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Dear John

REVIEW OF SPECIAL EDUCATIONAL NEEDS AND INCLUSION

Thank you for your letter of 22 March regarding the Department's Consultation: Every School a Good School - The Way Forward for Special Educational Needs (SEN) and Inclusion.

You have requested a response to anecdotal information received by Committee members that some of the policy proposals within the SEN Review are currently being taken forward.

In relation to work to develop an enhanced SEN capacity building programme for schools, I can advise that an inspector has been seconded from the Education and Training Inspectorate (ETI) to the Special Education and Inclusion Review Team to address the capacity building for teachers and other school staff working with SEN children.

The inspector has been engaging with schools, Education and Library Boards, DE personnel and other relevant bodies on the current capacity of schools to address effectively the needs of children and young people with SEN within the current framework. This work has also involved liaison with the Department for Children, Schools and Families and the Department of Education and Skills to consider good practice in training developments in other jurisdictions. Additional professional development needs will be identified through this process of engagement. A workshop for schools was carried out on 23rd March, 2010 and further engagement is arranged for the Irish medium sector at a conference planned for 27th April, 2010.



INVESTOR IN PEOPLE

Following this, an options paper on capacity building for SEN will be prepared for discussion with interested groups. A detailed plan will result to build the capacity of teachers and school staff, which will lead to effective teaching for all children and young people with SEN across all schools.

You have also asked for, "information on the current work of the E&LBs in operationalising the 'Good practice Guidelines – for schools to meet SEN of pupils at school - based stages of the Code of Practice' and 'Provisional Criteria - for initiating statutory assessments of SEN and for making statements of SEN'. In particular, information on how this work impacts on targets for, and actual reductions in, the number of statemented children in the Board areas – as an add-on to the information provided in paragraph 2 of your letter of 4 December."

In recognition that certain differences in practice across boards had developed in relation to the criteria for initiating a statutory assessment of a child's special educational needs, the boards introduced the document: 'Provisional Criteria for Initiating Statutory Assessments of Special Educational Need and for Making Statements of Special Educational Need'. This document, which was introduced across all 5 boards from September 2009, describes in detail the provisional, common criteria to be applied by boards when considering requests to make a statutory assessment for children with SENs. The rationale behind this document is to make explicit the ways in which the boards will put the guidance from the current Code of Practice on the Identification and Assessment of Special Educational Needs (the Code) issued by the Department of Education in 1998 and the subsequent Supplement to the Code of Practice, issued in 2005, into operation. It is important that the Provisional Criteria document is considered in conjunction with the "Good Practice Guidelines". These Guidelines are intended to be a support to schools in providing details of the reasonable adjustments and relevant and purposeful measures, which a board would expect that a school may be able to provide for a pupil with special educational needs during the school-based stages, in keeping with current guidance in the Code. It is important to note that the guidance does not contain an exhaustive list of all strategies but rather is a useful reference point for teachers and Special Educational Needs Co-ordinators.

The move towards common criteria for assessment and provision across Boards, within the existing legislative framework, emanates from comments made by the Northern Ireland Audit Office in its 1998 report on 'Special Education in Northern Ireland'.

Following the introduction of the provisional criteria, the five boards have commenced a full Equality Impact Assessment (EQIA) on the proposals. Stage 2 (Collection of Data) was undertaken in the Autumn Term 2009 and involved a pre-consultation exercise open to all schools as well as Section 75 Groups. Stages 3, 4 (Assessment of impact /consideration of mitigations /alternative policies) is reaching conclusion towards Stage 5 i.e. the preparation of a Consultation Report. The boards plan to issue this report at the beginning of May 2010 and the consultation period will close at the end of September 2010. This document will include reference to data which is currently being collated and analysed and will focus on the impact of the new common criteria compared to those previously used by

individual Boards. It will, for example, provide evidence of what impact, if any, the introduction of the provisional criteria have had on the overall number of children receiving a statement of SEN, with further breakdowns showing the impact for each of the SEN categories as well as Section 75 categories e.g. age, gender, religion, etc.

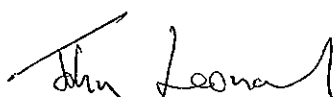
The Committee also sought clarification on how this work impacts on targets for, actual reductions in, the number of statemented children in the board areas. I should explain that the boards and schools have the statutory responsibility for making special education provision for children for whom they are responsible. Schools and boards must have regard to the guidance contained in the Code. The Code states that, generally about 20% of children may have special educational needs at some time in their school careers, but 'in only about 2% of cases should the child's needs be such as to require a statement of special educational needs.' The Code further outlines the type of stage 3 supports that Boards may provide to schools and pupils. This includes specialists working with a child directly, acting in an advisory capacity, supporting a class or subject teacher in implementing individualised education plans or recommending additional specialist support. While it is acknowledged that the percentage of statements had increased steadily in past years above the 2% figure set out in the Code, no targets have been issued by the Department to boards for any specific reduction in the number, or percentage, of statements issued. The current work of boards falls entirely within the current SEN statutory framework and the guidance contained in the Code. To provide meaningful interventions at an earlier stage for children is in keeping with the recommendations contained in the consultation document issued following the Review of SEN and Inclusion, but is not led by them.

The Department has been advised by the boards that the provision of increased supports at stage 3 of the Code is benefitting the individual child in ensuring that support is delivered at an early stage and is therefore much more effective. It is this emphasis on earlier intervention with appropriate provision which is the rationale behind the introduction of the guidelines.

The extensive consultation period for the EQIA, which will mark the final stage of the EQIA process, will provide an opportunity for those who may wish to raise concerns in regard to any aspect of the provisional criteria including, for example, any concerns they may have in relation to the number of statements being issued by boards.

I trust you find this information helpful.

Yours sincerely



JOHN LEONARD
Departmental Assembly Liaison Officer