



Queen's University
Belfast

SCHOOL OF
Sociology, Social Policy
and Social Work

DISABILITY
RESEARCH
NETWORK



Special Educational Needs and Disability Bill

21 April 2015

The Disability Research Network at Queen's University Belfast is a multi-disciplinary initiative aimed at enhancing collaboration between academics, policymakers, practitioners and community and voluntary sector organisations with an interest in disability studies and research.

It provides a unique opportunity for members to share knowledge and disseminate the growing body of disability research being carried out in Northern Ireland, stimulate debate about disability issues and develop collaborative partnerships for future disability research and further development of disability policy and practice.

The Disability Research Network welcomes the opportunity to respond to this draft. Our main comments are set out below.

Clause 1

We very much welcome recognition of children and young people's right to express their views in line with obligations under the United Nations Convention on the Rights of the Child (UNCRC) and the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD).

Clause 5

We are concerned at the reduction in time limits from 29 weeks to 22 weeks as outlined in clause 5. Whilst we recognise that this is parallel to similar timeframe for Board of Governors, we are concerned at the potential implications reduced will have for parents and children in gathering and submitting written evidence at what is an already stressful time.

Clause 9

We welcome the rights of the child over compulsory school age in relation to special educational provision. We would emphasise importance of recognising child's capacity as affirmed by article 7(3) UNCPRD. It is imperative that the assessment of capacity is not deficit orientated but grounded in a children's rights perspective.

Clause 11

We welcome the development of a pilot scheme to enable children who have not attained the upper limit of compulsory school age to make an appeal. The ten year timeframe for the initiation of this pilot is concerning.

Other comments

We are concerned at the number of apparent omissions in the Bill. For example, the Bill should include consideration of the placement of children with SEN in pre-school settings. We are also concerned that the Bill does not include a clause relating to transition planning.

Clause 4 should include a duty for schools and health and social care services and other relevant authorities to collaborate in relation to transition planning at an early stage.

Further detail is required on the statementing process and the identification of special educational need so that the implications for children with a range of needs can be considered. Further detail is also required on the content of the PLPs and the review process.

Clarification is needed on how the training and support needs of LSCs will be addressed. Their involvement at management level is also important to ensure their involvement in decisions about resource allocation and a whole school approach.

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