



Our ref: GH/LB

27 October 2015

Mr Peter McCallion  
Committee for Education  
Room 430, Parliament Buildings  
Ballymiscaw, Stormont  
Belfast  
BT4 3XX

Dear Mr McCallion

**Special Education Needs and Disability (SEND) Bill**

I write in response to your letter dated 16 October concerning this draft Bill.

RQIA is the statutory authority charged with regulating and inspecting HSC bodies, including the HSC Board and trusts. It is appropriate that RQIA be named as the organisation with the statutory duty to provide an independent assessment of the actions of health bodies in responding to the assessed needs of children and young people who have a Statement of Special Educational Needs.

I understand that John O'Dowd, Minister for Education, wrote to Simon Hamilton, Minister for Health, on 16 October enclosing the draft amendments to the proposed Bill.

I note from this correspondence that Clause 7 states: -

*"The Health and Social Care Regulation and Quality Improvement Authority (RQIA) established under Article 3 of the Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003 (NI 9) must, at intervals of not more than 2 years, conduct a review, and publish a report, on how the relevant bodies have co-operated with one another under this article."*

This response on behalf of RQIA should be read in the context of any reply sent by Minister Hamilton on behalf of DHSSPS. I am therefore copying this response to our Sponsor Branch for information.

A key consideration for RQIA is the need to identify the resource commitments associated with this additional statutory responsibility. You have proposed that a review must be carried out at intervals of not more than two years. Whilst this does not appear onerous there will, nevertheless, be additional resource requirements associated with the preparation, conduct and reporting stages of any such review.

I would be obliged if you would confirm that appropriate consideration has been given to meeting the resource requirements to facilitate RQIA in discharging these additional responsibilities.

RQIA has no statutory remit to investigate the activities of an Education Authority. However, you may be aware that RQIA has worked in partnership with the Education and Training Inspectorate (ETI) in the inspection of prisons, boarding schools, secure accommodation and specialist inpatient facilities for children with special educational needs. Before the Bill proceeds to law it would be important to clarify whether RQIA will be expected to collaborate with ETI in respect of any proposed areas of specific and / or joint responsibilities in this regard.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'Glenn Houston', with a long, sweeping horizontal line extending to the right.

**Glenn Houston**  
**Chief Executive**

cc Dr Paddy Woods, Deputy Chief Medical Officer, DHSSPS  
Ms Noelle Buick, Chief Inspector, Education and Training Inspectorate



Northern Ireland  
Assembly

**Committee for Education**

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16 October 2015

**Our Ref: 2323**

Dear Mr Houston

**Special Educational Needs and Disability (SEND) Bill**

The Committee for Education is about to conclude its scrutiny of the Special Educational Needs and Disability (SEND) Bill. The Bill extends the rights of children in respect of Special Educational Needs provision and disability appeals.

The Committee has agreed to put down amendments to the SEND Bill which will place additional obligations on health bodies – including Health and Social Care Trusts – to co-operate with education bodies – including the Education Authority – in respect of Special Educational Needs (SEN) support. Amendments will require the sharing of information; encourage joint planning and commissioning of SEN services; and oblige health bodies to comply with the health aspects of statements of SEN produced by the Education Authority.

*Committee for Education*

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The Committee has also agreed to put down an amendment designed to enhance the remit of the Regulation and Quality Improvement Authority in order to allow it to review and report on the degree and effectiveness of co-operation between education and health bodies.

Further to the above, at its meeting on 14 October 2015, the Committee agreed to write seeking the views of your organisation on the extension of the remit of the RQIA in order to include oversight of co-operation between health and education authorities. The Committee has also written to the Northern Ireland Commissioner for Children and Young People (NICCY) seeking that organisation's views on this matter.

A response at your earliest convenience would be greatly appreciated.

Should you require any clarification regarding this matter, please do not hesitate to contact me.

Yours sincerely

*Signed Peter McCallion*

**Peter McCallion**  
**Clerk**  
**Committee for Education**

***Committee for Education***

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