

27 April 2015

The Committee Clerk
Room 375
Parliament Buildings
Ballymiscaw
Stormont
BELFAST
BT4 3XX

Dear Sir/Madam

Committee Stage of the Special Educational Needs and Disability Bill

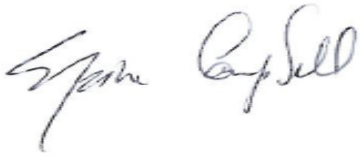
The Trust has a few comments with regard to the Bill as follows:

- Article 15 – time limits reduced from 29 days to 22 days for parents to make written submissions in relation to statement process. There are also some changes to the appeals process and time limits and board functions there within. This includes children under 2 and those children over compulsory school age. The Trust notes the addition of mediation clause in connection with appeals procedure.
- Articles 22 and 23 deal with tribunal procedures and there is some lengthy additions in relation to the rights of the child who is over compulsory school age in special educational education and who wishes to make a claim under Article 22 of the Special Educational Needs and Disability (NI) Order 2005 which relates to unlawful discrimination against disabled pupils. This in the short appears to make it easier for the child and /or their parent to make a claim or be assisted to exercise their legal rights.

The Trust believes that this legislation will be more child-friendly. The overall onus of the Bill whilst adhering to the general principles inherent in the 1996 Order has enhanced the rights of the children within special education. Although there have been time limits in relation to assessment I think this is an improvement to speed up the process which can be slow. Also this legislation is more detailed in what families can expect from the process and more robust in terms of appeals and tribunals. However, the rights of the child and the fact that they will be able to be consulted regarding their views, if appropriate, is now more attuned to the principles with the Children Order.

A change of wording, from “may request” to “shall request” would reduce ambiguity in terms of Board responsibilities.

Yours sincerely

A handwritten signature in cursive script, appearing to read "Elaine Campbell".

Elaine Campbell
Corporate Planning & Consultation Manager