school then find themselves unable to access that transport to go to their local college or somewhere else. There are lots of barriers.

I want to come back to what Jim was talking about. Young people do not come to me to ask for information on careers advice or because they have a complaint to make. It is some of the issues. For instance, I worked with a couple of young people at one of the Foyer scheme events. One of them decided to do catering, and he had been given advice on that. He did his catering exam, and he then went to work on a temporary basis for a well-known chef, with the possibility of an interview and a job at the end of it. However, he said that he did not get the interview or even the opportunity of a job, so he decided that he needed to go back to college to do the second level of his catering, hoping that that would give him a better avenue into the catering world. When he went back to college to do that, he was denied his housing benefit, which would have made him homeless, so he decided that he would not do that. It is not about being given the wrong careers advice, but where was he given the support?



Another young person showed me on two sheets of A4 that he had done all the training, and for two years, he had been trying to get a job. I said, "Well, what is the barrier?". He said that he did not have GCSE English and maths. There is an issue there and there is work to be done with employers. Vocational v academic needs to be given equity and the same recognition, simply because you have gone through the vocational route. Do we need to look at the issue of joinery and all those things? It is not about just construction. Is there an opportunity to use those skills in other ways, whether that is through the creative industries or other places? So it is not just again, "Is that the careers advice?"; "Yes, you're a bricklayer, there you go into this and work in construction." Maybe the skills that our young people have or are getting could be more multifunctional, rather than specific silos of where they need to work. How do you take that and transfer those skills somewhere else?

**Ms McGahan:** Thank you for your presentation. The Department of Education provided £3.8 million to improve transition planning processes through the appointment of education transition co-ordinators. I know that you have touched on the problems, and I would like you to elaborate further on that. There is a lot of diversity in that sector, and that is where the gaps in provision occur. I attended a meeting of post-19 people a couple of months ago in Dungannon's Sperrinview Special School, and there was a lot of emotion and a lot of tears. I would be interested to know whether you have engaged with parents in the Dungannon area whose kids are at Sperrinview.

**Mrs Lewsley-Mooney:** Not specifically in Sperrinview, although we have been in touch with parents across a number of special schools. We have been involved with them through the speech and language services and the transition. We have met parents on a number of occasions at different events where there would be a collective number of parents from all those schools highlighting that issue. Hillcross school was one of those that were bringing parents together. When you talk about the £3.28 million, you might be interested to know that we have just embarked on a piece of work around budgets. We are trying to track where the budget starts and whether it actually goes to where it needs to go. The two areas that we are looking at are childcare and transitions for young people with learning disabilities. When we have done that, it might be a good idea for us to come back to the Committee to show it where that £3.28 million went — whether it went to where it was most needed or whether it was moved for something else.

**Ms McGahan:** I submitted a question recently to three Ministers asking what percentage of the departmental budget was spent on young adults with learning disabilities and severe learning disabilities within the Southern Education and Library Board area, and only one Minister provided an answer. The other two said that it would result in a disproportionate cost.

**Mr P Ramsey:** That says it all.

**Mrs Lewsley-Mooney:** Maybe this budget work will help to clarify some of that for the Ministers and the Departments.

**The Chairperson:** No one else has indicated that they wish to ask a question. Commissioner, I thank you and Mairéad for coming along and presenting to our careers inquiry today. It has been very useful. I thank you for your written submissions as well.

**Mrs Lewsley-Mooney:** Thank you.