



Northern Ireland  
Assembly

**Committee for Employment and Learning**

# Report of the Inquiry into post Special Educational Need (SEN) Provision in education, employment and training for those with Learning Disabilities in Northern Ireland

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**THE REPORT REMAINS EMBARGOED UNTIL  
THE COMMENCEMENT OF THE DEBATE IN PLENARY**

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## Remit, Powers and Membership

The Committee for Employment and Learning is a Statutory Departmental Committee of the Northern Ireland Assembly established in accordance with paragraphs 8 and 9 of the Belfast Agreement, Section 29 of the Northern Ireland Act 1998 and under Standing Order 48 of the Northern Ireland Assembly. The Committee has a scrutiny, policy development and consultation role with respect to the Department for Employment and Learning (DEL) and has a role in the initiation of legislation.

The Committee has power to:

- consider and advise on Departmental budgets and annual plans in the context of the overall budget allocation;
- approve relevant secondary legislation and take the Committee stage of relevant primary legislation;
- call for persons and papers;
- initiate inquiries and make reports; and
- consider and advise on matters brought to the Committee by the Minister for Employment and Learning.

The Committee has eleven Members, including a Chairperson and Deputy Chairperson, with a quorum of five. The Membership of the Committee is as follows:

Mr Robin Swann (Chairperson)<sup>1 2</sup>  
Mr Thomas Buchanan (Deputy Chairman)  
Mr Sydney Anderson<sup>3 4</sup>  
Mr Gerard Diver<sup>5</sup>  
Mr Alex Easton<sup>6</sup>  
Mr Phil Flanagan<sup>7</sup>  
Mr David Hilditch<sup>8</sup>  
Ms Anna Lo<sup>9</sup>  
Mr Fra McCann<sup>10</sup>  
Ms Bronwyn McGahan<sup>11</sup>  
Ms Claire Sugden<sup>12</sup>

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<sup>1</sup> With effect from 19 February 2013 Mr Basil McCrea is no longer Chairperson nor a member of the Committee

<sup>2</sup> With effect from 27 February 2013 Mr Robin Swann became Chairperson of the Committee

<sup>3</sup> With effect from 28 January 2013 Mr Alastair Ross replaced Mr George Robinson

<sup>4</sup> With effect from 01 December 2014 Mr Sydney Anderson replaced Mr Alastair Ross

<sup>5</sup> With effect from January 2016 Mr Gerard Diver replaced Mr Pat Ramsey

<sup>6</sup> With effect from 05 October 2015 Mr Alex Easton replaced Mr William Irwin

<sup>7</sup> With effect from 10 September 2012 Mr Phil Flanagan replaced Ms Michelle Gildernew

<sup>8</sup> With effect from 01 October 2012 Mr David Hilditch replaced Mr Sammy Douglas

<sup>9</sup> With effect from 29 September 2014 Ms Anna Lo replaced Mr Chris Lyttle

<sup>10</sup> With effect from 06 February 2012 Mr Fra McCann replaced Mrs Sandra Overend

<sup>11</sup> With effect from 21 January 2013 Ms Bronwyn McGahan replaced Mr Barry McElduff

<sup>12</sup> With effect from 12 May 2014 Ms Claire Sugden replaced Mr David McClarty

## List of Abbreviations

ASD	Autism Spectrum Disorder
CCEA	Council for the Curriculum, Examinations and Assessment
CMP	Condition Management Programme
CYPSP	Children and Young People's Strategic Partnership
DDA	The Disability Discrimination Act 1995
DE	Department for Education
DEL	Department for Employment and Learning
DES	Disability Employment Service
DHSSPS	Department for Health, Social Services and Public Safety
DRD	Department for Regional Development
DSD	Department for Social Development
EA	Education Authority
ECNI	Equality Commission Northern Ireland
EHC	Education, Health and Care Plans
ESF	European Social Fund
ETI	Education and Training Inspectorate
FE	Further Education
HSCB	Health and Social Care Board
ICP	Integrated Care Partnerships
IMNI	Independent Mechanism for Northern Ireland
JIS	Job Introduction Scheme
LD	Learning Disability
LDA	Learning Difficulty Assessment
LSC	Learning Support Centres
MLD	Moderate Learning Disability
NAS	National Autistic Society
NEET	not employment, education or training
NICCY	Northern Ireland Commission for Children and Young People
NIRDP	NI Rare Disease Partnership
OFMDFM	Office of the First Minister and Deputy First Minister
PHA	Public Health Agency
PSI	Promoting Social Inclusion
QUB	Queens University Belfast
RaISe	Research and Information Services
RSSLT	Royal Society of Speech and Language Therapists
SENCo	Special Educational Needs Co-ordinator
SENDO	The Special Education Needs and Disability Order SEN
SLCN	speech, language and communication needs
SLD	Severe Learning Disability
SLDD	severe learning difficulties/disabilities
SRC	Southern Regional College
TfS	Training for Success
TYC	Transforming Your Care
UNCRPD	The United Nations Convention on the Rights of Persons with Disabilities

## Executive Summary

1. The Committee for Employment and Learning agreed to conduct this Inquiry to address the concerns raised by the Committee and by advocates for those individuals with learning disabilities and their families, that once they leave full time education, where they have had long-term support, they find themselves with very little help or options for what they do next.
2. The Committee critically examined post School provision in Northern Ireland, including consideration of the current policies, programmes and opportunities available in Northern Ireland, for those with learning disabilities leaving education. The Committee also looked at issues raised regarding the transition planning process.
3. The Committee acknowledged that this was a complex area of policy involving an array of integrated service provision across a range of Government Departments. The Committee looked at international best practice as well as examples of local good practice within Northern Ireland. In carrying out this extensive Inquiry, the Committee has listened to heartfelt pleas from parents and carers for better services and provisions for their young people. The Committee has also heard from Departments about the efforts they are engaged in to support those people with learning disabilities when they leave school.
4. The Committee would like to thank all those individuals and organisations that took the time to engage with the Committee, the organisations that opened the doors of their schools and facilities to assist our work and the individuals who told us of their personal experiences of the system.
5. The Committee categorised the evidence it received into a number of distinct areas of concern. These areas of concern are briefly described below and a list of the Committees recommendations to the relevant government Departments are also included. The Committee believes that if these recommendations are accepted and acted upon across government, they will have the effect of creating a system which meets the needs of those who rely on it.

### *The Transition Process*

6. With regard to the transitions process, the evidence showed that there were two conflicting views. Firstly, that there is no real issue with the actual transition process but that the problem lies with the lack of suitable provision for individuals to transition on to. Secondly, that there are problems within the process which hamper a smooth transition such as lack of information sharing.

### *The Scope of FE*

7. The evidence showed the vital and central position of Further Education and vocational training in the plans of people with learning disabilities, and their families when they are approaching the end of their time in school. However, despite this crucial role, a majority of the evidence provided to the Committee

highlights that access to appropriate educational courses is inadequate to meet need and that there is a structural problem at the heart of the provision. A specific problem being that Further Education cannot be considered the solution for everyone with a learning disability yet there is a lack of alternative provision.

#### *A Person Centred Approach*

8. A range of the evidence received by the Committee emphasised the importance of ensuring that there is a person centred approach to Post SEN services and that the provision offered meets each individual's needs. The need to provide an individualised service for the most vulnerable in our society remains an absolute priority for any modernised or reforming day service.

#### *Progression*

9. Another important issue highlighted in the evidence was the need for proper progression for learners in post school provision. The aim should be that the levels of provision are appropriate for the individual as he or she develops.

#### *Coordination*

10. One of the overarching concerns relayed to the Committee during the Inquiry was the lack of coordination across government. Although there are many cross departmental strategies and action plans aiming for better coordination and although there are localised examples of good practice in cross departmental working in providing services for those with learning disabilities, the criticisms remain that communication and service provision across Departments is inadequate.

#### *Social Inclusion*

11. The evidence suggested that more can and should be done within the community setting to support those with learning disabilities.

#### *Transport*

12. A major obstacle for Post 19 Provision has been the availability, or otherwise, of transport for getting those with learning disabilities to post 19 provision. The lack of viable transport options, particularly in rural areas, adds another significant barrier to accessing services. The view has been widely expressed, not just from the evidence received by the Committee but from a succession of Departmental reports and academic studies, that there is a need for accessible, safe and supported transport for young people who are not yet independent.

#### *Demand*

13. The evidence to the Committee would suggest that demand for FE provision is not currently being fully met and submissions refer to the number of individuals with learning disabilities that end up not in employment, education or training. There is also evidence that this will increase in the coming years.

#### *Information*

14. The need for high quality information spans three main issues. Firstly, better and more accessible information to ensure that individuals with Learning

Disabilities and their parents and carers can make correct choices about their future. Secondly, the need to track the progression of individuals leaving school and thirdly that there needs to be systematic data collection to assist in the monitoring and evaluation of projects and programmes and to help identify service needs as individuals move into the transition process.

#### *Good Practice*

15. A number of submissions and oral evidence highlighted models of good practice across different training providers, colleges and some of the health trusts, although it was acknowledged by some that good practice was not uniformly evident across Northern Ireland. The evidence pointed out that approaches need to be fully assessed, lessons learned, models of good practice highlighted and strategically rolled out. Due to the competitive nature of funding there is no systemic sharing of best practice.

#### *Work Experience*

16. Some of the evidence heard by the Committee focused on the importance of work experience and concerns over the lack of provision. The evidence highlighted that work experience provision is inconsistent and usually arranged on an informal basis through family members. The evidence also suggested that there appears to be a need for more opportunities for young people to access work experience while at school in order to increase their potential to progress to paid employment at a later stage.

#### *Opportunities to work*

17. Statistics from Mencap detailed that young people with a learning disability are twice as likely to be NEET as those without a learning disability and that only 17% of people with a learning disability are in any form of paid work, compared to 46% of disabled people and 80% of the general population. Even where people with a learning disability do work, it is often for low pay and for part-time hours. Too often, the work carried out by people with a learning disability is described as 'work experience' and does not lead to real pay or a real job.

#### *Day Services for People with Complex Care Needs*

18. The evidence indicated that there is also a worry that day centres are ill equipped. Some parents during the evidence sessions raised concerns that, as currently structured, day-care will lead to children's learning beginning to regress. There was a view that day-care was not sufficiently focused on lifelong learning, and that it was a sedentary environment. There was a worry that advances in the school setting, even if only basic communication for individuals with severe learning disabilities would be lost in a day-care centre.

#### *Support*

19. Some evidence emphasised that all post-school providers need to ensure that they can fully meet the needs of their students or trainees pupils by having appropriate measures in place in terms of pre-entry support to include travel training, staff expertise including additional support staff, facilities and equipment and also to help with any problems that occur regarding bullying or behavioural issues.



### *Legislation*

20. At the outset of its Inquiry the Committee agreed that it was willing to bring forward legislation if it was deemed necessary to improve the post school provision for those with learning disabilities. The Committee looked at options around increasing the statement of educational need to age 25, the increased use of social clauses in increase opportunities and for the need for a Champion or Commissioner for those with learning disabilities.

### *Funding*

21. A number of organisations pointed out that places are limited and groups emphasised that, due to their reliance on ESF grants, they are concerned about continued provision.

### *Benefits*

22. The evidence highlighted that there is a concern for people looking to access placement and volunteering opportunities as there is a worry that this will impact upon much relied upon social security support and that this leads to a reluctance to participate in volunteering opportunities for short periods.

## List of Recommendations

### *The Transition Process*

**Recommendation 1:** The Committee recommends that DEL undertakes a review to establish where Departmental responsibility for the Transition Process should lie within the Executive.

**Recommendation 2:** The Committee recommends that DE ensures that all relevant bodies, based on the individual young person's needs and progression plans, are invited and attend the transition meetings.

**Recommendation 3:** The Committee recommends that DEL and DE coordinate to ensure that the transition process should continue past the stage of leaving school. The process should remain in place to assist the young person with onward progression from a training or further education course into employment. Linked to that, there is a need for closer partnership working with voluntary and stakeholder groups that can support people in further education, training and employment.

### *The Scope of FE*

**Recommendation 4:** The Committee recommends that a consultation is carried out by DEL on the demand for a bespoke local college model establishing a small number of specialist training centres across Northern Ireland.

### *A Person Centred Approach*

**Recommendation 5:** The Committee recommends that DEL carries out a comprehensive review of the availability of support that is individually tailored and specialised guidance to students along the spectrum of learning disability to ensure that barriers are identified, gaps in provision highlighted and the needs of all students with a learning disability are being addressed.

**Recommendation 6:** The Committee recommends that the system of self-directed payments is reviewed by DHSSPS to ensure that it is coordinated with the provision of services so that, where specific services are unavailable, there is an easily accessible funding process that will allow families to source and engage the services themselves.

### *Progression*

**Recommendation 7:** The Committee recommends that there is a review by DE and DEL to ensure college courses below level 1 are adequately funded.

**Recommendation 8:** The Committee recommends that the DEL funding process, for all its service providers, should support courses and training which provide life skills for young people with learning disabilities.

**Recommendation 9:** The Committee recommends that DEL as part of its Employment Strategy for People with Disabilities reviews its programmes with a view to making them more transparent and applicable for those with learning disabilities including those people with complex and high support needs.

**Recommendation 10:** The Committee recommends that DEL increases the number of training and employment opportunities available to those with learning disabilities by improving its support, training and incentives for employers.

**Recommendation 11:** The Committee recommends that Further Education Colleges should develop a more strategic approach to building relationships/partnerships with social firms to help develop courses and work experience opportunities to assist in the transition from the classroom into work.

**Recommendation 12:** The Committee recommends that Further Education Colleges and training providers should take into consideration the local labour market and possible avenues for employment when developing courses.

### *Coordination*

**Recommendation 13:** The Committee recommends that as the lead Department, on the Ministerial Sub group on transition for those with severe learning disabilities DEL should hand the Action Plan over to the Department for the Communities for the next mandate. After reporting its progress to the Bamford Monitoring Group the Minister should make a statement in Plenary to highlight what progress has been made.

**Recommendation 14:** The Committee recommends that, once evaluated, the DHSSPS regional model for day opportunities should be adopted by other relevant Departments to create a more strategic approach.

**Recommendation 15:** The Committee recommends that the ETI and the RQIA should add to its inspection criteria evidence of cross departmental working.

**Recommendation 16:** The Committee recommends that DEL, DE and DHSSPS explore the development of local forums or “hubs” which would bring together key stakeholders from the statutory sector and the voluntary sector, families and key employers in the area.

### *Social Inclusion*

**Recommendation 17:** The Committee recommends that DEL broadens the remit for post school education services to provide better support for physical activity and wider personal development training for people with learning disabilities.

**Recommendation 18:** The Committee recommends that Departments and Local Government should coordinate to conduct an audit of affordable local assets and facilities so that awareness is raised among providers of what is available.

**Recommendation 19:** The Committee recommends that DEL, DHSSPS and Local Government develop and roll out awareness raising and training courses for front-line staff in community services and leisure centres.

**Recommendation 20:** The Committee recommends that DEL engages with the HSC Trusts to develop the Social Farming initiative to ensure it becomes a mainstream option for those with learning disabilities.

**Recommendation 21:** The Committee recommends that CAFRE provides training and support to those involved in Social Farming.

### *Transport*

**Recommendation 22:** The Committee recommends that DRD increases the support for local transport solutions in rural areas to increase access to training and employment opportunities for those with learning disabilities.

**Recommendation 23:** The Committee recommends that DRD coordinates with other Departments and arm's length bodies, to ensure the better use of transport services/adapted buses and staff from all providers to support those with learning disabilities.

**Recommendation 24:** The Committee recommends that DRD and DE embed the provision of transport into the transition process and in the development of programmes for those with a learning disability, to ensure that when post school options are considered, that transport is factored in.

### *Demand*

**Recommendation 25:** The Committee recommends that DHSSPS assesses the impact of the decrease in day-care places for people with learning disabilities and what alternative provision it has or intends to put in its place.

### *Information*

**Recommendation 26:** The Committee recommends that all Departments collect and share data on those with learning disabilities to better support these individuals, to better plan services and to decrease duplication.

**Recommendation 27:** The Committee recommends that DEL collates specific, disaggregated data on young people with a learning disability which identifies if they are in further education, employment or training, or at home and that it includes those who are not known to health and social services.

**Recommendation 28:** The Committee recommends that DEL and DHSSPS adopts the mapping exercise carried out by RaISe as a model for providing a fully inclusive and interactive platform to allow anyone to see all the possible options in their area and what the funding and entry requirements are. Such a platform needs to be across strategies and Departments and include the Voluntary and Community sector and go to a local level to highlight gaps.

**Recommendations 29:** The Committee recommends that DEL delivers a functional tracking system for young people leaving education.

**Recommendation 30:** The Committee recommends that when the transition planning begins at age 14, DEL and DHSSPS should assess the numbers of individuals coming through, and their proposed progression pathway. This information will be used to develop the services that will be needed when these young people eventually leave school.

### *Good Practice*

**Recommendation 31:** The Committee recommends that DEL, DE and DHSSPS review international best practice both on a government policy level and at the local programme and project level.

### *Work Experience*

**Recommendation 32:** The Committee recommends that DEL, as part of its new Strategy for People with Disabilities, canvases local business and industry for work placements and work experience. This would provide the added benefit of opening up an engagement with businesses to detail what government needs to do to support business, to more readily take on this role.

### *Opportunities to work*

**Recommendation 33:** The Committee recommends that DEL evaluates the adequacy of the support and provision offered by its programmes for supporting employment and training for those with learning disabilities.

**Recommendation 34:** The Committee recommends that DEL develops a coordinated service securing placements and seeking employment opportunities for those with learning disabilities which would get buy in from employers and would eliminate confusion for employers who sometimes have several different agencies bombarding them for placement and employment opportunities.

### *Day Services for People with Complex Care Needs*

**Recommendation 35:** The Committee recommends that DHSSPS reviews and continues to monitor its day opportunities model and works with the relevant Departments and Health and Social Care Trusts on the development of continued learning and progression within the daycentre environment.

### *Support*

**Recommendation 36:** The Committee recommends that DEL should ensure all staff with roles in supporting young people and adults with learning disability into further education, training and employment are trained in identifying and supporting physical and communication needs.

**Recommendation 37:** The Committee recommends that DEL and DHSSPS review the availability of counselling services for individuals with learning disabilities who have transitioned in to adult services.

### *Legislation*

**Recommendation 38:** The Committee recommends that DEL undertakes an assessment of the English legislative model and considers its applicability in the Northern Ireland setting.

**Recommendation 39:** The Committee recommends that DE and DEL assess the potential long-term savings made by investing in support for young people with learning disabilities.

**Recommendation 40:** The Committee recommends that DEL, DHSSPS and OFMDFM ensure that advocacy services for those with learning disabilities are adequately resourced, to ensure that there is a strong vocal presence engaging with and challenging government on a case by case basis and at policy level to ensure equal rights and access to services.

**Recommendations 41:** The Committee recommends that DEL leads the way in introducing work experience and employment opportunities into its social clause structures with a view to such practices being rolled out across all Departments.

#### *Funding*

**Recommendation 42:** The Committee recommends that DEL and DHSSPS review how they protect funding in the long term to assure parents and young people that the services will be available for the years ahead to allow for progression plans to be developed.

**Recommendation 43:** The Committee recommends that Further Education colleges should be encouraged by DEL to protect and maintain provision at Level 1 and below during their financial saving exercises.

#### *Benefits*

**Recommendation 44:** The Committee recommends that the DSD and DEL ensure that access to benefits is not a barrier to training and employment opportunities for individuals with learning disabilities.

## Background and Committee Approach

23. At its meeting on 15 January 2014, the Committee for Employment and Learning agreed the Terms of Reference for its inquiry into post Special Educational Need (SEN) Provision in education, employment and training for those with Learning Disabilities in Northern Ireland.
24. The purpose of the Inquiry is to address the concerns raised by the Committee and advocates for those individuals with learning disabilities and their families that once they leave full time education where they have had long-term support they find themselves with very little help or options for what they do next.
25. The Committee critically examined post SEN provision in Northern Ireland including consideration of the current policies, programmes and opportunities available in Northern Ireland for those with learning disabilities leaving education with particular focus on those with moderate and severe learning disabilities as per the SEN categorisation.
26. The Committee has made recommendations, where appropriate, on how policies, procedures and practises can be improved in order to maximise opportunities to support the transition from education for those with learning disabilities and to alleviate the worry and concern of their families.
27. The Committee wrote to key stakeholders requesting written submissions to the Inquiry. The Consultation period ended in June 2014. A total of 53 written responses have been received and a list of the organisations who submitted are attached at [Appendix A](#).
28. The Committee also commissioned 21 research papers from the Assembly Research and Information Service on aspects of the transition process to assist it with its considerations. A list of the research papers are at [Appendix B](#).
29. The Committee also reviewed a range of briefing papers as well as Government and Academic publications a list of which is at [Appendix C](#).

## Evidence Sessions

30. Given the volume of responses and the time constraints on the Committee, inviting all respondents to Committee to provide formal evidence would have proved difficult. Therefore the Committee agreed to hold a range of events with stakeholders, parents and, most importantly with young people with learning disabilities. These are outlined below:
  - 3 December 2014 - [Stakeholder Event, Mellon Country House, Omagh](#)
  - 28 January 2015 - [Parents & Carers Event, Parliament Buildings, Belfast](#),
  - 4 February 2015 - [Stakeholder Event, Dunsilly, Ballymena](#),

- 21 May 2015 - [Service Users Event South West Regional College, Enniskillen](#)
  - 4 June 2015 - [Service Users Event, South Eastern Regional College, Bangor,](#)
31. The two large Stakeholder events were held as evidence sessions and were Hansarded, a copy of which is included in the Minutes of Evidence to the Committee at [Appendix D](#).

## Study Visits

32. In addition to the oral evidence the Committee agreed to conduct a range of study visits to see at first hand the provisions available. The Committee made study visits to:

- 23 October 2013 - [Belfast Met, Belfast](#)
- 5 March 2014 - [Ulster Supported Employment Limited, Belfast](#)
- 5 March 2014 - [Glenveagh Special School, Belfast](#)
- 11 March 2014 - [Pure Innovations, Manchester](#)
- 11 March 2014 - [Seashell Trust, Manchester](#)
- 11 March 2014 - [Manchester City Council, Manchester](#)
- 12 March 2014 - [Manchester College, Manchester](#)
- 12 March 2014 - [PossAbilities, Manchester](#)
- 2 April 2014 - [Castle Tower Special School, Ballymena](#)
- 14 May 2014 - [Sperrinview Special School, Dungannon](#)
- 14 May 2014 - [Oakridge Social Education Centre, Dungannon](#)
- 14 May 2014 - [Appleby Print Room, Armagh](#)
- 22 October 2014 - [Parkanaur College, Dungannon,](#)
- 5 November 2014 - [Springvale Training College, Belfast](#)
- 12 November 2014 - [Ardnashee Special School, Derry/Londonderry](#)
- 25 February 2015 - [Compass Advocacy Network, Ballymoney](#)
- 10 June 2015 - [Hawthorns Adult Centre, Carrickfergus](#)
- 4 November 2015 - [Alternative Angles, Ballymoney](#)
- 20 November 2015 - [Dolans Social Farm, Fermanagh](#)

33. The Committee also contracted a Specialist Advisor, Professor Roy McConkey, to assist the Committee during the early stages of the Inquiry.

## What is a Learning Disability/Difficulty?

12. This section of the report establishes the definition of learning disability and difficulty. There are a number of variations on this definition as well as variations on the terminology used. The main distinctions are between “disability” and “difficulty”. However the terms Intellectual disability and



Additional Learning Needs are also terms which are being used more frequently. MENCAP, in its submission points out that:

*Different terms and definitions are used across government departments in relation to learning disability, with learning difficulty/learning difficulties, special educational needs and disability as well as learning disability being used. This can cause confusion and presents a challenge in monitoring and analysing the specific barriers to participation faced by young people with a learning disability.*

13. According to the British Institute of Learning Disabilities, there are several definitions of learning disability used in the UK. A commonly used one is from [\*Valuing People: a new strategy for learning disability for the 21st century\*](#), the government White Paper for England about health and social care support for people with a learning disability (2001). This definition explains that a learning disability includes the presence of:
  - a significantly reduced ability to understand new or complex information or to learn new skills;
  - a reduced ability to cope independently;
  - an impairment that started before adulthood, with a lasting effect on development.
14. The assumption is that the person will find it harder to understand, learn and remember new things, and means that he or she may have problems with a range of things such as communication, being aware of risks or managing everyday tasks.
15. This coincides with the definition used by the Department for Education which defines a child as having a learning difficulty:<sup>1</sup>

*if he or she finds it much harder to learn than most children of the same age or has a disability which makes it difficult to use the educational facilities in the area.*
16. In the UK the term 'learning difficulty' includes children and young people who have 'specific learning difficulties', for example dyslexia, but who do not have a significant general impairment of intelligence. The British Institute of Learning Disabilities highlights that the UK is the only country that uses the term learning disability in the way described above and that in other countries the term 'intellectual disability' is growing in usage.
17. Special Educational Need provision also uses the terms "Mild", "Moderate", "Severe" and "Profound" which relate to severity.
18. In America the term 'learning disability' is used to cover several specific learning disorders particularly in relation to reading, writing and maths, such as

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<sup>1</sup> Department of Education, Definitions, [http://www.deni.gov.uk/index/support-and-development-2/special\\_educational\\_needs\\_pg/7-special\\_needs-a\\_guide\\_for\\_parents\\_pg/7-special\\_educational\\_needs\\_-\\_a\\_guide\\_for\\_parents-contents\\_pg/7-special\\_educational\\_needs\\_-\\_a\\_guide\\_for\\_parents-definitions\\_pg.htm](http://www.deni.gov.uk/index/support-and-development-2/special_educational_needs_pg/7-special_needs-a_guide_for_parents_pg/7-special_educational_needs_-_a_guide_for_parents-contents_pg/7-special_educational_needs_-_a_guide_for_parents-definitions_pg.htm)

dyslexia, dyspraxia and dyscalculia. The terms 'intellectual disabilities' and 'mental retardation' are commonly used as labels to describe what we in the UK would understand as learning disabilities.

19. The term 'learning disability' is used to describe a very varied group of individuals. The British Institute of Learning Disabilities take the view that categorising people into groups on the basis of their disability "*is almost as bad as labelling them*". They point out that it is usually done for the convenience of those planning and delivering services but that it does not benefit the people being categorised.
20. These categories are not rigid and there are no clear dividing lines between the different groups. Equally, there is no clear cut off point between people with mild learning disabilities and the general population.
21. In an attempt to explain the wide range of different abilities the idea of a continuum of learning has been used for some time. The British Institute of Learning Disabilities has detailed the definitions in a short paper called Definitions of learning disability and learning difficulties.

## The Legislation

22. This section of the report reviews the legislation that governs the Transition Processes in Northern Ireland. This was included in the report both to help underpin the statutory duties on the Executive and Departments but also because the Committee emphasised that if it felt it necessary it was willing to bring forward legislation to change or strengthen current legislation.
23. A major confounding issue regarding legislation around learning disability is that it is also governed by overarching discrimination and social inclusion legislation such as Section 75 of the Northern Ireland Act 1998.

### *The Disability Discrimination Act 1995 (DDA)*

24. The baseline equality legislation relating specifically to disability is the Disability Discrimination Act 1995 (DDA), which prohibits discrimination in employment, access to goods and services and in property and land transactions.
25. The Disability Discrimination Act 1995 (Amendment) Regulations (NI) 2004, implemented the EU Employment Framework Directive, prohibited harassment and ended the exemption of small employers from the provisions and of certain areas of employment. The Equality Act 2010 has superseded the DDA elsewhere in the UK, but the DDA remains the primary disability legislation in Northern Ireland.
26. The disability legislation has been subject to a range of amendments, as follows:

The Disability Discrimination (Meaning of Disability) Regulations 1996, which exempts certain conditions from the definition of disability

The Special Education Needs and Disability Act 2001, which provides for measures against discrimination in education

The Disability Discrimination (Providers of Services) (Adjustment of Premises) Regulations (Northern Ireland) 2003, which defines reasonable adjustments for access to premises

The Special Educational Needs and Disability (Northern Ireland) Order 2005, which makes further provisions against discrimination in education

The Disability Discrimination (Northern Ireland) Order 2006, which introduced provisions against discrimination by local authorities and in public transport

The Special Educational Needs and Disability (Northern Ireland) Order 2005 (Amendment) (Further and Higher Education) Regulations (Northern Ireland) Order 2006, which extends disability discrimination protection in further and higher education

The Disability Discrimination (Transport Vehicles) Regulations (Northern

Ireland) 2009, which extends provisions against discrimination to transport

The Autism (Northern Ireland) Act 2011, which seeks to resolve ambiguity regarding the application of the DDA to Autism Spectrum Disorder (ASD)

*The Special Education Needs and Disability Order (SENDO) 2005*

27. The main legislation is the Special Education Needs and Disability Order (SENDO) 2005<sup>2</sup> which was designed to strengthen the rights of an individual with SEN. When introduce SENDO brought Northern Ireland law into line with that in England, Scotland and Wales.
28. It ensures that pupils with SEN but without a statement are educated in ordinary schools. It also ensures that those with a statement are educated in ordinary schools unless this is incompatible with parental choice or with the provision of efficient education for other children. It also makes it unlawful for general qualifications bodies to discriminate against people with disabilities.
29. SENDO covers three main areas:
  - Schools;
  - Further and Higher Education; and
  - General Qualifications Bodies.
30. The statutory responsibility for securing provision for pupils with SEN rests with both schools and the five Education and Library Boards (now the Education Authority). They are responsible under special education legislation for identifying, assessing and in appropriate cases, making provision for children with SEN in their areas.<sup>3</sup>
31. SENDO makes it unlawful for further and higher education bodies to discriminate against students who have disabilities and that such bodies must take reasonable steps to ensure that students who have disabilities are not placed at a substantial disadvantage in comparison to students who do not have a disadvantage.

*Section 75 of the Northern Ireland Act 1998*

32. Section 75 of the Northern Ireland Act 1998 requires public bodies to have due regard to promote equality between people on a range of grounds including *between persons with a disability and persons without*. All public bodies therefore have a statutory duty to have due regard for people with disabilities.

*European and International Standards*

33. In the European Union, disability is covered by the Framework Employment Directive 2000 which prohibits discrimination on the grounds of religion or belief, disability, age or sexual orientation in employment and defines direct and indirect discrimination and harassment.

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<sup>2</sup> The Special Education Needs and Disability Order (2005), Explanatory Memorandum  
<http://www.legislation.gov.uk/nisi/2005/1117/memorandum/contents>

<sup>3</sup> Department of Education, Special Education Needs, [http://www.deni.gov.uk/index/support-and-development-2/special\\_educational\\_needs\\_pg.htm](http://www.deni.gov.uk/index/support-and-development-2/special_educational_needs_pg.htm)

34. The international standards relating to disability are also enshrined in the newest UN treaty, [\*the UN Convention on the Rights of Persons with Disabilities \(UNCRPD\)\*](#), adopted in 2006. The Committee on the Rights of Persons with Disabilities has not yet set a date for the examination of the UK, but the UK Government has written its first report to the Committee. This has a separate section on Northern Ireland and references to Northern Ireland are made in each thematic section, summarising the main legislative and policy provisions relating to disability.
35. The UNCRPD differs from other UN treaties in that it has been ratified by the EU, which means that it will now be used as a standard in the development of EU legislation relating to people with disabilities. In Northern Ireland, the independent monitoring mechanism for the Convention comprises the Human Rights Commission and the Equality Commission.
36. As detailed by the [\*Don't Box Me In\*](#) report (QUB, 2013), at a global disability policy level, the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD), ratified in the UK in 2009, urged state parties to ensure that disabled people have access to further education, training and employment on an equal basis with others, opportunity to live independently and experience of full community inclusion and participation (UNCRPD, 2006). At the local disability policy level, the Carers and Direct Payments (NI) Act (2002) and Autism Act (NI) (2011) aimed to enhance provision for carers and people with autism and promote service user and carer control of services.
37. The Don't Box Me In report points out that unfortunately, several government and independent research reports provide evidence that many health, education, housing and participation rights are still not fully protected as many disabled people continue to experience social exclusion, poverty, unemployment and discrimination (ECNI, 2012; Haydon, 2008; Jones et al., 2007; McMahon and Keenan, 2008; Mencap, 2007; Monteith et al., 2009; NICCY, 2010; OFMDFM, 2009).

## The Statistics

38. This section of the report provides some of the statistical analysis available of the population in Northern Ireland with learning disabilities.
39. The Bamford Action Plan 2009-2011 estimated that there were 26,500 people with a learning disability in Northern Ireland. This figure was estimated by taking an accepted prevalence rate from national and international studies - which varies from 1% to 2% of the population.
40. Using this estimation method and the population figures for the 2001 and 2011 censuses, table 1 below details the range for these estimations.

**Table 1: Estimation of Learning Disability prevalence based on census data<sup>4</sup>**

	2001	2011
<b>Population</b>	1,685,267	1,810,863
<b>1 per cent</b>	16,853	18,109
<b>1.5 per cent</b>	25,279	27,163
<b>2 per cent</b>	33,705	36,217

41. In order to try and identify more accurate figures, the DHSSPS was asked for figures on the number of people with learning disabilities who have had contact with the Health and Social Care (HSC) Trusts. Table 2 details this information. It should be noted that the Belfast data was provided without any age breakdown.

**Table 2: Learning disabled persons with whom HSC Trusts had contact<sup>5</sup>**

HSC Trust	0-4	5-15	16-24	25-44	45-64	65-74	Unknown	All Ages
<b>Belfast</b>							1,771	1,771
<b>Northern</b>	43	264	284	585	603	149	0	1,990
<b>South Eastern</b>	78	287	291	596	457	115	0	1,868
<b>Southern</b>	27	138	177	410	378	84	0	1,242
<b>Western</b>	16	333	355	570	425	112	0	1,847
<b>Northern Ireland</b>	<b>164</b>	<b>1,022</b>	<b>1,107</b>	<b>2,161</b>	<b>1,863</b>	<b>460</b>	<b>1,773</b>	<b>8,738</b>

42. In total for 2011/12 the HSC Trusts had contact with 8,738 people with learning disabilities in 2011/12. In more recent correspondence the DHSSPS has shown that for the year April 2012 to March 2013, 9192 persons with a learning disability were in contact with HSC Trusts.

<sup>4</sup> Calculation carried out by RalSe

<sup>5</sup> Statistics taken from "Statistics on Community Care for Adults in Northern Ireland 2011/12"

43. There are also figures for those with a statement of Special Educational Need which will vary from those above. The DE [SEN Parents Guide](#) outlines that *“many children will at some time in their school career have special educational needs of some kind. In most cases these needs will be met by their ordinary school, sometimes with specialist help. In a few cases, the Education and Library Board may decide to draw up what is called a statement of special educational needs. This describes the child's needs and the special help to be provided”*. Table 3 below details the number of pupils with SEN in Northern Ireland in Primary and Post-Primary school.
44. As can be seen, the number of primary school children with SEN has remained relatively static over the last six years whilst post primary school pupils have seen a steady rise from 14.2% in 2007 to 19.7% in 2012.

**Table 3:** Pupils with SEN 2006-2012<sup>6</sup>

Year	Primary			Post Primary		
	Total Number of Pupils	SEN Pupils (1-5)	% of SEN pupils	Total Number of Pupils	SEN Pupils (1-5)	% of SEN pupils
2012	168,035	33,990	20.2	145,660	28,695	19.7
2011	164,745	34,205	20.8	146,745	26,710	18.2
2010	163,380	33,880	20.7	147,900	24,765	16.7
2009	163,695	33,450	20.4	147,760	23,540	15.9
2008	164,780	32,325	19.6	147,985	22,090	14.9
2007	166,585	31,665	19.0	147,940	21,060	14.2

45. Using these figures, it would indicate that in 2012 there were at least 62,685 children and young people with SEN. Of these, 10,005 were statemented pupils (SEN Level 5).
46. This figure is significantly higher than the estimated prevalence of people with learning disabilities in the Bamford Action Plan and those calculated by RaSe. This is because children with very mild “learning difficulties” which may improve / or not require the level of support that is often necessary when a formal “learning disability” diagnosis is made and whereby children are more likely to be officially known to health and social services.
47. The Bamford Ministerial Group looked at provision provided across Departments for people with severe learning disabilities and DEL has advised that the key data to emerge so far are:
- DHSSPS statistics (April 2012 to March 2013) show that 9,192 persons with a learning disability were in contact with HSC Trusts.

<sup>6</sup> Northern Ireland Neighbourhood Information Service (NINIS) , Children Education and Skills – Primary Pupils and Post primary Pupils (Administrative Areas), <http://www.ninis2.nisra.gov.uk/public/Theme.aspx>

- DE statistics for the 2012/13 academic year show that, for people leaving school: 577 had mild to moderate learning difficulties; and 132 had severe learning difficulties. There were 23,338 school leavers in the 2012/13 academic year.
  - DEL statistics (April 2012 to March 2013) show that, for persons with a learning disability or learning difficulty: 7,284 were enrolled in Further Education; 275 were enrolled in Higher Education; 494 on employment support programmes; and 11 in residential training.
48. In addition, DEL provided data on the discrete provision provided by FE Colleges for individuals with learning disabilities rather than the 7,284 number outlined above which is anyone who indicated that they had a learning disability in any course. The discrete number of students engaging in courses at an FE college specifically for those with learning disabilities in 2011/12 was 1,263.
49. The variation in figures available regarding the prevalence of learning disabilities and SEN in Northern Ireland highlights the findings of the Bamford Review which also found it difficult to secure accurate information.<sup>7</sup> This remains a cause for concern and will be dealt with later in this report.

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<sup>7</sup> Review of Mental Health and Learning Disability, Equal Lives, September 2005



## The Policy

50. This section outlines the policies and strategies underlying the legislation and the Departmental aims and responsibilities for young people with learning disabilities leaving full-time education.
51. Support for people post 19 years of age, with a statement of Special Educational Need is provided by two main Departments in Northern Ireland; the Department for Health, Social Services, and Public Safety, and the Department for Employment and Learning.

### *Policy and Strategy Development*

52. Outlined in the NICCY Report, [\*Review of Transitions to Adult Services\*](#) (NICCY 2012) and the Don't Box Me In report, (QUB, 2013), in relation to transition, a range of strategic developments can be noted over the last decade.

### *The Bamford Review*

53. In October 2002 the DHSSPS initiated a major, wide-ranging and independent review of the law, policy and provision affecting people with mental health needs or a learning disability in Northern Ireland. Under the Chairmanship of Professor David Bamford of the University of Ulster, the Review followed similar exercises that had been carried out in England and Scotland.
54. The Bamford Review took into account policy and other developments in the European Union, and addressed how best to provide services to people with specific mental health needs or a learning disability in accordance with the statutory equality obligations of the Northern Ireland Act 1998, with the Human Rights Act 1998, and to promote their social inclusion.
55. The Northern Ireland Executive's response to the findings of the report led to the publication in October 2009 of the 2009-2011 Action Plan and in November 2012 to the 2012-2015 Action Plan. These action plans contained agreed actions and timescales for Northern Ireland Government Departments.
56. The Evaluation of the 2009-2011 Action Plan, published in May 2012, established that 80% of the actions had been delivered.

### *Inter-Departmental Transitions Group*

57. An Inter-Departmental Transitions Group outlined a range of actions to improve the transition process for young people with special educational needs including: restructuring careers and guidance services; expanding the range of further education and employment programmes; developing person-centred day care alternatives; and increasing funding for life skills training and transition coordinator posts (OFMDFM, 2006). Significantly, this contains an action plan, which provides over 20 actions to address some of the many issues that were presented to the group.

### *Promoting Social Inclusion (PSI) Working Group*

58. Another inter-departmental and cross-sector initiative, the Promoting Social Inclusion (PSI) Working Group, commissioned a survey of disabled people

which identified core priorities for future policy development in Northern Ireland including: a fuller range of post-school training and employment opportunities; co-ordinated educational, social and recreational services at transition to adult life stages; and more support for disabled people to live independently in their own homes. The Working Group made a number of recommendations on transitions to adulthood for young people with disabilities. It set out as one of its goals, that “*every disabled young person should lead a confident, enriched life and be given the appropriate supports to make a seamless transition to a fulfilled adult life in which they can participate socially, politically, culturally and economically*”.<sup>8</sup>

*Disability Strategy 2012-2015*

59. The Cross-Departmental Disability Strategy 2012-2015 aimed to provide a framework for the implementation of the UNCRPD and addressed issues affecting disabled people and their carers across the life course, including a strategic priority to transform the process of transition to adult life for young disabled people (OFMDFM, 2013). The purpose of the strategy was to set out a high level policy framework to give coherence and guidance to government departments’ activities across general and disability specific areas of policy.

*Learning Disability Service Framework 2012-2015*

60. The Learning Disability Service Framework 2012-2015 specified requirements for transition plans before young people reach their 15th birthday and transition arrangements by their 18th birthday. The Framework 2012-2015 highlighted the need for greater access to: support for employment; meaningful day opportunities; information and advocacy; housing options; and transition supports. Joint working, person-centred planning and standardised approaches to assessment and recording across Health Trusts were also recommended (DHSSPSNI, 2011).

*Children and Young People’s Strategic Partnership*

61. The Children and Young People’s Strategic Partnership (CYPSP), which was established in January 2011, has established five Outcomes Groups and currently has six Regional Sub Groups to plan for specific groups of children and young people and to address key issues. Among the Sub Groups that have been established are the Children and Young People with Disabilities Sub Group and the Transitions Sub Group. The Transitions Sub Group developed an action plan with the aim of ensuring that outcomes for young disabled people at transition to adulthood are improved.

*Review of Special Educational Needs and Inclusion*

62. The consultation document on the Review of Special Educational Needs and Inclusion (2009) has a specific section on transition points to adulthood. This reiterates many of the Inter-Departmental Transitions Group recommendations and proposes a more effective and consistent transitions process and a more equitable transitions support service. The consultation process on the proposals was completed in January 2010, and an update on the Review was provided in January 2012 along with a further update in May 2012.

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<sup>8</sup> [https://www.ofmdfmi.gov.uk/sites/default/files/publications/ofmdfm\\_dev/disability-strategy-2012-2015.pdf](https://www.ofmdfmi.gov.uk/sites/default/files/publications/ofmdfm_dev/disability-strategy-2012-2015.pdf)

*Transforming Your Care*

63. With respect to health and social care, the Compton Review 'Transforming Your Care' (2011) set out proposals relating to the development of age appropriate day and short break services, the provision of information on services, and promoting the uptake of Direct Payments among people with learning disabilities.
64. As the review covered all HSC services it included some areas covered by the Bamford Review and its recommendations are intended to be complimentary to those from Bamford. For people with Learning Disability (LD), the review had the following key proposals:<sup>9</sup>
- Integration of early years support for children with a LD into a coherent 'Headstart' programme of services for 0-5 year olds;
  - Further development of the current enhanced health services on a NI basis;
  - Support from Integrated Care Partnerships (ICP) to improve clinicians awareness of the needs of individuals with a LD;
  - Better planning for dental services should be undertaken;
  - Further development of a more diverse range of age-appropriate day support and respite and short-break services;
  - Greater financial control in the organisation of services for individuals and careers, including promoting uptake of Direct Payments with involvement of current recipient to share their experiences, advocacy and support where needed;
  - Development of information resources for people with a learning disability to support access to required services;
  - Advocacy and support for people with a LD including peer and independent advocacy; and
  - Commitment to closing long stay institutions and to completing the resettlement process for 2015.

**Department for Employment and Learning**

65. The Department for Employment and Learning runs a number of services for people with learning disabilities. These services are provided for individuals with physical or learning disabilities. The Department categorises its provision into four areas:
- Advice and Guidance
  - Employment Support
  - Education
  - Professional and Technical Training

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<sup>9</sup> DHSSPSNI, Transforming Your Care, 2011, <http://www.dhsspsni.gov.uk/tyc.htm>

66. Advice and Guidance is provided by the Careers Service which is a service for all individuals looking for career advice. Its career advisors are invited to attend Transition meetings and can provide impartial careers guidance on the available options.
67. The Disability Employment Service (DES) holds the main responsibility within the Department for providing employment support for those with disabilities. DES is designed to help employers recruit and retain disabled employees. It also provides practical and financial support to companies.<sup>10</sup>
68. The DES provides additional support on:
  - **Job Introduction Scheme (JIS):** If someone finds a job they are interested in, JIS allows them to try the job to ensure its suitable for both the perspective employee and the employer. DES can also help employers meet initial wage costs;
  - **Workable (NI):** Programme that gives people with disabilities the opportunity of working in a variety of jobs. Can offer a range of support designed to meet the individuals needs and the needs of their employee;
  - **Access to Work (NI):** Offers practical advice and help in order to make LD people's working life easier. Provides:
    - Communication and support at interviews;
    - adaption to premises;
    - special aids;
    - assistance to travel to work;
    - travel to work; and
    - a support worker.
  - **Employment Assessment and Occupational Psychology Services:**
    - employment assessments tailored to the individual;
    - help identify abilities and strengths;
    - help to find out how disability or health conditions affect employment; and
    - plan the steps needed to be taken to obtain or retain suitable employment.
  - **Condition Management Programme (CMP):** CMP aims to address the health conditions of those clients in receipt of Incapacity Benefits with mild to moderate conditions. It is based on short-term, work-focused support and advice supplied by healthcare professionals with a view to helping clients understanding and manage their condition, in order to assist them in their return to work;
  - **Work Connect:** Offers a range of pre-employment and in-work support and assistance to help overcome barriers that others without disabilities or health conditions may not encounter; and
  - **Return to Work Credit:** Extra financial support via a tax free payment of £40 per week for up to 52 weeks.

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<sup>10</sup> Department for Employment and Learning, Disability Employment Service, <http://www.delni.gov.uk/index/finding-employment-finding-staff/fe-fs-help-to-find-employment/das.htm>

- **Residential Training:** Through its funding of Parkanaur College, Dungannon, DEL funds residential training opportunities for people with a disability who are not ready to access mainstream training.
  - **European Social Fund (ESF):** Through ESF 2007-2013 and ESF 2014-2020 DEL manages funding to organisations that provide support for individuals experiencing disadvantage in the labour market.
69. Further Education (FE) Colleges have a statutory obligation to make reasonable adjustments to allow students with learning difficulties and/or disabilities access to their premises and the mainstream curriculum. Where individuals, due to support needs and complex health problems, cannot participate at an FE College, the Colleges collaborate with special schools and adult day centres to provide customised courses.
70. DEL has outlined that, through its Widening Participation strategy, it is addressing the under representation in higher education of certain groups including students with learning difficulties and disabilities.
71. Institutions can use this funding to provide specialist equipment and/or specific support for such students. The level of Widening Access premium allocated to higher education institutions is based on the number of full-time undergraduate students in receipt of Disabled Students Allowance.
72. The Register of Support Providers is a unique service which provides one to one personal support to disabled students registered on recognised higher education courses at any of the colleges or universities in Northern Ireland. The support providers include audio-typists, note-takers, dyslexia coaches, study skills mentors, sign language interpreters and campus assistants. The Register offers support, guidance and training to those who deliver support.
73. Professional and Technical Training is provided by DEL through a number of strategies and programmes such as Pathways to Success, Training for Success and Apprenticeships.
74. The Pathways to Success strategy is a mainstream strategy for those not employment, education or training (NEET) which seeks to join up actions being taken across the Executive to ensure that young people's needs are identified and matched with opportunities to meet those needs. It was developed to help those young people who face barriers to participation and introduces a number of new initiatives within the context of wider existing and developing programmes of intervention to tackle youth unemployment.
75. Under the Training for Success (TfS) programme DEL provides a guaranteed training place for those unemployed young people aged 16-17 and up to aged 22 for those with a disability. Participants receive an Educational Maintenance Allowance of £40 per week, travel assistance and specialist support up to £1000 annually.

#### *Other Sources of Support*

76. In addition to the provision made by the public sector, there is support available from the private and community/voluntary sectors. The Committee, as part of its fact finding, visited a range of organisations running innovative

programmes with those with learning disabilities and was left with the overwhelming sense of the value of this work both for the individuals and for their families.

77. However in reviewing the reports, the results of Action Plans and from the evidence taken by the Committee, the Committee would concur with the NICCY Review of Transitions to Adult Services for Young People with Learning Disabilities (NICCY 2012) and with the Don't Box Me In report which found that:

*There are a number references to the complexity of transitions throughout policy documents, departmental reports, research and local initiatives; both in the context of disability and/or special educational needs generally, and in the context of learning disability specifically. The extent to which the identified issues have been effectively addressed in practice is, however, less evident and the primary focus has been on the transition planning process itself rather than transition outcomes. (NICCY 2012)*

*despite the changing legislative and policy context across disability, child care and education sectors, concerns about provision for disabled young people in transition have persisted alongside continuing evidence that they are at higher risk of poorer post-school outcomes (Horgan et al., 2010; McIlwhan et al., 2009; UN, 2007). Don't Box Me In*

## The Process

78. This section of the report outlines the current process of transitioning out of school and into adult services for children who have a statement of Special Educational Need. It is of benefit here to describe both the SEN and Transitions processes. A range of reports and departmental publications have been used for this summary.

### The SEN Process

79. In Northern Ireland, children and young people are assessed for Special Educational Need based on the Special Educational Need Code of Practice. An assessment can be carried out at pre-school age. A child under 2 years old can be assessed if their health worker feels there is a problem. Once the child is over 2 years old the Education and Library Board can be asked to carry out a statutory assessment of SEN.
80. The assessment is designed to find out exactly what a child's special educational needs are and what special help will be required.
81. There are five stages in the process of assessing if a child needs educational support. The five stages are:
- Stage 1:** identify and register a child's special educational needs and take initial action after consulting the school's SEN co-ordinator;
  - Stage 2:** the SEN co-ordinator 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 SEN co-ordinator are supported by specialists from outside the school;
  - Stage 4:** the Board considers the need for a statutory assessment and, if appropriate, makes a multi-disciplinary assessment; and
  - Stage 5:** the Board considers the need for a statement of special educational needs. If appropriate, it makes a statement and arranges, monitors and reviews provision. A statement of special educational needs is a legal document that sets out a child's needs and the extra help required.
82. Stages 1, 2 and 3 are the responsibility of the school while stages 4 and 5 are the responsibility of the school and the Education Authority.<sup>11</sup>
83. Pupils who remain in school after the age of 16 remain the responsibility of the Education Authority until the end of the school year in which they turn 19 years old.

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<sup>11</sup> Contact a family, <http://www.cafamily.org.uk/media/380065/senni.pdf>

*The Transition Process*

84. For those with a statement of special educational needs (SEN) the school must carry out a formal transition process which will help develop a plan for the future.
85. All young people who have a Statement of Special Educational Needs have an annual review of their statement. There is a statutory duty that once a young person with a Statement of Special Educational Needs reaches their 14<sup>th</sup> Birthday, their next annual review must include the opportunity to develop a transition plan.
86. The first annual review after the young person's 14<sup>th</sup> birthday should involve the agencies who will play a major role during the post-school years. The transfer of relevant information should ensure that young people receive any necessary specialist help or support during their continuing education and training after leaving school.
87. The process starts at age 14 so as to ensure that a well-developed pathway is planned. This pathway should take into account all of the child's needs and aspirations, as well as the needs of their family. The transition plan should ensure that the child's skills, talents, special educational needs and personal care needs are taken into account when deciding upon a suitable and appropriate placement.
88. The purpose of the transition plan is to draw together information from a range of professionals and others within and beyond the school in order to make a comprehensive plan for the young person's final years at school and his or her subsequent transition to adult life.
89. To ensure appropriate services and support are provided there needs to be inter-agency co-operation and collaboration. Issues of independence, travel, work, skills development and health also need to be considered.
90. Various people may attend the transition planning meetings but the young person or their parent/carer can also invite someone along to advocate on their behalf. It is crucial that both the parent/carer and the young person attend the transition review with key members of school staff as well as a range of other professionals. Some areas have specific transition workers whose job is to help young people with a learning disability and their families to plan for adult life. In such circumstances the transition worker will attend the child's review instead. Other professionals and agencies, such as health and housing, should also be invited to contribute to the planning meeting.
91. The 'pathway' from school onwards for young people with a learning disability will vary, with some young people leaving school at 16 years and others remaining in school until they are 18 or 19 years old. It is important to take account of the possible different ages, routes from school and into college or work as well as the different sectors and agencies involved with this group of learners and the impact that this has on the specific barriers to participation and inclusion they face.



92. In Northern Ireland, careers advisers based in JobCentres, Jobs and Benefits offices and careers offices provide an all-age advice and guidance service, to help young people and adults make informed choices about their future career paths.

*Transition Service*

93. A Transition Service exists in each regional area of the Education Authority and helps young people and their parents/carers access appropriate information, guidance and support to allow them to make informed choices for the future.

*Transition Co-ordinator*

94. An Education Transition Co-ordinator is a member of the Education Authority who will provide advice and support to pupils aged 14+ with a Statement of Special Educational Needs, and their parents/carers in preparation for adult life. There are two Transition Co-ordinators in each region. They are available to help and support both the young person and the parent/carer during this time.

*Special Educational Needs Co-ordinator (SENCo)*

95. A SENCo is a member of school staff who has responsibility for co-ordinating special needs provision within that school.

**Post School Options**

96. On leaving school, there are a range of pathways that individuals may follow:

*Adult Centres*

97. Some young people may need the rehabilitation support and training offered by day care centres and adult learning centres. These are run by the Health and Social Care Trusts and offer on-going training in areas such as independent living and work skills. Referral for a placement is usually made through a social worker or key worker.

*Employment*

98. A young person may seek to move directly into employment upon leaving school. There are many organisations who offer supported employment programmes for young people who require additional support to help them secure and maintain paid employment in the open labour market.

*Further Education / Training*

99. Further Education Colleges and Local Training Providers offer a wide range of courses to all school leavers and can provide for those young people requiring additional support. Training provides young people with relevant qualifications as well as the required personal and behavioural skills to progress into work.

*Health and Social Care Trusts Packages*

100. Health and Social Care Trusts provide a range of packages for young people with learning, physical and / or sensory disabilities and their families. The Trusts work with individuals using a person-centred approach to support them to prepare for, and move into, adult life.

### *Recreation*

101. There are opportunities for young people within their own communities including youth clubs, summer schemes, leisure centres, local advocacy groups or support schemes that can help the young person to identify their interests.

### *Social Enterprises and Social Firms*

102. A Social Firm is a specific type of Social Enterprise where the social mission is to create employment, work experience, training and volunteering opportunities, within a supportive and inclusive environment, for people who face significant barriers to employment - in particular, people with a disability (including mental ill health and learning disability) substance abuse issue, a prison record, homeless issue and young people.<sup>12</sup> Social firms aim to create employment opportunities for disadvantaged people through continuous development and support. They are market-led businesses that are set up specifically to create good quality jobs for people severely disadvantaged in the labour market.

### *Support Groups*

103. There are many support groups throughout Northern Ireland providing advice, information, training and meaningful work experience to improve the quality of life for people with learning difficulties. Many of these support groups can offer young people with learning difficulties advice, information and guidance on all areas regarding their lives during the transition period.

### *University Provision*

104. University Disability Services aims to create an inclusive environment which widens participation and learning opportunities for students with special needs. Disability Support Services will help students with special needs to arrange any support that they will require within their chosen course and within the wider University community.

### *Volunteering*

105. For many young people, volunteering gives the opportunity for an individual to contribute to society in a meaningful way by committing their time and energy for the benefit of their community. Volunteering is undertaken freely and by choice, without concern for financial gain.

### *Home*

106. The alternative to this provision is to remain at home. This is an option taken up by far too many. However it has not been out of choice but rather a lack of choice. It has been because there are no services available that meet their needs. It is a decision that has sometimes been made because service providers have said that they cannot deal with challenging behaviours or because transport is not available.

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<sup>12</sup> <http://socialfirms.org.uk/socialfirms/>

## **Consideration of Evidence**

107. This section of the report details the evidence provided to the Committee. It outlines a range of issues and recommended solutions across the spectrum of service provision for those with learning disabilities who are leaving, or have left, full-time education. The evidence presented here is from the evidence events, written submissions, briefing sessions and a range of other correspondence and documents considered by the Committee.

## The Transition Process

108. With regard to the transitions process, the evidence showed that there were two conflicting views. Firstly, that there is no real issue with the actual transition process but that the problem lies with the lack of suitable provision for individuals to transition on to. Secondly, that there are problems within the process which hamper a smooth transition such as lack of information sharing.
109. During one of the Committee evidence events, stakeholders identified that, within the transition phase, there are problems relating to coordination of provision. Those involved in the transition process indicated that this manifests itself in a failure to share information. It was pointed out that there are instances where social workers and transition coordinators are doing a very good job, but that this is not always the case.
110. The NI Rare Disease Partnership (NIRDPA) described how some young people appeared to be assessed repeatedly despite transition plans being put in place much earlier. There was also evidence of assessments being carried out by people who had no previous contact with the young person and the parent was unaware of when and why the assessment was taking place. The NI Rare Disease Partnership advised that the impression the parent was left with was, that the assessor seemed to be looking for reasons not to provide day-care provision rather than looking at what could be provided. As one parent pointed out in one of the evidence sessions:

*I am a parent of two severely disabled boys, one through transition and the other is still in transition. For this last 2 years we have been planning for our youngest son to leave school with PCP meetings and numerous transition meetings yet here we are 4 weeks before his birthday and we still have no where for him to go to.*

*Each time the trust set up a meeting to decide who gets daycare it keeps getting postponed, now we are told the next date is 4th February. Both boys are totally dependent on my husband and myself, one doesn't talk, both can hardly walk, they have to be dressed, washed and toileted yet here we are two years later still fighting for a daycare placement.*

*Transition has been the hardest time of our lives and with the added worry of this on top has made it extremely stressful. Situations like ours needs to be highlighted, life is hard enough without the added worry of where our young people are going to go to and the constant fight for a daycare placement is the hardest and most worrying time in a parent's life.*

*So why does Transition start at 14, and why do we say where is best for our children, yet no one in the trust has listened for the last 4/5 years and nothing has been done to prepare for our children's future, the whole exercise of Transition has been an exhausting waste of time.*

111. At the evidence events there was a view that individual plans that are developed during the transition process are more a tick-box exercise, with

some support driven by availability rather than an individual's needs, and parents being strongly encouraged to go along a certain path because there is an availability of services, such as day-care settings, rather than doing what they believe their child may actually benefit from.

112. The Department of Education, which is responsible for the Transition Process, pointed out that it has been extensively researched and reviewed and cites the Northern Ireland Commissioner for Children and Young people (NICCY) report "Review of Transitions to Adult Services for Young People with Learning Disabilities" (September 2012), the CYPSP "Transition to Adulthood of Young People with Disabilities" Action Plan and the Bamford Action Plan as all identifying a need for further work to be carried out to improve transitions planning.
113. The role of the Transition Service, which is funded by DE, is to help young people and their parents/carers access the appropriate information, guidance and support to allow them to make informed choices for the future.
114. It is evident that in recent years, and in accordance with recommendations in previous reviews, DE has taken actions to strengthen the transitions planning process, including the permanent appointment of Education Transition Coordinators and the provision of life skills training for young people.
115. The Education and Training Inspectorate (ETI) carried out a [review of the current statutory Transitions arrangements](#), including post-primary to adult services, in both mainstream (including Learning Support Centres) and special schools. While concluding overall satisfaction with the process it did however find that there is a need for a comprehensive review by DE and DHSSPS of the transition arrangements for a minority of the most vulnerable pupils in order to help restore the confidence of parents and schools and improve the provision which these pupils deserve and are entitled to. It will be for DHSSPS to address the quality and availability of post-19 provision for these pupils.
116. The DHSSPS has refuted the ETI conclusion pointing out that in the HSC's consultation with parents and professionals, they raised significant concerns with regard to the availability of provision in Further Education colleges for individuals who have the right and need to further develop their educational and life skills.
117. Sperrinview Special School believes that over the past ten years there has been a deterioration in the transition process and the opportunities available to the young people leaving school in their catchment area. It says:

*In previous years it had a strong and effective transition process from school to post 19 provision, although still with limited opportunities. In recent years, this process has become increasingly more difficult and less effective, and opportunities for any young person with severe learning disabilities leaving school have become even more limited.*

#### *Transition Planning*

118. The DHSSPS pointed out in its submission to the Inquiry that, to assist young people with learning disabilities during transition from childhood to adult services, each of the Health and Social Care Trusts has designated

individuals/teams. These teams or individual co-ordinators collaborate with other Departments and Agencies, allied health professionals and the voluntary and community sector, to provide transition plans for young disabled people. This should include the plans and aspirations of young people with learning disabilities to progress into some form of further education, training or employment.

119. However the other view is that there are a number of aspects of the transition process that could be improved.
120. These critical aspects centre on the belief that although the process starts at age 14, individuals and their families still do not know where they are transitioning too right up to the point of leaving school.
121. The NIRDP argued that young people with LD should be able to exercise choice and be helped to do so and that there needs to be an understanding that young people with LD should not be expected to choose, in their teens, how and where they want to live for the rest of their lives.
122. The North West Regional College points out that students who have a Statement of Educational Need during post-primary education often present this as their primary evidence during transition to the College. The College notes that the quality of this information varies. Most information is relevant to the previous school and holds little information for the new College. Often the most recent educational psychologist assessment was undertaken during the student's primary school education. The College suggests that information relating to the students current progress and ability, level of support needs, career aspirations and range of interests, would be very useful in beginning to plan progression and appropriate support efficiently. Any current care plans and medical or mental health issues should also be highlighted at an early stage.
123. Some parents felt that their progression plans were inadequate for their child, advising that the individuals attending usually did not know anything about their child and that the parents were asked the questions "*What do you think she'll do? What are her strengths?*". It was felt that the onus is very much on the parents to force through and push ahead with their idea of what they would like their child's support to be and for parents to contact services rather than the other way around.
124. Issues were also raised about the makeup of the Transition meetings. For instance Further Education College representatives felt that they are not included at an early enough stage. At transition, the young person goes to the Further Education College and is seen as a new student because their statement has not been shared or discussed with the college beforehand and there is no mandatory requirement for this to happen.
125. Evidence from the stakeholder groups pointed out that what bodies are invited to transition meetings is interpreted differently in different areas and across different schools, so it is not necessarily always the same group of people. That is not to say that every possible organisation needs to be represented, as this could be off-putting to parents, but those who are relevant for that

individual should be there. For instance, if it is likely that the young person is going to the Further Education College then that institution should be in attendance. In some of the evidence there was a sense that parents attend thinking that decisions are going to be taken only to find that they cannot because a body is not represented.

126. Some questioned why the protocols and statutory requirements for transition lie with DE. There was a view that having the statutory duty with Education is futile as a plan is put in place under DE but then they are no longer responsible and that it should be those responsible for adult services, DEL and DHSSPS that should take the lead.

**Recommendation 1: The Committee recommends that DEL undertakes a review to establish where Departmental responsibility for the Transition Process should lie within the Executive.**

127. The stakeholder events also gave evidence that transition planning process is not consistently delivered across Northern Ireland in each school. There was a view by some stakeholders that it seems to be reliant on the leadership in schools. For example it was highlighted that there is no statutory responsibility to involve the community and voluntary sector or other partners in the plan, although there is to include the Careers Service.
128. Some principals are great leaders and ambassadors for young people with disabilities and will bring together the necessary partners. On other occasions, not all organisations and represents are in attendance such as therapists or the FE sector etc. so there is a lack of information for the family to make the right choice.
129. DEL advised that its careers advisers work in all post-primary schools across Northern Ireland and attend all transition plan meetings that they are invited to. There were concerns voiced regarding the fact that the Careers Service used to have special needs careers officers but no longer does.
130. Ulster Supported Employment Ltd noted the difficult job of Careers Advisors in Jobs and Benefits Offices given the range of clients and supported a return to specialist disability officers. DEL has advised that as part of its consultation on the Employment Strategy for People with Disabilities it intends to coordinate more closely with Careers Advisors and to include them on their Stakeholder Group to ensure that there is better sharing of information across the sector.
131. Evidence from some parents was that sometimes, a key worker is appointed at the point of transition and that this can help to inform the provision offered or how they take forward provision in the future.
132. In one of the evidence groups it was noted that new transition protocols have been drawn up in the Southern Board and Trust requiring the adult services to be there for the final transition meetings. The group recommended that this would be rolled out across all areas.

**Recommendation 2: The Committee recommends that DE ensures that all relevant bodies, based on the individual young person's needs and progression plans, are invited and attend the transition meetings.**

133. A number of issues were raised regarding parents and carers of children with special needs. It was felt by some stakeholders that more should be done to manage the expectations of parents. For instance some parents may advocate for their child to go into a career in childcare. However, for a career in childcare you require a level 3 qualification minimum and this may be beyond the capacity of the individual. Therefore, there is a need to support parental expectations to help find the right course or provision for their young person in order to achieve the best in their life in the long term.

**Recommendation 3: The Committee recommends that DEL and DE coordinate to ensure that the transition process should continue past the stage of leaving school. The process should remain in place to assist the young person with onward progression from a training or further education course into employment. Linked to that, there is a need for closer partnership working with voluntary and stakeholder groups that can support people in further education, training and employment.**



## The Scope of FE

134. The evidence shows the vital and central position of Further Education and vocational training in the plans of people with learning disabilities, and their families when they are approaching the end of their time in school. Mencap, points out that Further Education and vocational training offer people with a learning disability the chance to develop new skills, develop and maintain friendships and contribute to the life and economy of their local community.
135. However, despite this crucial role, a majority of the evidence provided to the Committee highlights a number of concerns. The main concern being that access to appropriate educational courses is inadequate to meet need and that there is a structural problem at the heart of the provision. A specific problem being that Further Education cannot be considered the solution for everyone with a learning disability yet there is a lack of alternative provision.
136. In a number of submissions, the point was made that Further Education Colleges are seen as the main gateway for training for those with learning disabilities leaving fulltime education. In its submission, Mencap stated that parents and young people with a learning disability can have concerns about the quality and flexibility of support available in Further Education Colleges. It argues that while attending school, young people with a learning disability receive support throughout the day. In college, students with a learning disability are often supported within the classroom but may struggle with activities outside the classroom such as the social aspects of attending college and interacting with other students.
137. This is a point conceded by the Southern Regional College (SRC) which points out that the College's role is not one of provision of day-centre services for young people and adults with severe learning difficulties. The SRC also highlights that Further Education Colleges are not equipped to provide for:
- *Medical support and care (facilitation for external medical professionals can be provided)*
  - *Violent or challenging behaviour that will put a SEN learner or others at risk*
  - *Learners that have not an ability to progress to supported employment or other opportunities*
  - *Very complex care needs*
  - *Learners that have very limited independence or a capacity for integration in an FE setting*
138. Although there is an acknowledgement by Further Education Colleges that they may not be appropriate for everyone, due to a lack of alternative provision, especially outside of the Greater Belfast area, there seems to be an over reliance by many parties in the transition process to rely on it as the solution. This approach leads to high dropout rates and ultimately to some individuals staying at home with no provision.
139. For instance, despite its view that FE is not for everyone, the SRC submission points to its own efforts to make its offer better for a wider spectrum of learning

disabilities. It holds up its Inclusive Curriculum Strategy as a model of good practice and highlights the work it has put into developing its entry level offer.

140. The SRC's Inclusive Curriculum Strategy was introduced in 2012 to provide a better curriculum offer for students with learning difficulties and disabilities as well as addressing the needs of those not in education and training that had significant social and behavioural issues that prevented participation on mainstream programmes.
141. Sperrinview Special School states that all Further Education College campuses should be required to have a minimum offer for part-time and full-time courses. However it acknowledges that the inclusive college environment is not going to be suitable for every young person leaving school.
142. The Dungannon and South Tyrone Borough Council submission argues for provision of a range of levels of courses and that development opportunities through DEL should be tailored at both Moderate Learning Disability (MLD) and Severe Learning Disability (SLD) people but that if these cannot be delivered in the college environment they could be based in outreach facilities in an environment that is accessible and safe.
143. In addition the National Autistic Society advised that families who had contacted it highlighted that there is very little choice in terms of which courses their young person can access and some repeating the same course for a number of years "just for something to do". They also believed that colleges do not understand how to make "reasonable adjustments" to accommodate a young person with autism.
144. The Dungannon and South Tyrone Borough Council also suggests that those with increased need for support and supervision may find the more sheltered placement of a college exclusively for those with learning disabilities more appropriate. This is a point also raised by Sperrinview Special School that as well as Further Education Colleges *"Further investment in Parkanaur Training College would allow for day time training opportunities to be developed to serve the Dungannon area."*
145. The SRC points out that point 23 in the Bamford Action plan states; *'continue to provide specialist support, as appropriate, for young people considering participating in Training for Success'*. The College suggests that its experience to date shows that there is an increasing number of applicants for whom such provision is not suitable where they have more complex learning support, safety and care needs. It is therefore imperative that clarification is provided on the future role of Further Education in supporting students with complex learning difficulties and disabilities. The College believe that DEL funding mechanisms may benefit from review in relation to Training for Success (TfS) learners to match processes to provide additional support that is equitable to FE students.
146. The DE pointed out that the Education and Training Inspectorate (ETI) review of current statutory Transitions arrangements, acknowledged that something needed to change but emphasised that this was for a minority of pupils with

those complex needs, and that the ETI called on the DHSSPS to look at its model for those with more severe Learning disabilities.

147. However the DHSSPS disputes the ETI finding. It points out that in the HSC's consultation with parents and professionals, they raised significant concerns with regard to the availability of provision in Further Education colleges for individuals who have the right and need to further develop their educational and life skills.

**Recommendation 4: The Committee recommends that a consultation is carried out by DEL on the demand for a bespoke local college model establishing a small number of specialist training centres across Northern Ireland.**

## A Person Centred Approach

148. A range of the evidence received by the Committee emphasised the importance of ensuring that there is a person centred approach to Post SEN services and that the provision offered meets each individual's needs. For instance the DHSSPS submission stated that:

*The need to provide an individualised service for the most vulnerable in our society remains an absolute priority for any modernised or reforming day service.*

149. The Clanrye submission stated that parents have told staff that they do not want their young person forced into a "one size fits all" model of training in a larger establishment but want the individual needs of their young person to be met by following a structured and varied timetable, delivered by caring staff. As one parent highlighted about her daughter:

*My daughter is almost 18 and is doing a post-16 course at her special school, and that involves her doing work experience one day a week and going to a training centre another day a week. This week she is tiling. I do not know how anybody else feels about that, but we find it ridiculous that our 18-year-old daughter, who will transition into adulthood next year, is learning to tile, which is totally unreasonable, because, as I said, she has a learning disability. She does not have any concept of shapes or sizes and her motor skills, both fine and gross motor skills, are very delayed, so it is totally inappropriate.*

150. Mencap points to its employment services as a model of good practice where staff work closely with each new applicant to complete a vocational profile, which clearly assesses and identifies their aspirations and support they will need to achieve this and a training plan is developed and agreed with the new trainee.

151. This view is also corroborated from academic research such as the Review of Transitions to Adult Services for Young People with Learning Disabilities commissioned by NICCY and which highlights the importance of adopting a person-centred transition planning approach<sup>13</sup>. NICCY state that:

*There is a clear sense that decisions about education and health and social care are often determined by what is available rather than what is in the best interests of the young person and there is little evidence that they get support to ensure their voice is heard. Options are seen to be limited, with many young people falling into one of two categories: those who can attend FE and those who will go to day care. While there is a demand from parents and young people for more flexible packages (for example, some days at FE and some in day care), these are seen to be more difficult to organise and maintain. Moreover, young people have emphasised that they would like the transition processes to be positive experiences, focusing on what they can do rather than what they cannot.*

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<sup>13</sup> <http://www.niccy.org/publications/2012/september/13/review-of-transitions-to-adult-services/>

**Recommendation 5: The Committee recommends that DEL carries out a comprehensive review of the availability of support that is individually tailored and specialised guidance to students along the spectrum of learning disability to ensure that barriers are identified, gaps in provision highlighted and the needs of all students with a learning disability are being addressed.**

152. The DHSSPS has indicated in its evidence that it recognises the importance of ensuring that people with a learning disability have access to high-quality, person-centred day opportunities which facilitates their integration into the community and living a full life as outlined in Bamford.
153. In discussing person centred approaches, the evidence events raised the issue of direct payments for service and support provision. This could facilitate more flexibility on the part of the parent or carer in arranging person centred provision. However there was a lack of knowledge of how the system works. There was also discussion about the fact that the system of direct payments is a recognised aspect of the system in England.
154. The National Autistic Society (NAS) point out that in England there is an increasing move towards personalisation and self-directed support in the provision of services and assessment for adults accessing community and social care. The NAS highlight that this personalisation enables everybody who needs support to have information, support and assistance at a time and in a way that is right for them. Where someone is entitled to social services funding to meet their care or support needs, this new way of working is referred to as self-directed support. Self Directed Support was a key area of reform for the Transforming Your Care programme which is still being introduced by the Health and Social Care Board and Health and Social Care Trusts to implement and deliver Self Directed Support across Northern Ireland.
155. Self Directed Support enables individuals to choose how their support is provided and gives them as much control as they want over their Personal Budget. The individual's personal budget can be:
- taken as a Direct Payment (a cash payment),
  - a managed budget (where the Trust holds the budget, but the person is in control of how it is spent),
  - the Trust can arrange a service, or
  - a mixture of these options.
156. Self-directed support means the person knows how much money they are entitled to for their support and they have choice and control over how it is spent. This money may be referred to as a personal budget, or, where more than one type of funding is involved, as an Individual Budget.
157. The Committee requested information on the uptake of direct payments from the DHSSPS. The DHSSPS advised that the number of people receiving self-directed support is increasing outlining that in 2012/13 the number was 444, in 2013/14 the number was 538 and in 2014/15 it was 618.

**Recommendation 6: The Committee recommends that the system of self-directed payments is reviewed by DHSSPS to ensure that it is coordinated with the provision of services so that, where specific services are unavailable, there is an easily accessible funding process that will allow families to source and engage the services themselves.**

## Progression

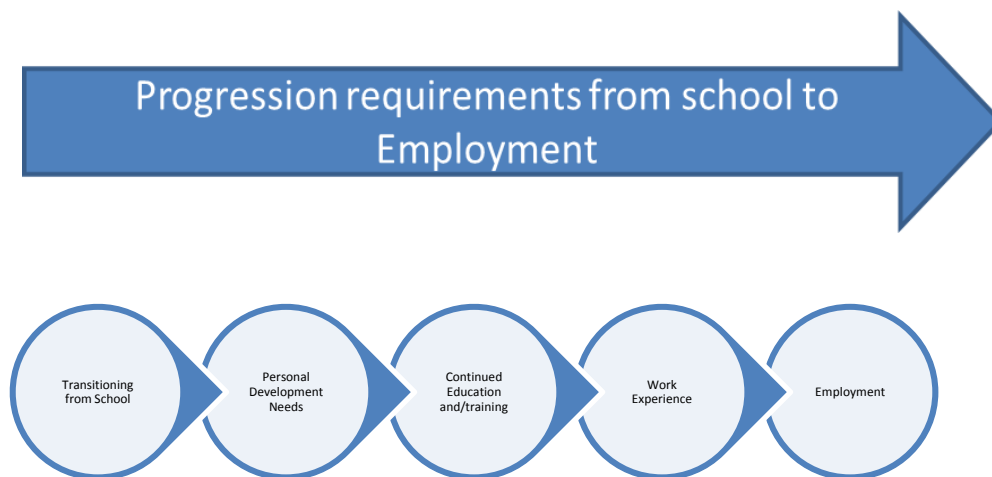
158. Another important issue highlighted in the evidence was the need for proper progression for learners in post school provision. This issue is closely aligned with that of ensuring a person centred approach. The aim should be that the levels of provision are appropriate for the individual as he or she develops.
159. The Department of Employment and Learning has indicated that progression is regarded as an important goal and there is an expectation that clear progression routes will be defined for all young people with learning disabilities enrolled on courses. However, recent consultation with young people suggests that this remains an issue for some (Kelly, 2013 p44)<sup>14</sup>.
160. The NICCY *Review of Transitions to Adult Services for Young People with Learning Disabilities* highlights the differences in course provision offered across further education campuses and highlights the need for the opportunity for individuals to progress within and across courses in Further Education Colleges and onwards. The Report states that:

*With respect to further education, research suggests that young people with moderate learning disabilities can spend prolonged time on courses; referred to as the so-called 'merry-go-round', where students can enrol on course after course, year after year without any real progression.*

161. Individuals with learning disabilities leaving school will have a vast array of abilities and will be at varying degrees from being ready for employment. If paid employment is to be the ultimate goal as it is for other young adults leaving full-time education then those with learning disabilities will need a range of interventions and services to advance them to that stage. The graphic below shows the main stages of progression into work. On leaving full time education, training needs will differ for individuals, some will need intensive and even long-term personal development, building independence, communication skills, confidence, financial awareness etc. others may be work ready or only need specific job training to enable them to enter employment. The main stages of progression can be categorised as follows; personal development and independence, further education and training, work experience and finally, employment.

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<sup>14</sup> Kelly, B. (2013). *'Don't Box Me In: Disability, Identity and Transitions to Adult Life'*. Belfast: Barnardo's and The Queen's University, Belfast.



162. For some individuals, employment or even independent living may never come. However, it is a matter of equality that they have the opportunity to strive for it and not have insurmountable barriers put in their way. To that end a well organised system of provision with cross departmental support and agreed responsibilities is essential for inclusive progression planning. For instance, for those unready to move from school to training or further education colleges; they may need additional time in the school setting (staying on in their school or a different school); they may need support from the Community and Voluntary sector to build confidence and supervised access to community facilities etc.; they may need day-care support with education plans provided; all to give them assistance to move to the next stage of progression.
163. DE point out that when identifying which qualifications to use in a learning programme, it is important to consider each learner's progression route or destination and that schools should consider the entry requirements of the learner's preferred Further Education College, training course or other route.

#### *Levels of courses*

164. One of the evidence events spoke of the importance of lower level entry to courses in Further Education Colleges. Higher level courses meet a target audience, but they do not cater for everyone so those lower than entry level 1 are critical. In addition there was a view that the duration of such courses should not be restricted, as some young people may need to do a course several times or at a slower rate.
165. One evidence group stated that Further Education Colleges do not really offer anything below level 1 in the mainstream setting despite the fact that many young people with severe learning difficulties are working around entry level 1.
166. To explain the levels, level 2, is equivalent roughly to a GCSE grade C. Level 1 is equivalent roughly to grade D. Below this there is Entry level 1 to Entry level 3. Entry level 1 is recognising simple words and symbols and moves up to entry level 3, which is writing simple sentences.
167. The evidence group pointed out that the entitlement framework courses at level 2 carry funding but that below that, they do not. So, those lower-level qualifications are not hugely recognised, even in education. In college, it is



hard to get entry level 2 and entry level 1 courses. They tend to be discrete courses. The group did note that more of them are appearing which provides more choice when they leave school and means that they will not be excluded from FE by the fact that they are not at entry level 1. It was also argued that SEN schools should not have to run on a deficit in order to provide these courses for young people who really need them and have an entitlement to them on the grounds of equality.

168. The Council for the Curriculum, Examinations and Assessment (CCEA) Report, “*Qualifications Provision for 14-19 Learners with SEN*” (September 2013) led to a guidance document being produced for Special Schools and Learning Support Centres (LSCs). This guidance advises that credit-based qualifications offer particular benefits to learners with SEN because they are flexible and accessible. Qualifications in a learning programme can range from Entry Level to Level 1 though some learners may be able to undertake a Level 2 qualification.
169. Sperrinview Special School points out that in Dungannon there are limited opportunities and that the transition process for pupils leaving Sperrinview is a frustrating experience that leaves young people and parents with little choice for continued education. They point out that those with less severe learning disabilities certainly have more scope in further education, with courses being pitched at Entry Level 3 to Level 1, with a focus on progression. However they point out that not all young people with learning disabilities will make this type of progress and many are unable to achieve above Entry Level 1 or 2.

**Recommendation 7: The Committee recommends that there is a review by DE and DEL to ensure college courses below level 1 are adequately funded.**

170. The NICCY Transitions Report highlights the significant concern regarding educational opportunities for young people with severe or profound learning disabilities after leaving school. Many of these young people attend day-centres which, although offering different activities, generally do not focus on educational outcomes and individual education plans or assessments are not provided. Parents have expressed concerns that educational development opportunities for these young people can come to an abrupt halt which impacts on their right to an effective education.
171. The Dungannon and South Tyrone Council believes that it is important to focus on lifelong learning, where courses are not all driven in relation to levels of accreditation but that they serve a developmental agenda. The Council suggests that Colleges, in seeking to fill spaces on courses offer very broad and generic options.
172. The North West Regional College believes that for students with complex or profound needs, the curriculum should be flexible and personalised allowing for incremental learning, and the funding process should support the reward of ‘softer’ outcomes, which would encourage progress. For certain students the funding methodology should recognise and record progression and achievement) for those learners at the lower end of Entry Level. Funding issues linked to progression is often a barrier. Entry-level or level 1 courses are important for helping learners with complex needs become independent.

Social and life skills such as how to use a bus or shop effectively are often the priority learning skills, as opposed to literacy or numeracy.

173. A key issue that has been raised a number of times by parents and young people in lifelong learning and development is the number of times they can access a DEL sponsored course. This is currently restricted and needs reviewed as development courses are a critical aspect of continuing social and public interaction for people.
174. In the evidence events there was a view among stakeholders that there is a “hamster wheel” approach to training and education provision for those with learning disabilities and that many are repeating courses so that they still have something to do during the day.
175. One evidence group, in talking about career paths, particularly for those coming from FE, said that they needed to be realistic pathways. They said that people are leaving school with perhaps level 1 or level 2 qualifications but that, when they go into FE, they do not have the qualifications or the skills needed to move on. Therefore, there is a need for realistic opportunities and to be able to manage expectations.
176. Praxis Care believes that every individual has a right to meaningful activity during the day and recognises that for some the development of self-help and other life skills may be limited. However, the organisation would aspire to enable each individual to be able to develop as normally as possible and acquire skills relevant to adulthood and a level of self-reliance.
177. Sperrinview Special School would like to see an opportunity for young people to consolidate the work completed through learning programmes in special schools, with an emphasis on developing life skills.
178. This is especially the case in day centres where the Committee has heard evidence suggesting that the progress made by individuals in special schools can be eroded through a lack of sufficient activities developed to build on these skills.

**Recommendation 8: The Committee recommends that the DEL funding process, for all its service providers, should support courses and training which provide life skills for young people with learning disabilities.**

*Types of Programmes and supports*

179. A number of respondents pointed out that there was confusion over the variety of support mechanisms and funds available to adults with learning disabilities. It was suggested that some individuals go through programs such as Training for Success (TFS) and other projects that are all delivering the same training. There was also a view that people with learning disabilities are not being catered for in the Access to Work provision and that there are benefits that Access to Work could provide if it were considered in a much broader way.
180. The point was also made that the £3 that is available to each student under TFS is not sufficient to meet support needs.

181. In addition it was acknowledged that some of the programmes, such as Workable, operate a time limit of, for example, 16 hours, which you need to be able to meet to access the scheme and that this rules out many who have learning disabilities.

**Recommendation 9: The Committee recommends that DEL as part of its Employment Strategy for People with Disabilities reviews its programmes with a view to making them more transparent and applicable for those with learning disabilities including those people with complex and high support needs.**

**Recommendation 10: The Committee recommends that DEL increases the number of training and employment opportunities available to those with learning disabilities by improving its support, training and incentives for employers.**

182. Increasing signs of gaps in provision for some groups of individuals was raised as an issue by a range of groups and in the evidence sessions. For some there is a clear path; for the more able it is into FE and employment or supported employment or for those with profound medical or complex issues there is a need for day-centre provision. However the view from the evidence sessions is that, as demand increases and Day Centre places decrease, the gaps in provision are widening. The view of one parent was as follows:

*We have been told by both health services and school that, because of our daughter's learning disability, her choices are day-centre provision or further education college provision. Our problem is that we have been told that she is unsuitable for daycare because her ability is a lot higher than other people in daycare who use that provision. However, she is very vulnerable, and we have been told that, if she goes to the college to do the life skills course, there will be no support for her at the college at lunchtime and unstructured times, there will be no transport for her to get to college and they cannot assure us that, if we got her a taxi, someone would go out to meet her from the taxi to get her to her class, not even just into the college. The college is a huge, busy place for a child with a learning disability who has come from a very protected environment for the last 18 or 19 years. She would be thrown into that busy college on her own – if we can all remember what colleges are like – to try to navigate herself around to get to the room that she needs to get to. So, right now, at this point, my husband and I have no plans to send her anywhere, because it is not safe to send her to college, but we are told that she is too good for daycare, so we do not have any other options. It is scary. I have met parents who have been in my position, and their children have been at home for the past four or five years and now do not leave the house. Those parents cannot leave the house either because their children cannot be left unattended.*

183. The Minister for Employment and Learning raised the issues for those with severe learning disabilities with the Bamford Ministerial Group on Mental Health and Learning Disability (the 'Ministerial Group'). The Ministerial Group established an officials' Group chaired by the Department for Employment and Learning, which was asked to consider gaps in provision relating to the transition to adult services for young people with severe learning difficulties/disabilities (SLDD).

*Mixed approach to post-19 provision*

184. Differing positions were voiced in the evidence regarding whether a “pick-and-mix” approach should be used for provision. Many felt that a more strategic organisation of the current mix of provision across Further Education, the Community and Voluntary sector, training providers, Government training programmes and day-centre activity was needed to meet the spectrum of ability. There was a view that five days a week in an Further Education College or a training centre is not always the best option and that quite often the best option is where young people perhaps spend two days in a college, two days in a centre and one day out on work placement.
185. Some evidence also highlights that the needs of individuals with autism and learning disabilities requires careful consideration as their increased need for routine and familiarity of setting is at odds with a “day here, day there” mix-and-match week. The change from the school routine can prove particularly challenging in these cases. In addition the Church of Ireland, Board of Witness advised that the lack of 5 day placements and this has an impact on the whole family with parents and carers having to leave work and the associated financial difficulty that this can bring. This was also the case for parents who often felt that there was no continuity or anyone building a relationship with their child. Again, this is a further argument for ensuring a more tailored, person-centred approach.

*Social Firms and limits to FE*

186. There was an acknowledgement of the role of social enterprises and social firms especially in relation to providing valuable work experience. When people with learning disabilities leave school with qualifications at level 1 or level 2, they may still lack work experience and social firms allow them to move smoothly into the working environment with appropriate levels of support. This supported environment of social firms, it was argued, enables individuals to get used to the work environment before making the move to either full-time or part-time employment.
187. The Committee saw at first hand the variety of social enterprises training and employing young people with learning disabilities from catering establishments, shops and social farms. The Committee notes the excellent services they provide by way of education, social interaction, confidence and independence as well as the support and friendship they are offered by staff.
188. The point was also made that a "social firm", as a business that is set up to employ people who face disadvantaged area or group, should provide real jobs rather than being used as training opportunities with a high throughput of people. They need to be productive businesses that, in the end, are making a profit.

**Recommendation 11: The Committee recommends that Further Education Colleges should develop a more strategic approach to building relationships/partnerships with social firms to help develop courses and work experience opportunities to assist in the transition from the classroom into work.**

*Relevant training*

189. There was a view that FE and other bodies are delivering training courses unrelated to the job market. This is a theme that ran through the Committee's previous Inquiry Report on Careers, Education, Information and Guidance and the Committee would hope that those with learning disabilities would benefit from their recommendations in this earlier report and the acceptance by the Departments of Education and Employment and Learning to improve linkages between education and employment.

**Recommendation 12: The Committee recommends that Further Education Colleges and training providers should take into consideration the local labour market and possible avenues for employment when developing courses.**

## Coordination

190. One of the overarching concerns relayed to the Committee during the Inquiry, as is the case in most inquiries that cross departmental boundaries, was the lack of coordination across government. Although there are many cross departmental strategies and action plans aiming for better coordination and although there are localised examples of good practice in cross departmental working in providing services for those with learning disabilities, the criticisms remain that communication and service provision across Departments can be poor.
191. For example DE pointed out in its submission that CCEA's Final Report "*Qualifications Provision for 14-19 Learners with SEN*" (September 2013), also included the following recommendations relating to cross-departmental co-operation:
- Discussion should take place across DE, DEL and DHSSPS to explore establishing a coherent provision of learning and care that supports progression for young people with SEN. This is particularly important for those young people with severe and/or profound and multiple learning difficulties who come under the care of the health trusts once they reach the age of 19.*
192. NICCY points out that a need for better coordination is "*widely acknowledged by many stakeholders*". They advise that while there have been improvements in co-operation and communication between departments and agencies, organisations working with and on behalf of young people suggest that the failure to work in a holistic manner or in partnership compounds the barriers faced by disabled young people.
193. The Dungannon and South Tyrone Council submission points out that there is a specific need for a greater joined up approach between DEL and DHSSPS to ensure informed choices of courses and activities for those with learning disabilities in transition. The Appleby Trust agree that:
- the post SEN group shouldn't be viewed as the sole responsibility of any one department both DEL and Health in particular have their role to play. Neither is it the responsibility of the voluntary sector to seek out funding to meet the need and bridge gaps in statutory provision.*
194. Others such as Clanrye believe that there would appear to be no synchronisation across departments with each department operating as a separate entity. *Departments are "fighting their own corner" where funding allocation is concerned which can result in individuals with complex needs losing out*".
195. NUS-USI agreed that joined-up government is a key element of ensuring that the best services possible are provided and that government, training providers, education institutions and employers should work collaboratively to deliver the best possible opportunities and services for people with learning disabilities.

196. During the evidence events there was a view from stakeholders that ambiguity existed around where Departmental responsibility lay on aspects of transition planning and service provision and it was felt that the confusion over where responsibility lay actually acted as a barrier to provision.
197. In correspondence to the Committee of 15 November 2015, DEL alerted the Committee to its Action Plan for young people with severe learning difficulties transitioning from school to adult services. The Action Plan, which was agreed by the Bamford Inter-Ministerial Group on Mental Health and Learning Disability, identifies key areas for improvement and proposed actions to deliver improvements in outcomes for young people with severe learning difficulties. The Department points out that cross departmental work and a focus on partnership working will be required to deliver improvements to current services.
198. The Department of Education has said that it recognises the importance of liaison and inter-agency working to support policy development and good practice. It advised that for pupils with statements of SEN, the ELBs' Education Transition Coordinators work in conjunction with DEL's Careers Service, Health and Social Care Trust professionals and health transition workers to ensure the provision of comprehensive and co-ordinated information about a range of options available.
199. The Department of Education also said that it continues to engage cross departmentally in relation to transition planning through the Autism Strategy & Action Plan, the Bamford Action Plan and also with the cross-agency CYPSP 'Transition to Adulthood of Young People with Disabilities' sub-group.
200. The DHSSPS in its submission agreed that future services should be delivered on a collaborative basis, requiring government departments to engage in a cross-departmental arrangement, to put in place a network of services delivering for people with learning disabilities. It argued that this would enable *"the adoption of a joint approach to resourcing and management to promote integrated working across agencies, develop community infrastructure to support adults with learning disability, maximise the use of public monies, streamline policy and procedures, simplify pathways to service provision, minimise the duplication and facilitate better governance arrangements"*.
201. The DHSSPS recommended that the essential characteristics of a new cross-departmental, integrated model of service should be realistic and achievable. People with learning disabilities should be able to access high quality, individualised services through supported living, supported employment, productive day time opportunities, educational, social and leisure activities.
202. The DHSSPS points out that collaborative work on improving transitions is already being undertaken through a number of initiatives such as:
- the cross-Departmental Autism Strategy and Action Plan;
  - the Bamford Action Plan;
  - the Children and Young People's Strategic Partnership (CYPSP) Transitions Sub-Group; and

- the DEL-led cross-departmental Post-19 Transition Focus Group (which is focusing on young people with severe learning disability).

203. The Health and Social Care Board representatives referred to their work on a regional model for day opportunities for adults with a learning disability and that the partnership work was already in place and was something to build on. However they noted that while this new model cannot meet the whole need it shows that better coordination is starting to happen rather than letting things happen in an ad hoc way with each Department, board, facility or sector.
204. Positive Futures however highlight the fact that the new Day Opportunities model has been developed by Health and Social Care in isolation, rather than in association with other departments, to make it more overarching.

**Recommendation 13: The Committee recommends that as the lead Department, on the Ministerial Sub group on transition for those with severe learning disabilities DEL should hand the Action Plan over to the Department for the Communities for the next mandate. After reporting its progress to the Bamford Monitoring Group the Minister should make a statement in Plenary to highlight what progress has been made.**

**Recommendation 14: The Committee recommends that, once evaluated, the DHSSPS regional model for day opportunities should be adopted by other relevant Departments to create a more strategic approach.**

205. NICCY argue that a joined-up approach from all departments is required to define responsibilities, improve communication and fill the gaps in provision. Mencap names DEL, DE, DHSSPS, DSD, DRD, OFMDFM and DETI as departments that needed to coordinate better to ensure that people with a learning disability have the support they need to have fair and equal access to education, training and employment opportunities. It also highlights that DE, DHSSPS, and DEL need to coordinate more effectively on the transition process.
206. Positive Futures make the point that the Bamford Action Plan 2012-2015 has provided the opportunity for collaborative working for people with learning disabilities.
207. The DHSSPS highlights that the needs and aspirations of people with Learning Disability cannot be met solely by health and social care. Support is needed from education, housing, leisure, employment, transport and many other sectors. It also points out that partnerships between Health and Social Care Trusts and the community and voluntary sector has enabled some learning disabled citizens to realise their vocational aspirations and, in some instances, progress towards paid employment.
208. Mencap points out that the CYPSP Transition Sub Group action plan for 2011-2014 on transition into adulthood for children with disabilities, which lists key actions for departments has been developed on a cross-sectoral and multi-disciplinary basis. Mencap offers this as a good starting point from which to take forward effective co-ordination of transitions planning and provision, both on a strategic and operational level.



209. The SRC raised questions about the actions set out in the 2012 - 2015 Bamford Action Plan about the Children and Young People's Strategic Partnership. The SRC said it was unaware of the body and felt that it could do more to promote co-operation between agencies and organisations involved in transition to Post 16 education.
210. Epilepsy Action Northern Ireland believe that enabling coordinated support should be a measure of best practice so that all people with a learning disability and epilepsy should receive coordinated health, care and social support to enable them to achieve their potential in education, training and employment. Epilepsy Action Northern Ireland believes that this will mean that poor coordinated services will be increasingly highlighted as examples of bad practice and so will be challenged.

*we firmly believe that in a market of competing priorities and dwindling funds, best practice will be more widely adopted only after enforcing action to eradicate existing poor practice.*

**Recommendation 15: The Committee recommends that the ETI and the RQIA should add to its inspection criteria evidence of cross departmental working.**

*Coordination of services*

211. It was also highlighted by participants in the evidence events that 50% of the children coming out of special schools in the future will have profound and complex needs and they will be going straight to a day-centre. Therefore consideration needs to be given to how education can be continued in the environment that is best for them and meets their safeguarding, medical and care needs.
212. Some evidence voiced the need to build relationships at a local level so that representatives of organisations can meet each other and discuss local solutions for local problems and to think about how to share resources and develop creative ways of working. For instance, organisations' facilities could be coordinated to allow young people with special needs to have access. Similarly, in the leisure centres, there could be the designation of centres for one or two hours a week of special time that special needs people can access.
213. The point was made that someone needs to lead and facilitate a coordinated local approach between education, health, the transition process and the service providers. It was suggested that perhaps the new councils have a role at a community planning level to work with the statutory bodies and community and voluntary sectors. In the evidence events an example of community coordination was provided:

*In Hillsborough, where the local controlled primary school has, in the same building, a community centre. The assembly hall of the building is used from 4.00 pm to 10.00 pm by the community centre, which also runs the outdoor pitch, the multi-use games area (MUGA) and some community meeting rooms purely as a community facility, but it is all built into the same building. There is a really good working relationship between the education board, the local council and the community group. It goes back to building those collaborative relationships between the statutory providers, the local councils, the*

*community and, obviously, the parents and groups of parents so that they can come together to get the best that they can for small numbers of children.*

214. Another example of good practice came from the Fivemiletown area, greater links were developed with the local school, which had a swimming pool and different facilities that people with learning disabilities could use. The school was also able to provide the volunteers from among its A-level students. Parents have formed a committee, and that has helped them with their funding sources in order to continue with the project. It is really about looking to our local facilities and trying to build partnerships so that our young people can avail themselves of social outlets in their own community.
215. The argument was made that a multidisciplinary, multi-agency approach also gives a means of pooling resources. One of the evidence groups advised that all of the organisations come with bits of funding and resources and that if this is pooled. There is much more scope to deliver an integrated service model. Given the lack of funding there is also an onus on the community and voluntary sector organisations to work smarter and to not compete with one another for limited resources.
216. At the evidence events an example of a localised coordinated approach in Armagh and Dungannon was highlighted where community access workers have been appointed to the HSC Trust Children's Disability Team.
217. There is also a view that the advent of the new "Super Councils" and the amalgamation of some Government Departments could add to the confusion of where responsibility lies for providing services. However it could also be an opportunity for some creative thinking around joined up working.

**Recommendation 16: The Committee recommends that DEL, DE and DHSSPS explore the development of local forums or "hubs" which would bring together key stakeholders from the statutory sector and the voluntary sector, families and key employers in the area.**

## Social Inclusion

218. The evidence suggested that more can and should be done within the community setting to support those with learning disabilities. The Principal of Adrnashee Special School, Derry/Londonderry, Dr Michael Dobbin, made the point that his school, as was the case with many schools for the disabled until recently, was built apart from the Community with a large physical wall around it to keep the community and the school separate. He emphasised that by promoting inclusion between the school and the community, the community is now very much part of the ethos of the school.
219. The DHSSPS advised that while individuals with complex needs or higher support requirements will continue to transition to the traditional day-care setting, the challenge remains that many such services continue to be segregated from local communities on the edge of towns, or even in industrial estates away from all community infrastructures.
220. One evidence group talked about the benefits of accessing community leisure facilities for promoting healthy lifestyles - mental health as well as physical health. The benefits for young people that come from getting out socially like their friends and family promotes their potential for independence and helps create and maintain friendships. It was noted that, in schools, a lot of young people, as part of their school leavers' programme, already go to their leisure facilities but that there is a need to promote and encourage it at the point when they are leaving school so that they can connect better with their communities.
221. One group talked about health outcomes and the worry that day-centre opportunities are quite sedentary, which raises problems such as obesity, diabetes and other chronic illnesses that are more likely to have an impact on people with disabilities. Also, the fact that parents are 20 years older when their children leave school, so their health is often a concern in addition to the stress and anxiety of their caring responsibilities.
222. Sperrinview Special School believes that those in day-centres should access recreational courses which should be extended into the community, for example, trips to local leisure facilities, visits to exhibitions and musical events and that this should be seen as part of their education.
223. Further Education Colleges point out that many of their courses are based in the Community and that they work in partnership with local communities which have set up new schemes for community gardens, sustainability and grow-your-own food, which lead into a healthy lifestyle.
224. The Committee believes that, working within the true meaning of citizenship, all individuals have a right to be part of the community that they live in. Day services should enable those with learning disabilities, when they leave school, to access meaningful activities in the community wherever possible.

**Recommendation 17: The Committee recommends that DEL broadens the remit for post school education services to provide better support for physical activity and wider personal development training for people with learning disabilities.**

225. It must be acknowledged that local community bodies are developing their own innovative solutions to increasing community involvement for those with learning disabilities such as the Level Ground Coffee Shop established in the Dundonald Elim Church Hall and the NOW project, Bobbins, in Belfast City Hall which train and employ people with learning disabilities and give them a sense of community while raising awareness of them within their local area. The Committee was encouraged by the array of organisations that employ individuals with learning disabilities in their businesses.

*Community Facilities*

226. In the evidence events it was argued that facilities are not being used as well as they should be. Some of the groups at the evidence sessions talked about trying to create more efficiency, particularly around the use of public buildings, and used the example of special needs schools and the possibility of those school facilities being used beyond the 3.00 pm threshold, potentially by third-sector organisations. It was felt that this would give a degree of control and safeguarding security so that there is a structure to how the school would be accessed, which would be for the protection of the schools and the safeguarding and protection of the post-19 people who might be able to access the facilities. The evidence also pointed out that the easy thing to do is to group special needs or disabled people all together. However a lot of the children, particularly those on the autistic spectrum, are very individualistic and have great difficulty in communicating and playing or working in social settings.
227. Also a model of good practice in Armagh and Dungannon was highlighted, where community access workers were appointed to the HSC Children's Disabilities Team and parents have been supported to develop greater links with their local school to use its facilities such as its swimming pool. This enabled a lot of partnership working with the parents and with voluntary organisations like Mencap. The school was also able to provide support from among its A-level students.
228. In addition the Royal College of Speech and Language Therapists believed that Government should commission an audit of services for young people and adults with learning disability and speech, language and communication needs which would highlight the barriers that they face in getting their needs identified and met in further education and employment.
229. There was also acknowledgement in the evidence events that there needs to be a community element to service provision. This would help build on local knowledge of opportunities, facilities and transport. The hub model is one such local approach which does not necessarily require much other than a safe environment with safe access where people congregate before going out, with their support person, to avail themselves of other opportunities.

**Recommendation 18: The Committee recommends that Departments and Local Government should coordinate to conduct an audit of affordable local assets and facilities so that awareness is raised among providers of what is available.**

**Recommendation 19: The Committee recommends that DEL, DHSSPS and Local Government develop and roll out awareness raising and training courses for front-line staff in community services and leisure centres.**

230. The DHSSPS submission advises that the development of social “clubhouse/bases” and “Drop-In” Centres have gone a significant way towards the integration of people with learning disability into leisure services and local amenities within their own communities. It suggests that a Drop-in Centre can be a place identified in each town where people can literally “drop-in” to meet their friends. This might be in a leisure or community centre, or in a hired room in a college, church, or business premises.

*Postcode Provision*

231. There were issues raised in a number of submissions that in rural areas there are not as many local facilities. The submission by Dungannon and South Tyrone Borough Council points out that Dungannon is one of the worst provided for areas in relation to service provision for people with disabilities in the Southern Regional College area. Consultation with parents and organisations seeking to support people with disabilities have identified this disparity which they indicate is growing and cases have been identified where families have moved areas to ensure better quality service, however this is not an option for most.
232. A representative of the Health and Social Care Trust pointed out that it cannot just be about the Trust providing services through the day opportunity model and it is vital that other providers, including councils and other statutory organisation know what their remit is from the beginning and are very clear about what they should be providing. These services should not just be providing generic leisure opportunities but should provide supported opportunities that ensure that they meet the needs of the target audience.
233. In its consideration of rural and local provision the Committee made a visit to the farm of Mr and Mrs Dolan in Garrison, County Fermanagh. The Dolans are taking part in a social enterprise, supported by the Health and Social Care Trust, which provides training and work for a small number of individuals with learning disabilities. The individuals participate in the farm work such as feeding the livestock etc. It provides supervised, safe, physical and educational work for the individuals. During the visit, the Committee heard of the growing success of the enterprise and how it assists particularly well with those individuals who prefer small groups (each farm takes a maximum of 3 young people) and for those who would find it difficult to sit in a class for long periods.
234. The Committee welcomes the adoption of this innovative approach by the Trusts which fills a number of gaps in services such as transport, and rural facilities and employment experience.

**Recommendation 20: The Committee recommends that DEL engages with the HSC Trusts to develop the Social Farming initiative to ensure it becomes a mainstream option for those with learning disabilities.**

**Recommendation 21: The Committee recommends that CAFRE provides training and support to those involved in Social Farming.**

## Transport

235. A major obstacle for Post 19 Provision has been the availability, or otherwise, of transport for getting those with learning disabilities to post 19 provision. The lack of viable transport options, particularly in rural areas, adds another significant barrier to accessing services. The view has been widely expressed, not just from the evidence received by the Committee but from a succession of Departmental reports and academic studies, that there is a need for accessible, safe and supported transport for young people who are not yet independent.
236. Within the statementing process free home to school transport is provided up to age 19. After leaving school, with a few exceptions, if an individual is unable to travel independently then there is a reliance on family/friends to transport young people to daytime opportunities which may only be for a few short hours. This can mean that parents and carers are unable to stay in employment especially given that provision will often begin at 9:30 or 10:00 am leaving it too late for anyone leaving someone off to then get to work for a normal 9:00-5:00 job.
237. Another issue is the fact that individuals attending day-centres can access free transport to attend but this is not available for attending other daytime, further education or employment opportunities. This creates a disincentive for people to take part in activities that are not day-centre located with transport already covered by Health and Social Care provision. Also the issue was raised by the Church of Ireland, Board of Social Witness that many opportunities are so ad-hoc that ensuring that there is adequate transport provided by family is restrictive.
238. The Committee notes the efforts that providers have gone to to alleviate the transport issue such as for those attending the Belfast Metropolitan College where transport is provided for the first year students who live within a 4 mile radius of the Millford Campus.
239. However it is in rural areas that the real impact of a lack of transport provision can be witnessed; where there are longer transport distances and even traditional transport services are less frequent. In some rural areas there are examples of strong local transport solutions such as community taxi services. It was pointed out by some in the evidence sessions that there is an under use of school and community busses and that this is a possible solution. The argument was made that the Education Authority has a lot of specially adapted buses, but quite often they are parked up during the day and are not made available to other groups that could use them at different times to support community groups working with individuals who are not independent travellers.
240. DEL officials pointed out that they are looking at the issue of transport, at what is available, where the gaps are and identifying the number of people who could possibly be helped. They pointed out that the DEL Access to Work programme offers financial support but noted that not enough people with

disabilities, especially those starting work, know that Access to Work would be available and allow them to avail themselves of taxi transport on a daily basis.

241. Another issue raised in the evidence, both in the evidence events and by Sperrinview Special School and others is that of “co-terminosity”, where, for example, Dungannon sits in the area of the Southern Regional College area with Enniskillen, Omagh, and Cookstown but does not sit in the same regional area for education, health and transport. This has major implications in that individuals may not be able to use opportunities close at hand because they are at the other side of a boundary and therefore individuals miss out on opportunities and have to travel further.
242. Sperrinview Special School argues that there is a need for transport that is escorted, door to door and flexible if the most vulnerable individuals are to be afforded a degree of independence in travel.
243. The Committee in its consideration of these issues referred to earlier strategies and action plans and wrote to the Department for Regional Development (DRD) asking it to provide details of actions that it has signed up to relating to transport.
244. The DRD responded citing its work on a Travel Safe Guide in May 2014. The Guide which provides information to help young people and people with learning disabilities travel safely was developed in partnership with a range of organisations including Autism Network NI, Mencap, the Now Project and Stepping Stones. It also introduced the Access Travel Wallet in April 2014. Both were evaluated in 2015 and were deemed to help individuals with learning disabilities to make journeys by bus or train easier. The Department also said that it is currently consulting on a new Accessible Transport Strategy aimed at reducing the barriers to travel faced by older people or people with a disability.
245. The DRD also support the Community Transport Association NI which works across Northern Ireland to develop local solutions to community transport needs however the submissions suggest that rural transport solutions remain insufficient to meet need.
246. Mencap acknowledge that there have been improvements to the provision of public transport due to the investment by the department but points out that there continues to be a range of significant barriers which make it difficult for people with a learning disability to use the transport they need. This includes the cost of using transport, the inaccessibility of information, for example bus/train timetables, transport routes which may not go directly to the destination a person needs to travel to but requires the use of more than one bus and/or train and the need for transport companions.

**Recommendation 22: The Committee recommends that DRD increases the support for local transport solutions in rural areas to increase access to training and employment opportunities for those with learning disabilities.**



**Recommendation 23: The Committee recommends that DRD coordinates with other Departments and arm's length bodies, to ensure the better use of transport services/adapted buses and staff from all providers to support those with learning disabilities.**

**Recommendation 24: The Committee recommends that DRD and DE embed the provision of transport into the transition process and in the development of programmes for those with a learning disability, to ensure that when post school options are considered, that transport is factored in.**

## Demand

229. The evidence to the Committee would suggest that demand for FE provision is not currently being fully met and submissions refer to the number of individuals with learning disabilities that end up not in employment, education or training. There is also evidence that this will increase in the coming years.
230. Sperrinview Special School pointed out that although the numbers leaving special schools are not large the numbers of young people with more care and supervision needs are increasing. These young people will no longer automatically receive a place in day-care and are in need of continued, supported education, training and employment.
231. Beechlawn School stated that at present 47% of its enrolment are pupils with Autistic Spectrum Disorder and in 3 years' time this is predicted to rise to 90%. It warns that in its Post 16 provision it can meet the needs of these pupils but it is concerned that at Post 18 there is a lack of specialised and supported provision for many young people whose needs can be complex.
232. The DHSSPS states that, with increasing demand, the traditional model of buildings-based day-care provision is not sustainable. It estimates that during the period of 2013-15 some 486 individuals coming through transition from education will need some form of daycare/day opportunities but that not all of these young people would be on the severe end of the learning disability spectrum.
233. The DHSSPS argues that while day-centre provision will always be required to provide services and support for people with complex needs, there is an onus on society and statutory agencies to seek to maximise independence and promote social inclusion, through the provision of further education, training, sheltered employment and the full range of other services for those who have the capacity to avail of it.
234. The DHSSPS also states that in some areas, there has been over 50% shift into community-based day provision developing a range of opportunities including further education, vocational and social provision.
235. However, Clanrye Training point out that it is unlikely that the majority of those with learning difficulties will be able to avail of mainstream training under a government funded programme, further education or employment because of their complex needs. Clanrye also suggest that it would be detrimental to these individuals' wellbeing to be immediately referred to day time provision or remain at home without allowing them the opportunity to receive specialist training.
236. The DHSSPS suggests that this shift from traditional segregated services towards integrated, socially inclusive provision has required a reconfiguration of HSC staffing resource and a disinvestment from some traditional buildings-based day provision. Some Trusts have reduced, or have plans to reduce, the number of their buildings-based facilities, with a general move towards smaller

satellite-type services within the community and with independent and third sector partnerships.

237. This means a change, not only in the traditional day service, but in the associated therapies and allied health professions such as speech and language; occupational and physiotherapy being delivered in the community rather than in a day-centre building.

238. The Committee notes the shift away from day care provision and that this is occurring while there is evidence that the numbers of people who historically have been directed to this provision is increasing.

**Recommendation 25: The Committee recommends that DHSSPS assesses the impact of the decrease in day-care places for people with learning disabilities and what alternative provision it has or intends to put in its place.**

## Information

239. The need for high quality information spans three main issues. Firstly, better and more accessible information to ensure that individuals with Learning Disabilities and their parents and carers can make correct choices about their future. Secondly, the need to track the progression of individuals leaving school and thirdly there needs to be systematic data collection to assist in the monitoring and evaluation of projects and programmes and help identify service needs as individuals move into the transition process. These three issues cannot be isolated from one another as monitoring and evaluation data will assist in individuals making choices and the choices of individuals will inform monitoring and evaluation and future provision.

### *Information Provision*

240. A number of oral and written submissions supported changes to the information available to individuals and their carers. The Dungannon and South Tyrone Borough Council highlight the importance of ensuring that parents and carers are informed on the best opportunity for young people in relation to future learning and development and the environment that this is provided within.
241. The Dungannon and South Tyrone Borough Council states that there will be courses that people with greater independence can participate in whereas other people may not be able to access and to make suitable choices and ensure there is an adequate spread of courses information must be readily shared.
242. At the evidence events there were calls for an overarching directory of services regularly updated by a sponsoring body and further research on models of good practice. The NICCY Review of Transitions to Adult Services Report suggests that there is a need to map existing services in Northern Ireland in order '*to identify key gaps in provision and to ensure equality of access to appropriate services*'.
243. The Committee during its review of the SEND Bill noted and commends that Clause 4 and 5 contain proposals to enhance further the arrangements for information sharing between the Education Authority and the Health and Social Services Authorities.
244. In a Research Report by the Assembly Research and Information Service on the capturing of data to calculate the number of young people who are NEET (not in education, employment or training): *information on these groups of vulnerable young people is held in a number of different databases managed by different organisations and departments. This presents a challenge when seeking to identify young people NEET and at risk of becoming NEET in an effective way. In order to address this issue, 'Pathways to Success' has*

*highlighted “a clear need for an identification and tracking system to be developed”.*<sup>15</sup>

245. Much of the evidence from parents and carers highlighted that to ensure the best transition they have to do a lot of research themselves. It is acknowledged that there are social workers and transition coordinators doing a very good job but there are not enough of them. The sharing of information between agencies needs to be easier. It is often difficult to pass on information from, for example, education and library boards to a local college, which can then make it difficult to assess a person's needs. Parents have a lot of work to do to find out: what provision is available; is their young person suitable for it; and whether they are eligible. It is confusing for parents to know exactly whose role it is to offer advice. Some parents feel that the involvement of education transition officers and social workers can be sporadic while still in school and then completely disappear after leaving.
246. NICCY and Positive Futures among others point out that more information needs to be made available to young people and their families about the transition process and choices open to them after school, as they are not always in receipt of the appropriate information about the options and support available. They cite Articles 12 and 13 of the UNCRC which afford young people the right to seek and receive information which will facilitate their participation in decision-making and support them to make choices about their future.
247. Having a central source that coordinates all the information that parents need and to take their views into account is vital but the evidence from the Inquiry suggests that this service does not currently exist.
248. Whilst a number of websites are available, for instance, some Trusts have training and employment provision on their websites, it is apparent to the Committee that not everyone is aware of the services available.
249. An individual needs to be able to access information relatively easily or be signposted towards support that is available. It should not be *instead* of a key worker but as well as. So, if an individual key worker is assigned to a family or an area, they will be able to identify what services are available in that area to help support the child or the family.
250. There is a lot of provision however there is not enough centralised knowledge about the specifics of what different bodies are doing, how well they are doing or who is overseeing it.
251. The HSC Board, in conjunction with the DHSSPS, supports the Family Support NI Web Service which provides a range of information in relation to Family Support Services in Northern Ireland, including both statutory and community and voluntary sector providers. The DHSSPS points out that it has

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<sup>15</sup> Northern Ireland Executive (2012) Pathways to Success: Preventing exclusion and promoting participation of young people. A Northern Ireland Executive Vision, Strategy and Action Plan. Ministerial Foreword.

plans to develop a learning disability web portal on the Family Support Network website.

252. The Department for Education advises that for pupils with statements, the Education Transition Co-ordinators work in conjunction with DEL's Careers Service, Health and Social Care Trust professionals and health transition workers to ensure the provision of comprehensive and co-ordinated information about a range of options available.
253. In response to the Committee's inquiries, DEL carried out an audit of provision for young people with learning disabilities/difficulties across the Further Education Colleges. *This is attached for information* and is a welcome exercise by the Department. However in its preamble the Department points out that *participation rates in FE by constituency is not available, as the data is not gathered or recorded on that basis*. In addition, the data that is supplied is for individuals with *disabilities and/or learning disabilities*. This is an indication of the lack of strategic information gathering and makes any monitoring or evaluation of provision difficult.
254. In tackling this issue the Committee commissioned work by the Assembly Research and Information Service to map the known services for those with learning disabilities across Northern Ireland on an interactive map.

**Recommendation 26: The Committee recommends that all Departments collect and share data on those with learning disabilities to better support these individuals, to better plan services and to decrease duplication.**

**Recommendation 27: The Committee recommends that DEL collates specific, disaggregated data on young people with a learning disability which identifies if they are in further education, employment or training, or at home and that it includes those who are not known to health and social services.**

**Recommendation 28: The Committee recommends that DEL and DHSSPS adopts the mapping exercise carried out by RaISe as a model for providing a fully inclusive and interactive platform to allow anyone to see all the possible options in their area and what the funding and entry requirements are. Such a platform needs to be across strategies and Departments and include the Voluntary and Community sector and go to a local level to highlight gaps.**

#### *Tracking*

255. Mencap believes it is vital to collect data on the number of young people with a learning disability who are in or are not in education, employment and training. It is also essential to monitor access to and benefit from the range of DEL funded programmes by young people with a learning disability. Mencap argues that without robust data it will never be able to get an accurate picture of what people with a learning disability are doing when they leave school and the particular barriers to further education, training or employment faced by them or indeed whether existing provision is effective in supporting people into college or work
256. Mencap emphasises that effective and targeted monitoring will ensure that young people with a learning disability have access to adequate support to achieve their career aspirations. Without monitoring the uptake and benefit of

DEL funded support by people with a learning disability in education, training and employment, the impact and effectiveness of this support cannot be evaluated and the barriers faced by those unable to access this support cannot be identified and addressed.

257. During the evidence events the positive role of post 19 provision in the FE sector, the voluntary and community sector and the social economy sector was acknowledged. The point was also raised that the number of people with a learning disability leaving special schools and moving through transition into adult services each year is relatively small. Recent work carried out by the Health Trusts has identified the number of people with learning disabilities that are leaving school and where they live. Therefore it should be possible to identify in a more joined-up way what provision should look like. For instance in its [review of day opportunities](#) the Belfast Trust points out that current demographic trends demonstrate that in 2015/16 and in 2016/17 there will be 23 young people transitioning to adult Day Centres at 19 years.
258. There is a lack of tracking people with learning disabilities when they leave school. This means that there is no independent outcome based analysis of progression. To that end there is a need to track the destination routes for young people leaving school, through FE or other courses to see where they end up and therefore help monitor the success of those programmes. The recruitment of disability employment officers would ensure that that client progress could be tracked.

**Recommendations 29: The Committee recommends that DEL delivers a functional tracking system for young people leaving education.**

*Monitoring and Evaluation*

259. Epilepsy Action NI argues that collecting examples of poor and inadequate practices and the consequences of these will help identify barriers and develop plans to address them. They point out that meeting demand is easy to measure however measuring personal achievement is more difficult to quantify and qualify. Epilepsy Action NI point out that one of the most important outcomes of a high quality provision is to enable the individual to achieve their potential.
260. NICCY point out that in order to evaluate current provision and to plan for effective future provision, there is a need to gather relevant, up-to-date, flexible data which can provide information on the progression, qualifications and outcomes for young people with learning disabilities. NICCY cites Article 31 of the UNCRPD which states that countries must collect information about people with disabilities, actively involving them in this collection. Such data should be shared across relevant government departments and be readily accessible to all stakeholders.
261. The Equality Commission pointed out that the audit or mapping exercise of post SEN services should highlight the deficiencies and gaps in monitoring arrangements and identify key actions/targets to this Committee to address this key concern. The Equality Commission also recommended that progress should be published annually and available to all relevant stakeholders. Particular attention should be paid to the importance of desegregated data and the multiple identities of people with learning disabilities.

262. As well as providing an overall picture of the provision available, evidence supported the development of a specific monitoring body to assess the quality of services available. This ETI-type body it was argued would specifically monitor disability provision across DEL, Education, Health and Social Services and DSD. This coordinated approach would mean organisations would need to account for how they are implementing any strategies or action plan.

263. The Committee wrote to the Office of the First Minister and deputy First Minister regarding its response to the Bamford Action plan. The Office of the First Minister and deputy First Minister responded indicating that as part of a cross-Departmental Group on Transitions, established to develop an Action Plan for young people with learning difficulties to transition from school to adult services the following actions fell to it lead on:

- A thorough review by relevant departments of their existing content on NIDirect, to identify gaps and ensure accuracy of information; and
- Deliver a “gateway page” to signpost users to content which details opportunities for YP to engage in adult services, including employment, education/training, travel, benefits support, culture/arts and leisure.

264. OFMDFM noted that these actions were taken forward by NIDirect on behalf of OFMDFM. Over the summer months, NIDirect requested all relevant Departments review their content and identify gaps regarding young people with severe learning difficulties aged 16 -21 years of age (in some instances, up to 25 years of age).

**Recommendation 30: The Committee recommends that when the transition planning begins at age 14, DEL and DHSSPS should assess the numbers of individuals coming through, and their proposed progression pathway. This information will be used to develop the services that will be needed when these young people eventually leave school.**



## Good Practice

265. A number of submissions and oral evidence highlighted models of good practice across different training providers, colleges and some of the health trusts, although it was acknowledged by some at the evidence event that good practice was not uniformly evident across Northern Ireland. The evidence pointed out that approaches need to be fully assessed, lessons learned, models of good practice highlighted and strategically rolled out. Due to the competitive nature of funding there is no systemic sharing of best practice. Models of good practice need to be recognised so that they can be rolled out right across Northern Ireland. There was also support for a number of specific examples of good practice.
266. At the evidence event groups were asked to consider examples of good practice and noted that there were lots of examples, particularly from the voluntary and community sectors, of things that worked very well. One group looked regionally to see what else is out there and what is working. They looked at family support services and the family support hubs, and asked whether those are an example of a mechanism whereby you can bring people together at a community level right across the sectors to respond to individuals' needs. The group liked the idea of it being very much community-based and were very aware of the need to try to change society's attitudes to and understanding of people with disabilities. Having a community-based approach from the ground up would help equip other agencies to include people with disabilities successfully in their services.
267. In addition a range of models were put forward as models of good practice by different organisations however the Committee did not feel that it should evaluate and put forward recommendations specifying any one in particular.
- The **Supported Employment Model** was acknowledged as a well-tested model to assist people into employment. This model is based on a person-centred approach aimed at ensuring that support is in place to create a good job match with an employer and for developing ongoing support for the individual.
  - The **day-centre model** was felt to have worked well in certain areas and provided development and job opportunities in a supported environment. There were also examples mentioned of **social enterprise models** in the voluntary and community sector.
  - Another specific example was the **Rail Track model** from the Northern Health and Social Care Trust which takes people from the transition stage into FE, employment or social firms and covers all available options.
  - Representatives of **Further education colleges** flagged up the courses available in FE as examples of good practice in building links with the local community and working in partnership with local organisations and facilities.

268. A representative of Parkanaur College emphasised that there is a deficiency in the mainstream schools and that residential colleges are able to provide access to formalised training but also to address the needs of the whole person. He also highlighted that Northern Ireland is lacking when compared with England, where it is very much recognised that personal development is of great importance.

269. The Southern Regional College argue that there is a need for further investigation of international best practice to inform development, encourage sharing in relation to the provision for this group of learners. These developments must ensure a holistic approach which looks at the pathway into and from FE which can contribute to the economy and an enhanced esteem and quality of life for this group of people.

**Recommendation 31: The Committee recommends that DEL, DE and DHSSPS review international best practice both on a government policy level and at the local programme and project level.**

## Work Experience

270. Some of the evidence heard by the Committee focused on the importance of work experience and concerns over the lack of provision. The NICCY Review of Transitions to Adult Services Report notes that work experience provision is inconsistent and usually arranged on an informal basis through family members. It found that *there appears to be a need for more opportunities for young people to access work experience while at school in order to increase their potential to progress to paid employment at a later stage.*
271. It was expressed by parents that they need more help with finding work experience. The point was made by one parent that they were delighted to see that work experience was on their school timetable. However they then realised that they needed to find the work experience for their children themselves which is not easy to do as they cannot offer the same advice and support to the employer that the school can.
272. Parents also made the point that they may not have the contacts that allow them to find a willing business to offer work experience, especially if you live in a rural area. There was a view that those relationships should be made by the colleges or other training providers.
273. The Department of Education's response to these concerns points out that there are difficulties for schools to get potential employers to offer work experience placements for SEN pupils. These difficulties include:
- Limitations on the number of appropriate work experience placements.
  - Employers' reluctance to engage due to a lack of confidence in their ability to work with a young person with a learning difficulty.
  - The current economic climate where employers are unable to offer placements due to staff shortages - employers are unable to offer the appropriate time and support required to a young person with MLD/SLD.
  - Ensuring that employers offer students quality work experience placements that match their career choice and interest.
274. A number of organisations pointed to their programmes and projects as examples of work experience however, they conceded that places are limited and groups emphasised that, due to their reliance on ESF grants, they are concerned about continued provision.
275. Clanrye states that Social Enterprises can offer young people an excellent opportunity to gain real work while still recognising their needs. The establishment of a unit within the centralised employment service could focus on the setting up of social enterprises across Northern Ireland. These would be beneficial to the local economy, enable young people with learning disabilities/difficulties to work and contribute to society in a meaningful way.
276. Mencap argue that there is a need to explore the diversity of work placement options, including apprenticeships, which would enable young adults with a learning disability to gain important skills to help them compete for jobs. They

should have access to transport to get them to and from work and benefits to support people with a learning disability to gain or remain in employment.

Disability Action highlights examples of situations where trainees may not experience the best quality of training and may not be given appropriate work place opportunities in their chosen vocational area. It points out that trainees with learning disabilities may drop out of training when they have negative experiences.

**Recommendation 32: The Committee recommends that DEL, as part of its new Strategy for People with Disabilities, canvases local business and industry for work placements and work experience. This would provide the added benefit of opening up an engagement with businesses to detail what government needs to do to support business, to more readily take on this role.**

## Opportunities to work

279. This section of the report considers the evidence received by the Committee on work opportunities for those with learning disabilities.
280. MENCAP made the point that there are less than 1 in 5 (17%) of people with a learning disability in any form of paid work.<sup>16</sup> Employment should be viewed as a realistic option for people with a learning disability throughout the education system and opportunities should be provided for young people to develop their employability skills.
281. MENCAP point out that being able to access high quality training and/or further education is essential if people with a learning disability are to gain the skills, experience and qualifications they need to find and keep a job.
282. Young people with a learning disability are twice as likely to be NEET as those without a learning disability.<sup>17</sup> Only 17% of people with a learning disability are in any form of paid work, compared to 46% of disabled people and 80% of the general population.<sup>18</sup> Even where people with a learning disability do work, it is often for low pay and for part-time hours. Too often, the work carried out by people with a learning disability is described as 'work experience' and does not lead to real pay or a real job.
283. Young people with a learning disability and their families continue to tell Mencap about the significant difficulties they experience when they transition from school into further education, employment or day opportunities and from children's services to adult services within health and social care services. Mencap states that concerns remain about the underdevelopment of further education and employment opportunities; the effectiveness of transition planning; whether provision meets the growing demand for day time support; the short term nature of funding for new initiatives; and the lack of options for people with complex or high support needs.
284. Citing its *Review of Transitions*, NICCY points out that opportunities for young people with learning disabilities to achieve fulfilling paid employment are scarce. It says that transition is more likely to lead to further education or a day service than employment and that pupils attending moderate learning disability schools receive annual work experience placements throughout Key Stage 4 while for pupils with severe learning disabilities more in-house or community-based placements are available to some pupils where appropriate.
285. The NICCY Report refers to the benefits of government based employment schemes for people with disabilities but also notes that significant numbers do not then progress to paid employment. An evaluation of the Workable (NI)

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<sup>16</sup> Mencap 'facts and figure' paper, Jane Alltimes, 2013.

<sup>17</sup> Young people not in education, employment or training, Northern Ireland Assembly Research and Library Service, 2009, p.3.

<sup>18</sup> Centre for Disability Research, 2008.

Programme in 2010 indicated that only 9% of participants move to unsupported employment<sup>19</sup>.

286. Reference is also made to other factors limiting access to employment, including admission criteria, duration of the programme, the pattern of provision, an absence of clear intra-agency partnerships, low expectations and inflexible benefit rules<sup>20</sup>.
287. Clanrye suggest that it is more difficult for young people with learning disabilities to secure employment when funding has ended and they have left a specific programme.
288. Representatives of the Health Trusts at the evidence events made the point that the work they have carried out in partnership with schools and families has acknowledged that there are not enough choices. They argued that it is not solely the responsibility of Health to meet transition planning needs and that people who would benefit from further training, employment and education opportunities are more likely to access those outside the day-centres. However this seems to imply that it is not the role of day-centres to provide an educational or training function.
289. In the evidence groups it was argued that it is inefficient to have several government departments carrying out the same role i.e. securing placements and seeking employment opportunities. It was suggested that employers could “buy into” a centralised service which would command more authority because it represents several departments. This service would eliminate confusion for employers who sometimes have several different agencies bombarding them for placement and employment opportunities.
290. NICCY states that education of the public and particularly employers is needed to assist those with learning disabilities take their place in society and feel that they make a valuable contribution.
291. Ulster Supported Employment Ltd makes the point that there need to be better policies for informing and supporting employers regarding financial support and legal issues.
292. Despite considering a number of reports and strategies over the years, groups at the evidence events felt that provision has not moved on a great deal since the 2003 strategy, which was led by the Department of Education.
293. The DEL participants in the evidence events pointed out that the model it is trying to develop will mean that young people *will be assigned to a disability employment specialist officer who will work closely with them*. Tying in with the employment market, they will go to local employers for whom that young person has an idea that he or she would like to work. They will be their personal advocate. The DEL officials however include the caveat that it is for *young people, for whom employment is a realistic and chosen goal*.

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<sup>19</sup> KPMG (2010). An Evaluation of the Workable (NI) Programme. Belfast: DEL.

<sup>20</sup> <http://www.dhsspsni.gov.uk/learning-disability-report>

294. There is also an absence of acceptance that there is a lack of employers willing to employ those with learning disabilities although DEL did acknowledge that it needed to make employers more aware of the Workable programme.

### *Volunteering*

295. The Dungannon and South Tyrone Council points out that while some placements for people with learning disabilities may lead to employment, there are other volunteering activities that people with more complex learning opportunities can avail of which may not lead to employment but are valuable as they assist with social interaction and development.
296. However the Council submission also raises concerns that accessing volunteering opportunities can impact on the receipt of benefits and other support. This creates a reluctance to participate in volunteering opportunities for short periods as it can impact on long term quality of life provision by Government. Therefore, the council argues, one government strategy is having an adverse effect on the delivery and success of another.
297. The DSD point out that research shows that people with disabilities are underrepresented in volunteering and that it has made it a priority within its Volunteering Strategy that everyone has an opportunity to volunteer. The Strategy and Action Plan “*Join in, get involved: Build a better future*”, which is endorsed by the Northern Ireland Executive, seeks to create conditions that will enable volunteering to flourish and, in particular, to ensure that volunteering is representative of the diversity of the community. The DSD highlights that a key priority of the Strategy is to ensure that any volunteering organisation which makes an application for funding must demonstrate how it can provide support to increase volunteering by people with disability.

**Recommendation 33: The Committee recommends that DEL evaluates the adequacy of the support and provision offered by its programmes for supporting employment and training for those with learning disabilities.**

**Recommendation 34: The Committee recommends that DEL develops a coordinated service securing placements and seeking employment opportunities for those with learning disabilities which would get buy in from employers and would eliminate confusion for employers who sometimes have several different agencies bombarding them for placement and employment opportunities.**

## Day Services for People with Complex Care Needs

298. In June 2007, The Social Care Institute for Excellence published a guide entitled *“Community-based day activities and supports for people with learning disabilities: How we can help people to “have a good day”?* This paper states that a person with a Learning Disability should be:
- Undertaking activities that have a purpose.
  - In ordinary places, doing things that most members of the community would be doing.
  - Doing things that are right for them personally.
  - Receiving support that meets their individual and specific requirements and overcomes inequalities.
  - Meeting local people, developing friendships, connections and a sense of belonging.
299. In August 2011, The Patient and Client Council published a document entitled *“My Day, My Way”*. The overwhelming conclusion from which was that Day Opportunities and alternatives to traditional day care provision are increasingly important to people with a Learning Disability.
300. In August 2012, the Health and Social Care Board (HSCB) in partnership with the Public Health Agency (PHA) instigated a review of Learning Disability day services across Northern Ireland. This review, led to a full public consultation as a result of which the HSCB and PHA published a *Regional Learning Disability Day Opportunities Model* in April 2014. This agreed model described how people with a Learning Disability can expect to lead full and meaningful lives in their neighbourhoods, have access to a wide range of social, work and leisure opportunities and form and maintain friendships and relationships.
301. The Committee is cognisant that the Trusts have begun to think innovatively on developing and supporting day opportunities for adults with learning disabilities. It has visited a range of projects supported by the Trusts and heard evidence from the Board about its ongoing work. The Committee does however still note that, in the policy shift toward Transforming Your Care (TYC), issues remain and are in danger of worsening for those individuals who need day care places.
302. There is also a worry that day centres are ill equipped. Some parents during the evidence sessions raised concerns that, as currently structured, day-care will lead to children’s learning beginning to regress. There was a view that day-care was not sufficiently focused on lifelong learning, and that it was a sedentary environment. There was a worry that advances in the school setting, even if only basic communication for individuals with severe learning disabilities would be lost in a day-care centre.
303. The NIRDP highlighted its concern that as a result of the drive to promote opportunities via the Regional Learning Disability Day Opportunities Model, essential Day-centre places may be prematurely closed and permanently lost.



304. NIRDP point out that due to Transforming Your Care parents are placed under enormous pressure to give up hope of day-centre provision. They say that parents are made to feel “morally reprehensible” for considering to send their young people to Day-centres and that the withdrawal/reduction of services has moved far too quickly. Whilst the principals behind TYC are welcome the reality for parents in this situation, where there is severe learning disability, is very different. NIRDP also state that it was disturbing to note that despite so many previous reports regarding transition, there was very little help available to the parents in these instances and very little choice only to fight very hard for Day-centre services with the help of MLA's.
305. Any proposed change to existing services the Trust argues would require the HSC Trust to inform the HSC Board with detailed communication plans and high level time lines; the work programmes would need to be developed, consulted on, agreed, and put in place in each Trust area. It is envisaged that the whole programme of change may take three to five years to complete and its success would be highly dependent on the cooperation of relevant government departments, voluntary and community, and third sector organisations working with statutory agencies.
306. The DHSSPS points out that the HSC Trusts are improving or replacing the stock of Day-centres to make them more responsive to the more complex needs of some people with a learning disability. They state that these improvements to Day-centres will continue alongside the development of Day Opportunities in each Trust.
307. The HSC Board says that its Day Opportunities Model sets out a way forward to improve day opportunities and day-centres for those with learning disabilities and makes a number of recommendations. It states that the model intends to ensure that there is a consistent regional framework and that day opportunities would be redesigned locally - with full and meaningful engagement with clients, their families and carers, and also with staff within this framework.
308. One parent felt that there was a concern that some young people with severe learning disabilities, particularly non-verbal kids, have been excluded from day-care post-education due to problems readjusting to a new regime. Parents claimed that their young person manage well in the school system up to age 19 but then find the day-care system strange. This often manifests itself in disruptive behaviour and forcing the parents give up work to look after them.
309. Sperrinview Special School point out that further education should be available in day-centres for those individuals with medical needs or in need of support due to challenging behaviour. That should include a range of recreational, physical or creative options for less able individuals. In addition to discrete taught programmes, tutors should also be able to set up learning programmes for personal development that could be implemented by centre staff.
310. The view was also voiced that both day opportunities and day-centres need to improve. As the model of day-centres develops, fewer and fewer people go there for work, training or employment and more people are likely to attend Health and Social Care day-centres because, in addition to their learning

disability, they have some other profound long-term condition or multiple disability.

**Recommendation 35: The Committee recommends that DHSSPS reviews and continues to monitor its day opportunities model and works with the relevant Departments and Health and Social Care Trusts on the development of continued learning and progression within the daycentre environment.**

## Support

311. The [NICCY Review of Transitions](#) highlights the need to provide sufficient and effective personal and pastoral support to young people to enable them to settle into further education.
312. Some evidence emphasised that all post-school providers need to ensure that they can fully meet the needs of the pupils by having appropriate measures in place in terms of pre-entry support to include travel training, staff expertise including additional support staff, facilities and equipment. The experience of some parents is stressful as the following suggests:

*When [.....] refused to help speak to the South West College Enniskillen for my son entering in September I had no choice only to go back to the transition officer [.....] who came with my son and myself to make my sons ill health and disability known to the SENCO in college. She assured me he would have classroom support [...] told her about him not been able to attend his school because of his anxiety. A backup letter from specialist dealing with my son went into Transport so that transport was going to be in place. That was achieved as for classroom support it never happened. It's now January in his old school he had a classroom assistant full time. Post special education didn't happen this boy had great expectations. I'm not sure if he will be able to further educate. Everything stopped at 16. My son has Autism and left to do things. I can't or don't know how he's coping never heard from college I've had to check up on Educational Maintenance Allowance for him. I know he doesn't eat so he must be living in toilet at dinnertime.*

313. Beechlawn School pointed out that it recognises that existing post school provision is suitable for some of its pupils but, at present, it is not suitable to meet the more complex needs of others. The school voices its concerns about the level of additional support staff during training and the range of choice and appropriateness of post school courses available to pupils with a range of complex needs.
314. In addition, the [Don't Box Me In](#), report (Kelly, 2013) highlights *the need to recognise the extent of bullying and abuse experienced by young people in transition and the need for clear policies and procedures to address discrimination and violence at multiple levels of society.*<sup>21</sup>
315. In its response to Committee requests for its progress on the various Action Plans, the Department of Education point out that it funds professional counselling services for primary and post-primary age children during difficult and vulnerable periods in their lives.

### *Allied health professionals*

316. Some of the responses also referred to the role of the Allied Health Professionals such as Physiotherapy, Occupational Therapy and Speech & Language Therapy, Dieticians, Podiatrists and Orthoptists. Indeed evidence

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<sup>21</sup> Ibid, p.12

was provided by the Royal Society of Speech and Language Therapists (RSSLT), the College of Occupational Therapists and from the Physiotherapy Service of the Belfast Health and Social Care Trust.

317. In the response from the Physiotherapy Service of the Belfast Trust they point out that there is a need for training parents to promote independence at an early age and point out that if physical education is to be included in the definition of Further Education provision then allied health professions such as physiotherapy and occupational therapy needs to be more involved in the transition planning process and at an earlier stage. Submissions from both the RSSLT and the College of Occupational Therapists also call for the definition of education to be broadened to include physical education.
318. The Royal Society of Speech and Language Therapists recommended that young people with learning disability and speech, language and communication needs (SLCN) who are transitioning from school to further education or employment services should be supported by speech and language therapy services as transition itself places extreme demands upon their communication skills. The evidence from the Allied Health Professionals suggests that there is insufficient importance put on their role at the transition stage.
319. The DHSSPS pointed out that the Public Health Agency is currently undertaking a Review of Allied Health Professionals' services for children and young people with statements of special educational needs with the aim of agreeing a regional model to best meet the assessed needs of these children, ensuring that resources are used to the best effect and that the children have equitable access to the services of Allied Health Professions, regardless of the school they attend. The Agency is in the process of engaging with key stakeholders, including DHSSPS and the Department of Education, and individual special schools. In addition the need for health support is called for in the DEL consultation for the new Employment Strategy for People with Disabilities.

**Recommendation 36: The Committee recommends that DEL should ensure all staff with roles in supporting young people and adults with learning disability into further education, training and employment are trained in identifying and supporting physical and communication needs.**

**Recommendation 37: The Committee recommends that DEL and DHSSPS review the availability of counselling services for individuals with learning disabilities who have transitioned in to adult services.**

## Legislation

320. At the outset of its Inquiry the Committee agreed that it would not shy away from bringing forward legislation if it was deemed necessary to improve the post school provision for those with learning disabilities.
321. In England, legislation on special educational needs has undergone reform. In Wales, there has also been an acceptance that the current SEN system and structures are not fit for purpose and consequently has introduced its own reforms.<sup>22</sup>
322. The Committee considered a range of evidence on possible legislative options and commissioned a number of research papers from the Assembly Research and Information Service. The main two recommendations put forward in submissions to the Inquiry and considered by the Committee were; to extend the age limit for Statemented support from 19 years to 25; and to create a Commissioner or Champions for Learning Disabilities.
- Extending the Statement of Special Educational Need*
323. The main legislative option considered was to continue the statement period from its current limit of 19 years of age to 25 years of age. At the time of writing, the Department of Education was awaiting Royal Assent for the SEND Bill which will extend the end of the Statement of Special Educational Need (SEN) from the current end, which is on individuals 19<sup>th</sup> Birthday, to the end of that school year.
324. Recent reform to the English system has introduced support from 0 to 25 years through Education, Health and Care Plans (EHC Plan). The Committee considered the English structures and legislative system and made a visit to Manchester to review the provision available. It also received briefing from the Department of Employment and Learning and engaged with the Department of Education regarding the possibility of making an amendment to the SEND Bill to extend the age range.
325. In England, the Education Act 1996 set in law that a child must receive special education provision if they have special education needs. This is similar to the provision available in Northern Ireland.
326. The Learning and Skills Act 2000 introduced Learning Difficulty Assessments (LDAs).<sup>23</sup> For those aged over 16, local authorities have a duty to carry out a Learning Difficulty Assessment (LDA) on anyone who previously had a SEN statement or whom they believe may need one.

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<sup>22</sup> <http://www.assembly.wales/research%20documents/15-025-sen/15-025.pdf>

<sup>23</sup> Learning and Skills Act 2000, Section 140

327. The Apprenticeships, Skills, Children and Learning Act 2009 introduced a further amendment to the Education Act 1996 which altered the provision for FE. A House of Commons Library briefing paper states that now:<sup>24</sup>

*Local authorities must secure enough suitable education and training provision to meet the reasonable needs of all young people aged 19-25.*

328. In 2014, the Children and Families Act introduced a number of changes to the support provided to people with learning disabilities in England with SEN. The reform programme introduced as part of the Act includes:

- Replacing old statements with a new birth to 25 EHC Plan;
- Offering families personal budgets; and
- Improving cooperation between all the services that support children and their families, particularly local authorities and health authorities to work together.

329. The Education Select Committee which examined the SEN aspects of the Act heard widespread support for a statutory framework for SEN that works for children and young people from birth to 25 years of age. The Committee did, however, raise concerns that there may be issues regarding funding for the framework and its impact on post-16 education.

330. Under the Children and Families Act 2014, support has to be provided by post-16 Colleges, with "Colleges" defined as including general Further Education Colleges, specialist art and design and land-based colleges, sixth form colleges, 16-19 academies and special post-16 institutions.

331. Under the Act, each of these colleges has the statutory duty to:

- co-operate with the local authority on arrangements for children and young people with SEN;
- admit a young person if the institution is named in an EHC plan; and
- use their best endeavours to secure the special educational provision that the young person needs.

332. In addition to the support provided by colleges and schools, young people with SEN can retain their EHC plan if they are involved in certain types of work experience, including; Apprenticeships, Traineeships and Supported internships.

333. EHC plans can also provide packages of support, with a number of providers and activities spread out across five days a week. Provided by local authorities, these can include a number of activities, such as; Independent study, Volunteering or community participation, work experience, and Training to enable a young person to develop and maintain friendships and/or support them to access facilities in the local community.

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<sup>24</sup> House of Commons Library,

<http://www.parliament.uk/Templates/BriefingPapers/Pages/BPPdfDownload.aspx?bp-id=SN06341>

334. EHC plans can continue until the age of 25 but will stop if an individual goes to university, gets a job, tells their local authority they no longer want the plan or the local authority thinks they no longer need it.<sup>25</sup>
335. The Committee has not been able to consider in detail how the EHC plans are working as there have been no evaluations or reviews carried out of the new system as they have only been recently introduced.
336. In the Committee evidence events one group highlighted that young people with learning disabilities leaving school at the age of 19 do not have the same opportunities as others of the same age and recommended that Northern Ireland should adopt to support individuals at least until the age of 25, if not beyond that, to allow them to have another six or seven years of educational input, to have opportunities that are not available to them at present.
337. Sperrinview Special School believes that the statement of special educational needs should stay in place until the young people are 25 and promoting further buildings on school campuses where they can continue with their learning.
338. Dungannon and South Tyrone Borough Council suggested that consideration should be given to the potential for a college for 19 to 25-year-olds with learning disabilities. It was felt that young people with learning disabilities start developing their life skills between the ages of 14 to 19, and, whilst these years are very proactive, that period could be longer. That would not delay the problem until age 25; it would give them greater opportunities to develop their life skills.
339. One of the evidence event groups, in considering this issue agreed that approximately 25 years of age should be the upper threshold in the transition process, but that in certain specific cases, there may be people with learning disability who need additional support. However, the group also felt that if it runs on too far, it is possible that the agencies have not done their jobs correctly. To that end the group believed that beyond this point it is exceptional support that is offered rather than routine service delivery.
340. Another group found that there were very different expectations of what post school provision would be depending on whether you were a school, an FE provider or a parent. This group identified that parents want continuity. The idea of going on to 25 was very strong, whether that involves maintaining the statement until 25, the people staying in a school setting until 25, there being a specialist college in place, or FE courses being compulsory in a way for everybody until they are 25. This group also pointed out that progression is vital and advised that *“It is all very well that the transition process is extended to age 25, but you end up with the same problem at the end, which is where do we go with this? Somebody needs to think that one through as well”*.

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<sup>25</sup> Department for Education, Education and Health Care Plans, [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/346221/Education\\_health\\_and\\_care\\_plans.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/346221/Education_health_and_care_plans.pdf)

341. The point was also made that a young person can go into a day-care centre and face a lack of stimulation and learning for them yet they could benefit from a longer period in education and could benefit in the longer term. So, one of the main conclusions was to make the transition process more meaningful for the individual, with a more targeted and meaningful plan for the young person's development and an outcome that benefits them rather than sidelines them or puts them into a static position post-19 or post-25.
342. The North West Regional College stated that Statements are active during primary and post primary education up to the age of 18 years or the end of full time schooling (whichever comes first). However, if a student moves to an FE college, the Statement effectively ends, and Recommendations for transition to College are not addressed. The College argues that it is a most unequal system that a Statement can remain active within the school system at age 16+, but the student with significant additional needs who takes the FE route does not have access to this specialist provision.
343. The Committee raised the issue of statementing to age 25 with DE and DEL. The Committee received a briefing on 19 October 2015 on the Special Educational Needs and Disability Bill.
344. During the joint briefing DE pointed out that a proposed increase in statementing age to 25 was such a fundamental change that it would be very difficult to stand over it and be assured that it was the right way to go without having a full consideration of models elsewhere, as well as costings and reforms. When asked by the Committee if there was an unwillingness by DE and DEL to change the status quo. The DE official said that:

*We do not think that the solution is to say that, "Special school provision is excellent. Let's allow pupils to stay there until the age of 25." I think that in a couple of years' time, you would be coming to us, saying, "It is really excellent, but what happens at 25?"*

345. The DE official suggested that the real issue is how to address the gap in provision and suggested that it wasn't through an amendment to the SEND Bill. The officials reiterated that in education, the Education Authority (EA) has this statutory remit in relation to statementing and meeting the needs of pupils with special educational needs. In relation to young adults with special needs, if they choose to stay or go to FE or HE, then, DEL has the statutory role. Other than that, the responsibility rests with DHSSPS.

*The question is whether you impose some sort of duty on DHSSPS to meet those needs. However, if that is what is envisaged, the SEND Bill is not the vehicle for it.*

346. Research by the Assembly Research and Information Service commissioned by the Committee reviewed research regarding the benefits of extending Special Educational Needs support to people with learning disabilities from ages 16 to 25. This provided evidence of the benefit to be gained from piloting initiatives such as internship programmes as well as the independence to be gained from FE programmes.
347. In addition, access to FE or training programmes can have important social benefits for people with learning disabilities, allowing them to develop and



carry on friendships and relationships. This has important benefits for the development of social skills, self-confidence and tackling loneliness.

348. A further benefit of such support, as identified by the National Audit Office report is the savings made to the public purse in the long-term, when investing in support for young people with learning disabilities in the short-term. This type of spending, which is sometimes called 'preventative spending', appears to be a prudent use of limited resources, especially in the context of on-going serious budget constraints, when there are challenging spending decisions for the foreseeable future.

**Recommendation 38: The Committee recommends that DEL undertakes an assessment of the English legislative model and considers its applicability in the Northern Ireland setting.**

**Recommendation 39: The Committee recommends that DE and DEL assess the potential long-term savings made by investing in support for young people with learning disabilities.**

*A Commissioner or Champions for those with Learning disability*

349. One view from the evidence events was a recommendation for a Commissioner for people with learning disabilities. The argument being that there are statutory requirements, especially in education, and there needs to be a dedicated person in place to hold departments to account, to stand up for individual cases and to promote and disseminate good practice.
350. During the same evidence session the Equality Commission advised that it is responsible for the Disability Discrimination Act 1995 and indeed for the Special Educational Needs and Disability (Northern Ireland) Order 2005. It also has a role in the Independent Mechanism for Northern Ireland (IMNI) and is responsible for ensuring that government takes into account the Convention on the Rights of Persons with Disabilities. The Equality Commission advised that the Convention, in its preamble, general obligations and general principles, makes explicit reference to people with high, complex support requirements, including people with learning disabilities. The Equality Commission raised questions that if people want a commissioner for a specific impairment or category of people, how will that work with regard to other people with disabilities, and how do we look at that with regard to the convention and our obligations under it as well as our current obligations on domestic equality legislation?
351. In the course of the evidence gathering including the many visits undertaken to schools and post-school provision, the Committee has no doubt about the sincere and tireless advocacy that goes on a day to day basis on behalf of individuals with learning disabilities. On occasions this is parents fighting for what is best for their child and in some instances this is with the support of organisations. However, there is no escaping the view that many parents feel they have to fight a battle a day to get what should be there as of right. The Committee is supportive of the view that more needs to be done to hold service providers and Departments to account. The Committee realises that much of the funding for this sector goes into the provision of services but advocacy is also vital. There is an imperative on government to ensure that

parents do not feel that they struggle alone for rights freely available to everyone else.

**Recommendation 40: The Committee recommends that DEL, DHSSPS and OFMDFM ensure that advocacy services for those with learning disabilities are adequately resourced, to ensure that there is a strong vocal presence engaging with and challenging government on a case by case basis and at policy level to ensure equal rights and access to services.**

*Social Clauses*

352. Some evidence also supported legislative change to create a duty on employers to insert social inclusion clauses into tender contracts as well as regulatory changes to make it easier for employers to give vocational opportunities. All contracts, grants and loans provided by government departments should include a clause that requires employers to provide a work placement or job for a person with a learning disability. In addition, Sperrinview Special School point out that those who currently have work placements are now facing a loss of benefits as they demonstrate “fitness to work”. This can only be counter-productive.
353. In the evidence events it was noted that there are issues with trying to get employers to employ individuals with learning disabilities. Although a number of organisations such as Triangle and also the Further Education Colleges are doing very good groundwork with employers in trying to get them to take young people on, they are finding that it is an up-hill battle and ask if there could be legislation that requires employers to keep a minimum number of places for people with learning disabilities.
354. Clanrye Training advise that the government’s universal guarantee of training which is enshrined in Northern Ireland legislation applies to all young people and it is government’s responsibility to enable these young people to attempt to reach their full potential. They state that parents’ aspirations have not changed over the years and they still want their young person to train in a safe and supportive environment. This is something that they feel government needs to live up to.
355. The Committee received evidence from DEL on its strategies to increase employment of those with learning disabilities and its work in this Inquiry has helped prompt the Department to review the Disability Employment Service and waits with interest on how this review can take the Committee’s recommendations into account.
356. In evidence from DEL it pointed out that the Department of Finance and Personnel has a Programme for Government commitment to include Social Clauses in public procurement contracts for supplies, services and construction. Under the guidance of the Procurement Board, departments set their own targets for implementation of community benefits including Social Clauses in contracting.
357. DEL highlighted that it has established a dedicated Social Clause team to engage with successful employers to ensure a single point of contact supporting employers to access the supply chain. Employers have also been

encouraged to explore additional job opportunities for the unemployed. The Department advised that it is currently engaging with 119 employers.

**Recommendations 41: The Committee recommends that DEL leads the way in introducing work experience and employment opportunities into its social clause structures with a view to such practices being rolled out across all Departments.**

## Funding

358. A number of organisations pointed to their programmes and projects as examples of providing work experience to those with learning disabilities. However they pointed out that places are limited and groups emphasised that, due to their reliance on ESF grants, they are concerned about continued provision.
359. Organisations visited by the Committee, such as the Appleby Trust, Triangle, Compass and others which support the training and employment needs of the participants made a number of points about funding. Access to funding for the voluntary sector must be easier to obtain, it is very difficult and often time consuming searching for funding from Europe or trusts and foundations to bring innovative ideas to fruition.
360. Destined argues that the community and voluntary organisations are under resourced to provide the necessary training and education services the sector requires, even though they are best placed in many instances to provide the services.
361. The DSD pointed out that the Neighbourhood Renewal Programme aims to reduce the social and economic inequalities which characterise the most deprived areas and that funding may be considered for those with learning disabilities where a priority need for action is identified within local Neighbourhood Renewal Action Plans and where resources are available.
362. During the evidence events there was recognition that funding and the ongoing financial constraints faced by the Northern Ireland Executive was a major issue. A particular point raised was that funding will be a growing concern in the future given that the number of people with learning disabilities who are living into adulthood and old age has increased and that this will continue. The impact being that the number of people who need some level of service is growing and for this, there is a need for funding to be made available.
363. Another issue raised was the reliance on short term funding by organisations providing support to those leaving school with learning disabilities. This culture of three year (at best) funding cycles within the community and voluntary sector means that long term planning of support does not exist. This lack of security of funding within these organisations, which have taken on statutory functions on behalf of government, means that if funding is not renewed then some statutory services will disappear in specific areas of Northern Ireland. The representatives at the evidence events cautioned that the relevant Departments need to risk assess the ending of European Funding and how services can be assured.
364. The groups identified the different funding streams already available and felt that a joined-up approach could make better use of those existing pots. While recognising that it would pose challenges, a number of submissions felt that budgets should be coordinated to provide shared services. In the evidence events one group felt that if those responsible for service provision are situated in one location or in one commissioning body it would make that much more

likely to happen. Clanrye Training suggest that a more joined up approach across government departments could avoid unnecessary replication of administration work and bureaucracy and could save money.

365. It was also suggested in the evidence events that there is a gap in funding for training providers to mentor individuals and provide support work placements.

**Recommendation 42: The Committee recommends that DEL and DHSSPS review how they protect funding in the long term to assure parents and young people that the services will be available for the years ahead to allow for progression plans to be developed.**

**Recommendation 43: The Committee recommends that Further Education colleges should be encouraged by DEL to protect and maintain provision at Level 1 and below during their financial saving exercises.**

## Benefits

367. The point is made by the Dungannon and South Tyrone Borough Council that there is also an additional concern for people relating to accessing placement and volunteering opportunities as there is a worry that this will impact upon much relied upon social security support. The Council suggests that this leads to a reluctance for participation in volunteering opportunities for short periods as this can impact on long term quality of life provision by Government and therefore one government strategy is impeding the delivery and success of another.
368. Ulster Supported Employment Ltd highlighted a barrier for people with disabilities to get into employment. They advised the Committee that those who are coming off benefits have problems with the 16 hour rule.
369. A number of groups providing employment and training believed that the conditionality regime around the employment and support allowance is prohibitive and that, at times, people are being ill-advised by some in the advice sector to not join community and voluntary sector projects for fear that, if they even take part in those, they will be in danger of losing their benefit.
370. Sperrinview Special School reiterates this suggesting that families are often under financial pressure due to leaving work to fulfil their caring role and any suggestion of losing benefits will also cause loss of opportunities for those with learning disabilities. During the evidence event the point was made that DSD should live up to the key message that work has to be seen to pay and that it has to pay in reality for people and that this should include the limited work and training opportunities available to those with learning disabilities. Proposals on universal credit, if they do as they say, might be a resolution to this as it is meant to allow people to work fewer hours but retain a sizeable proportion of their benefit, but that remains to be seen.
371. A representative of the Social Security Agency responded that Universal Credit will change the 16-hour rule and that it should make it easier for people who want to work some hours rather than full hours. They will not have to go on and off benefits in the way in which they currently do.
372. In its consultation on the Employment Strategy for People with Disabilities it was also noted that the risks associated with coming off benefits needed to be addressed.

**Recommendation 44: The Committee recommends that the DSD and DEL ensure that access to benefits is not a barrier to training and employment opportunities for individuals with learning disabilities.**

## **Appendix A. List of Submissions**

**Accessing Support, Provision, Inclusion, Respect and Equality (ASPIRE Group)**

**Action Duchenne**

**Ann Monaghan**

**Association for Real Change**

**Autism Eye Magazine**

**Beechlawn School**

**Belfast Health and Social Care Trust Physiotherapy Service**

**Belfast Metropolitan College**

**Centre for Behaviour Analysis, School of Education, QUB**

**Clanrye Training**

**College of Occupational Therapists**

**Colleges NI**

**Compass Advocacy Network**

**Destined**

**Disability Action**

**Dungannon and South Tyrone Borough Council**

**Elluminate**

**Epilepsy Action Northern Ireland**

**Mencap**

**Mid and East Antrim Borough Council**

**Minister for Agriculture and Rural Development**

**Minister for Culture, Arts and Leisure**

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**Minister for Employment and Learning**

**Minister for Enterprise, Trade and Investment**

**Minister for Health, Social Services and Public Safety**

**Minister for Regional Development**

**Minister for Social Development**

**Minister of Education**

**Minister of Justice**

**National Autistic Society Northern Ireland**

**National Union of Students - Union of Students in Ireland (NUS - USI)**

**North West Regional College**

**Northern Ireland Commissioner for Children and Young People (NICCY)**

**Northern Ireland Rare Disease Partnership**

**Northern Regional College**

**NOW**

**Office of the First Minister and deputy First Minister**

**Positive Futures**

**Praxis Care**

**Presbyterian Board of Social Witness**

**Royal College of Speech and Language Therapists**

**South Eastern Regional College**

**Southern Education Library Board (SELB) and Western Education Library Board (WELB)**

**Southern Regional College**

**Sperrinview Special School, Dungannon**

**The Appleby Trust**



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**The Equality Commission**

**The Open University**

**The Post 19 Campaign**

**Thornfield House School and Outreach Services**

**Tracey Gilland**

**Ulster Supported Employment Ltd**

**Winifred Collins**

## **Appendix B. List of RaISe Research Papers**

**Benefits of Extending SEN support to ages 16 to 25**

**Cost of SEN provision for over 16s in England and Wales**

**Employment of working age adults with a disability**

**Examples of Support for People with Learning Disabilities in North West England**

**Foxes Academy**

**International Best Practice in Post 19 Special Education Needs Provision**

**International Methods of Gathering Learning Disability Prevalence Statistics**

**Learning Disability Support Locations in Northern Ireland**

**Models of Support for People with Learning Disabilities Post-Secondary School**

**People with a Disability in Employment - A Supplementary Briefing Paper**

**Possible Amendment to the Special Education Needs Disability Bill**

**Post 19 Special Education Needs Provision in Northern Ireland**

**Post-Secondary School Provision for People with Special Education Needs in Northern Ireland**

**Post-Secondary Support for People with Intellectual Disabilities in the Republic of Ireland**

**Post-Secondary Support for People with Learning Disabilities in Great Britain**

**Statistics on People with Learning Disabilities in Northern Ireland**

**Sweden support for people with Learning Disabilities**

**The UN Convention on the Rights of Persons with Disabilities and Northern Ireland**

**Transition Planning for Young People with Learning Disabilities in Great Britain**

**Transition Planning in Northern Ireland**

**Transition Planning in the Republic of Ireland**

## **Appendix C. List of Government and Academic Reports**

**CYPSP - Transition to Adulthood of Young People with Disabilities**

**Delivering the Bamford Vision - Action Plan 2009 - 2011**

**Delivering the Bamford Vision - Action Plan 2012 - 2015**

**Dont Box Me In - Disability, Identity and Transition to Young Adult Life**

**Education and Training Inspectorate - Survey Report on Transition Arrangements**

**European Agency for Development for Special Needs Education - Vocational Education and Training Policy and Practice**

**Health and Social Care Board - Regional Learning Disability Day Opportunities Model - Post Consultation Report**

**National Assembly of Wales - Special Educational Needs (SEN) and Additional Learning Needs (ALD) in Wales**

**NICCY - Review into transitions to adult services for young people with learning disabilities**

**NICIE Shared Classrooms Deepening Learning Project Draft Report of Baseline Research for the SEN Cluster**

**Patient and Client Council - Report into Further Education - August 2011**

**Patient and Client Council What Matters to Me**

**Public Health England - People with learning disabilities in England 2013**

## Appendix D. Minutes of Evidence

Wednesday, 26 March 2014	<p>Committee for Employment and Learning</p> <p>RaISE Briefing on the Committee Inquiry into Post SEN Provision in Northern Ireland</p>	 View Online
Wednesday, 22 October 2014	<p>Committee for Employment and Learning</p> <p>Committee Inquiry into Post Special Educational Need Provision in Education, Employment and Training for those with Learning Disabilities - Parkanaur College and Seashell Trust</p>	 View Online
Wednesday, 3 December 2014	<p>Committee for Employment and Learning</p> <p>Committee Inquiry into Post Special Educational Need Provision in Education, Employment and Training for those with Learning Disabilities - Stakeholder</p>	 View Online
Wednesday, 28 January 2015	<p>Committee for Employment and Learning</p> <p>Committee Inquiry into Post Special Educational Need Provision in Education, Employment and Training for those with Learning Disabilities - Stakeholder Event</p>	 View Online
Wednesday, 4 February 2015	<p>Committee for Employment and Learning</p> <p>Committee Inquiry into Post Special Educational Need Provision in Education, Employment and Training for those with Learning Disabilities - Stakeholder Event.</p>	 View Online
Wednesday, 11 February 2015	<p>Committee for Employment and Learning</p> <p>Students with a Learning Difficulty and or Disability (SLDD) Provision in Further Education including Transport Issues - Department for Employment and Learning</p>	 View Online
Wednesday, 4 March 2015	<p>Committee for Employment and Learning</p> <p>Transitions Experiences of Young People with Hearing Loss - Action on Hearing Loss.</p>	 View Online
Wednesday 27 May 2015	<p>Committee for Employment and Learning</p> <p>Inquiry into Post-Special Educational Needs</p>	 View Online

Inquiry into post Special Educational Need (SEN) Provision in education, employment and training for those with Learning Disabilities in Northern Ireland

	Provision in Education, Employment and Training for those with Learning Disabilities - Health and Social Care Board	
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## **Appendix E. Minutes of Proceedings**

[1. Minutes of 15 January 2014.pdf](#)

[2. Minutes of 22 January 2014.pdf](#)

[3. Minutes of 5 February 2014.pdf](#)

[4. Minutes of 12 February 2014.pdf](#)

[5. Minutes of 19 February 2014.pdf](#)

[6. Minutes of 26 February 2014.pdf](#)

[7. Minutes of 12 March 2014.pdf](#)

[8. Minutes of 26 March 2014.pdf](#)

[9. Minutes of 9 April 2014.pdf](#)

[10. Minutes of 7 May 2014.pdf](#)

[11. Minutes of 28 May 2014.pdf](#)

[12. Minutes of 4 June 2014.pdf](#)

[13. Minutes of 2 July 2014.pdf](#)

[14. Minutes of 10 September 2014.pdf](#)

[15. Minutes of 24 September 2014.pdf](#)

[16. Minutes of 22 October 2014.pdf](#)

[17. Minutes of 19 November 2014.pdf](#)

[18. Minutes of 3 December 2014.pdf](#)

[19. Minutes of 10 December 2014.pdf](#)

[20. Minutes of 14 January 2015.pdf](#)

[21. Minutes of 21 January 2015.pdf](#)

[22. Minutes of 28 January 2015.pdf](#)

[23. Minutes of 28 January 2015 - Post 19 SEN Event.pdf](#)

[24. Minutes of 4 February 2015 - Post SEN Event - Dunsilly.pdf](#)

[25. Minutes of 18 February 2015.pdf](#)

[26. Minutes of 4 March 2015.pdf](#)

[27. Minutes of 18 March 2015.pdf](#)

[28. Minutes of 25 March 2015.pdf](#)

[29. Minutes of 22 April 2015.pdf](#)

[30. Minutes of 29 April 2015.pdf](#)

[31. Minutes of 13 May 2015.pdf](#)

[32. Minutes of 27 May 2015.pdf](#)

[33. Minutes of 3 June 2015.pdf](#)

[34. Minutes of 17 June 2015.pdf](#)

[35. Minutes of 24 June 2015.pdf](#)

[36. Minutes 1 July 2015.pdf](#)

[37. Minutes of 16 September 2015.pdf](#)

[38. Minutes of 23 September 2015.pdf](#)

[39. Minutes of 30 September 2015.pdf](#)

[40. Minutes of 7 October 2015.pdf](#)

[41. Minutes of 19 October 2015.pdf](#)

[42. Minutes of 2 December 2015.pdf](#)

[43. Minutes of 9 December 2015.pdf](#)

[44. Minutes of 6 January 2016.pdf](#)

[45. Minutes of 13 January 2016.pdf](#)

[46. Minutes of 20 January 2016.pdf](#)

Inquiry into post Special Educational Need (SEN) Provision in education, employment and training for those with Learning Disabilities in Northern Ireland

[47. Minutes of 27 January 2016.pdf](#)

[48. Minutes of 10 February 2016.pdf](#)

[49. Minutes of 17 February 2016.pdf](#)



## Appendix F. Correspondence

- [1. 20 October 2011 - Correspondence from the Post 19 SEN Lobby Group.pdf](#)
- [2. 16 May 2013 - Correspondence to the Post 19 SEN Lobby Group.pdf](#)
- [3. 16 May 2013 - Correspondence to the Department for Employment and Learning.pdf](#)
- [4. 16 May 2013 - Correspondence to the Department for Employment and Learning.pdf](#)
- [5. 5 June 2013 - Correspondence to the Department for Employment and Learning.pdf](#)
- [6. 7 June 2013 - Correspondence from the Department for Employment and Learning.pdf](#)
- [7. 20 June 2013 - Correspondence to the Department for Employment and Learning.pdf](#)
- [8. 20 June 2013 - Correspondence to the Post 19 SEN Lobby Group.pdf](#)
- [9. 4 July 2013 - Correspondence from the Department for Employment and Learning.pdf](#)
- [10. 1 October 2013 - Correspondence from the Department for Employment and Learning.pdf](#)
- [11. 28 October 2013 - Correspondence from the Department for Employment and Learning.pdf](#)
- [12. 22 January 2014 - Correspondence to stakeholders.pdf](#)
- [13. 23 January 2014 - Correspondence to all Statutory Committees.pdf](#)
- [14. 23 January 2014 - Correspondence to the Minister for Agriculture and Rural Development.pdf](#)
- [15. 23 January 2014 - Correspondence to the Minister for Culture, Arts and Leisure.pdf](#)
- [16. 23 January 2014 - Correspondence to the Minister for Education.pdf](#)
- [17. 23 January 2014 - Correspondence to the Minister for Employment and Learning.pdf](#)
- [18. 23 January 2014 - Correspondence to the Minister for Enterprise, Trade and Investment.pdf](#)
- [19. 23 January 2014 - Correspondence to the Minister for Finance and Personnel.pdf](#)
- [20. 23 January 2014 - Correspondence to the Minister for HSSPS.pdf](#)
- [21. 23 January 2014 - Correspondence to the Minister for Justice.pdf](#)
- [22. 23 January 2014 - Correspondence to the Minister for OFMDFM.pdf](#)

- [23. 23 January 2014 - Correspondence to the Minister for Regional Development.pdf](#)
- [24. 23 January 2014 - Correspondence to the Minister for Social Development.pdf](#)
- [25. 23 January 2014 - Correspondence to the Minister for the Environment.pdf](#)
- [26. 31 January 2014 - Correspondence from the Committee for the Environment.pdf](#)
- [27. 7 February 2014 - Correspondence from the Committee for Education.pdf](#)
- [28. 28 February 2014 - Correspondence from the Minister for the Environment.pdf](#)
- [29. 3 March 2014 - Correspondence from the Minister for Finance and Personnel.pdf](#)
- [30. 24 April 2014 - Department for Employment and Learning response to Committee correspondence.pdf](#)
- [31. 08 May 2014 - Correspondence from the Committee for Education.pdf](#)
- [32. 19 May 2014 - Correspondence from the Department for Employment and Learning.pdf](#)
- [33. 2 June 2014 - Correspondence from Sperrinview Special School.pdf](#)
- [34. 19 September 2014 - Correspondence from the Committee for OFMDFM.pdf](#)
- [35. 10 October 2014 - Correspondence from the Committee for Education.pdf](#)
- [36. 9 December 2014 - Correspondence from the Department for Employment and Learning.pdf](#)
- [37. 11 March 2015 - Correspondence from the Open University.pdf](#)
- [38. 18 March 2015 - Correspondence from Stranmillis University College.pdf](#)
- [39. 18 March 2015 - Correspondence from the Committee for Education.pdf](#)
- [40. 19 March 2015 - Correspondence from the DHSSPS.pdf](#)
- [41. 19 March 2015 - Correspondence from the Department for Employment and Learning.pdf](#)
- [42. 20 March 2015 - Correspondence from Queen's University Belfast.pdf](#)
- [43. 2 April 2015 - Correspondence from Colleges NI.pdf](#)
- [44. 23 April 2015 - Correspondence from the Office of First Minister and deputy First Minister.pdf](#)
- [45. 12 June 2015 - Correspondence from the Health and Social Care Board.pdf](#)

[46. 18 June 2015 - Correspondence from the Department for Employment and Learning.pdf](#)

[47. 25 June 2015 - Correspondence from Workforce Services for Youth with Disabilities.pdf](#)

[48. 15 October 2015 - Correspondence from the Department of Education.pdf](#)

[49. 25 November 2015 - Correspondence from the Department for Regional Development.pdf](#)

[50. 25 November 2015 - Correspondence from the Department for Agriculture and Rural Development.pdf](#)

[51. 25 November 2015 - Correspondence from the Department for Health Social Services and Public Safety.pdf](#)

[52. 2 December 2015 - Correspondence from the Department of Education.pdf](#)

[53. 21 December 2015 Correspondence from the Office of the First Minister and deputy First Minister.pdf](#)

[54. 4 January 2015 - Correspondence from the Minister for HSSPS.pdf](#)

## **Appendix G. Other papers**

[Committee for Employment and Learning Alternative Angles Visit Report.pdf](#)

[Committee for Employment and Learning Appleby Print Room Visit Report.pdf](#)

[Committee for Employment and Learning Ardnashee Visit Report.pdf](#)

[Committee for Employment and Learning CAN Visit Report.pdf](#)

[Committee for Employment and Learning Castle Tower Visit Report.pdf](#)

[Committee for Employment and Learning Dolans Farm Visit Report.pdf](#)

[Committee for Employment and Learning Glenveagh Visit Report.pdf](#)

[Committee for Employment and Learning Hawthorns Adult Centre Visit Report.pdf](#)

[Committee for Employment and Learning Oakridge SEC Dungannon Visit Report.pdf](#)

[Committee for Employment and Learning Seashell Visit Report.pdf](#)

[Committee for Employment and Learning Sperrinview Special School Visit Report.pdf](#)

[Committee for Employment and Learning Springvale Visit Report.pdf](#)

[Committee for Employment and Learning USEL Visit Report.pdf](#)

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