



Northern Ireland
Assembly

Research and Library Service Briefing Note

Paper 78/10

9 April 2010

NIAR 270-10

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Comparison of Current and Proposed Guidelines for SEN Assessment

1 Introduction

This short Briefing Note draws on two documents created for Education and Library Boards (“the Boards”) by a working group representing the five Boards. The guidelines for the assessment of pupils with special educational needs (SEN) were produced in response to concerns expressed in a Northern Ireland Audit Office Report that differences in practice across the Boards had developed in relation to the criteria used for initiating a statutory assessment of a child’s special educational needs.

The guidelines came into operation across all the Boards in September 2009 and are: ‘*Good Practice Guidelines – for schools to meet the special educational needs of pupils at school-based stages of the Code of Practice*^{1,2} and ‘*Provisional Criteria for Initiating Statutory Assessments of Special Educational Need and for Making Statements of*

¹ Code of Practice on the Identification and Assessment of Special Educational Needs (1998); DENI available at: http://www.deni.gov.uk/index/7-special_educational_needs_pg/special_needs-codes_of_practice_pg.htm

² Education and Library Board ‘Good Practice Guidelines’ (September 2009) available at: <http://www.selb.org/specialeducation/Documents/GoodPracticeGuidelines.pdf>

*Special Educational Need*³. These guidelines are compared with the proposals in the Department of Education's ("The Department") review of SEN and Inclusion *'Policy Proposals Consultation Document – The Way Forward for Special Educational Needs and Inclusion'*⁴.

2 Proposals for Special Education Needs Assessment

Key points in the proposals involve placing greater responsibility on schools in the assessment of Special Educational Needs (SEN) and for an emphasis on in-school provision with co-ordinated intervention of new Multi-disciplinary Groups (MGs) comprising educational and health professionals. This is intended to reduce the number of pupils being assessed for a Co-ordinated Support Plan (CSP), replacing the Statementing process if the Department's proposals are accepted.

The Consultation Document for the SEN Review⁵ contains proposals to replace the current five stage statementing process set out below.

Stage 1: Teachers identify and register a child's special educational needs and, consulting the school's SEN Co-ordinator (SENCO), take initial action;

Stage 2: The SENCO takes lead responsibility for collecting and recording information and for co-ordinating the child's special educational provision, working with the child's teachers;

Stage 3: Teachers and the SENCO are supported by specialists from outside the school;

Stage 4: The Education and Library Board (ELB) considers the need for a statutory assessment and, if appropriate, makes a multi-disciplinary assessment;

Stage 5: The ELB considers the need for a Statement of special educational needs; if appropriate it makes a Statement and arranges, monitors and reviews provision.

Review proposals

It is proposed that the sequential five stages in the current Code of Practice⁶ be replaced by a new three strand model. If the proposals are implemented Personal Learning Plans (PLP) and CSPs will replace Individual Learning Plans and Statements.

³ Education and Library Board 'Provisional Criteria for Initiating Statutory Assessments of Special Educational Need and for making Statements of Special Educational Need' (September 2009) available at: http://www.belb.org.uk/Downloads/EQIA/Provisional_Criteria.pdf

⁴ *Every School a Good School: The Way Forward for Special Educational Needs and Inclusion* (August 2009) available at: http://www.deni.gov.uk/every_school_a_good_school_the_way_forward_for_special_educational_needs_sen_and_inclusion_8211_consultation_document_english_pdf_434kb.pdf

⁵ *Every School a Good School: The Way Forward for Special Educational Needs and Inclusion* (August 2009).

⁶ Code of Practice on the Identification and Assessment of Special Educational Needs (1998) DENI.

The proposed three strand model to provide for pupils with SEN will be:

- Within schools (PLPs)
- Within schools plus External Support (other schools/ESA/Multi-disciplinary Groups)
- Co-ordinated Support Plans (CSPs).

Diagnostic testing will be carried out at school level by Learning Support Co-ordinators⁷, who will replace SENCOs. The school will then draw up a PLP detailing specific outcomes and the necessary adjustments and interventions to achieve them.

Concerns of parents and interest groups during the consultation stage of the SEN Review have centred on the emphasis on school-based provision for pupils with SEN, with a reduced number of pupils being assessed as requiring a CSP. Statements provided parents with an appeal mechanism if they disagreed with the provisions in their child's Statement or disagreed with a Statement review. While there is no proposal to change the current appeal mechanisms in place, parents are concerned that their children will not reach the stage of being assessed for a CSP, even if they had previously had a Statement. Therefore they will not reach the point where the appeal mechanism can be used.

3. Educational and Library Board Criteria for SEN Assessment

Measures an ELB would expect a school to be able to provide for a child with SEN under the current framework at the school-based stage, (up to Stage 3 in the Code of Practice⁸), are included in the 'Good Practice Guidelines'⁹. They provide that '**reasonable adjustments and relevant and purposeful measures**' be taken by the school to:

- a) meet the pupil's special educational needs;
- b) ensure curriculum access;
- c) include the pupil in the life of the school.

The Guidance states that it is important for schools to note that "*statutory assessment will not be conducted without appropriate evidence that the school has made every effort to meet a pupil's special educational needs at the school-based stages of the Code of Practice*"¹⁰.

⁷ Specially trained teachers within schools.

⁸ Code of Practice on the Identification and Assessment of Special Educational Needs (1998) and the Supplement to the Code of Practice (2005).

⁹ Education and Library Board 'Good Practice Guidelines' (September 2009).

¹⁰ Code of Practice (1998) DENI.

Table: Comparison of proposals in SEN Review and the current ELB 'Good Practice Guidelines' for the assessment of SEN

Proposals in Consultation Document	Current ELB 'Good Practice Guidelines' and 'Provisional Criteria for initiating statutory assessments of SEN and for making statements of SEN for schools
Introduction of the concept of Additional Educational Needs under 4 overlapping themes: Family Circumstance; Learning Environment; Social and Emotional; and Special Educational Needs (SEN).	Definition in Article 3 of the Education (NI) Order 1996 that a child has "special educational needs" if he has a learning difficulty which calls for special educational provision to be made for him. ELB Good Practice Guidelines provide in school strategies for; Autism; Speech and Language; Specific Literacy; Visual Impairment; Hearing Impairment; and Social, Emotional and Behavioural Difficulties.
Lower level diagnostic testing at school level by Learning Support Co-ordinators (LSCs) (replacing SENCOS) who will receive specialist training in early diagnosis. They will work with and provide advice to the teachers in their school. The Department believes this will lead to earlier intervention and the SEN of a child being responded to rapidly.	The Department argues that the present diagnostic measures are hampered by a shortage of Educational Psychologists, leading to long delays in diagnosis and schools being equipped with the necessary information to make appropriate provision for pupils.
Following initial in-school diagnosis a Personal Learning Plan (PLP) will be drawn up that will detail specific outcomes to be achieved, necessary adjustments required and will be subject to regular review. Schools will establish an electronic based record that will include PLPs, relevant assessments by the school and by other professionals.	Following an initial diagnosis of SEN a school draws up an 'Individual Education Plan'. The Guide states that it "is expected that schools will normally implement, monitor and review appropriate strategies at Stage 3 of the Code of Practice for at least 2 review periods and that this will be reflected in the pupil's Individual Education Plan".
The second stage of the proposed three stage model (within school plus additional support) introduces Multi Disciplinary Groups (MGs) aligned to learning communities, ESA and HSC Trusts. Their role will be to evaluate the support a child will need over that which the school can provide, ascertain children who require statutory assessment for a CSP and challenge schools about the level and effectiveness of the support they provide.	At Stage three in the Department's current Code of Practice teachers and the SENCO are supported by specialists outside the school.
Co-ordinated Support Plans (CSPs) to replace Statements. The Consultation Document states that arrangements for 'Resolution and Appeal Mechanisms' are already in place and would remain unchanged.	An ELB will consider the need for a Statement of educational need at Stage 4 of the current process having exhausted in-school provision at Stages 1-3. If a Statement is appropriate the ELB make a Statement of the special provision required, arrange for it to be implemented and review its effectiveness. A Statement provides parents with statutory rights of appeal regarding the need for a Statement and the provision made for their child.
A CSP will be solely for children with SEN who face complex or multiple barriers to learning which significantly, and adversely, affect their educational development in the long term and who require frequent access to a diversity of multi-agency services external to school.	Under the heading 'The Complex Interaction of Needs' the ELB Guidance states: "...children may present with primary special educational needs that in themselves do not meet criteria for making a Statutory Assessment, but may nevertheless present with a number of difficulties whose complex interaction may be a significant barrier to learning and to accessing the curriculum". 'Provisional Criteria' (p2).
CSPs will be reviewed at key trigger points for example at Key Stages, transfer between phases, or at the request of a parent.	Statements are reviewed on an annual basis, or at the request of parents. The Department argues that the current annual review of Statements is time consuming.