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SEN funding and transitions in other jurisdictions, duties of HSC Trusts and SEN in Irish- medium education

Summary

This paper considers a number of issues in relation to special educational needs (SEN): funding, transitions, training for governors, the involvement of Health and Social Care (HSC) Trusts and Irish-medium education.

Funding

In Northern Ireland, the Education Authority (EA) provides the additional funding required to meet the terms of a statement for pupils with SEN in mainstream education.

Internationally there is a broad range of approaches to funding. In many countries additional resources are not ring-fenced and are provided to local authorities or schools based on the number of children with SEN, while in others, funding follows the child.

Transitions

Evidence suggests that the transition from school to post-school provision can be particularly challenging for young people with SEN. An evaluation of transitions in Northern Ireland found that the process works well for most young people, but that there are serious concerns for a small minority of pupils at post-19. Other research has pointed to inadequate joint working between education and health.

Practice varies around the world, with many jurisdictions placing transition planning in statute while others provide for it within guidance. In Alberta, Canada, a cross-departmental group supports the implementation of transition planning legislation, while in England recent legislation requires local authorities and partners to cooperate and commission services jointly.

Health duties

The legislation places a number of duties on Health and Social Care (HSC) bodies in Northern Ireland. These include a requirement to notify parents and the EA if they believe a child has SEN, and a qualified requirement to comply with a request for help from the EA within six weeks, although this is subject to a number of exceptions.

Data show that of statements issued beyond the statutory time period of 26 weeks, 1,026 (74%) were late due to a delay in HSC Trust advice. The Trusts do not collate information on the number of requests they fulfil, the reasons for their decisions or the number of requests they respond to within the six week timeframe.

The Department's Code of Practice requires HSC Trusts to designate an officer to act as a reference point for SEN. However, there is wide variation in practice, with no designated officer at the Belfast Trust while the Northern Trust has appointed four.

Special educational needs in Irish-medium education

Evidence indicates that assessment materials, resources and support services in Irish in Northern Ireland are limited, and that there are high levels of uncertainty regarding the most appropriate strategies for children with SEN in Irish-medium education.

Research highlights a need to build capacity among staff to enable them to support children with SEN in Irish-medium education. For example, there is evidence that teachers lack confidence in assessment, and that classroom assistants require more training in regard to supporting children with SEN.

Conclusion

This paper has highlighted a number of areas that could be given further consideration, including:

- The reported inadequacy of joint working between education and health in regard to transitions and the issues faced by students with complex disabilities transferring to post-19 education;

- The proportion of statements delayed due to the late provision of health advice;
- The lack of data collection or analysis by the HSC Trusts regarding the extent to which they are fulfilling their statutory duties in relation to SEN or the reasons why they cannot comply with requests within the statutory timeframe;
- The number of late statements that were not subject to a valid exception;
- The level of training on SEN available to school governors; and
- The limited availability of Irish-medium resources for SEN and the need for capacity building in this area.

1 Introduction

The Bill on Special Educational Needs and Disability (SEND) aims to provide for legislative changes to support a revised framework for special educational needs (SEN) and inclusion. The Committee for Education has commissioned a series of research papers on the Bill, including a [Bill Paper](#) and papers on the [legislative and policy background](#), and on [mediation and appeals](#).

This briefing paper considers practice in Northern Ireland and other jurisdictions in respect of funding and transitions to post-school provision. It discusses the legal obligations of Health and Social Care (HSC) Trusts and highlights a number of issues regarding SEN in Irish-medium education.

2 Funding for SEN in Northern Ireland

Under the Common Funding Scheme pupils with a statement of SEN in mainstream education generate the same age weighted pupil unit weighting (AWPU) as a pupil without a statement; the Education Authority provides the additional funding required to meet the terms of the statement. This may include funding for classroom assistants or additional items of equipment.¹

The scheme includes a Special Units factor which aims to support post-primary pupils in special units (not pupils with statements in mainstream education). Schools with special education units are allocated a lump sum for each class within the unit; this was £3,000 per class in 2014/15. Pupils in special units attract a reduced AWPU weighting to reflect the fact that the Education Authority pays for staffing costs within the unit.²

Funding provided under the Common Funding Scheme is not ring-fenced and it is up to Boards of Governors to decide how they spend their delegated budget.

¹ Department of Education (2014) *Common Funding Scheme 2014/15* Bangor: DE

² As above

3 Funding for SEN in other jurisdictions

International research shows that there is a broad range of approaches to funding. In some jurisdictions resources are allocated to local authorities or schools based on the number of children with SEN, while in others, the funding follows the child.³

England: personal budgets for those with statements

Funding for SEN in England is not generally ring-fenced and is provided to local authorities as part of the overall Dedicated Schools Grant, which local authorities choose how to distribute to schools. Schools meet the cost of additional support for SEN from their existing budgets, and local authorities provide top-up funding where this exceeds £6,000 for a pupil or for schools with a large proportion of pupils with SEN.⁴

Regulations in 2014⁵ provided for young people with an Education and Health Plan (similar to a statement) to have a personal budget, allowing them to tailor provision to their needs and offering them greater choice and control. This can be provided in one of three ways, or through a combination of:⁶

- Direct payments into a parent's or child's account;
- An arrangement where the local authority or school holds the money but the parent or child decides how to spend it; or
- Third-party arrangements – a parent or child may choose someone else to manage the money.

Finland: no ring-fencing

In Finland students eligible for full-time SEN support receive one and half times the base funding per student, while those with severe disabilities may receive between two and a half to four times the base funding. Each municipality and school decides how to use their allocation, although it is typically used for special teachers and assistants.⁷

The Netherlands: “backpack funding”

The Netherlands takes a different approach whereby students eligible for additional SEN support receive their own allowance (“backpack” funding) which their parents can choose to spend in a mainstream or special school.⁸

³ Rix, J., Sheehy, K., Fletcher-Campbell, F., Crisp, M., Harper, A. (2013) *Continuum of Education Provision for Children with Special Educational Needs: Review of International Policies and Practices* Meath: National Council for Special Education

⁴ Long, R. (2014) *The reformed system for children and young people with Special Educational Needs in England* House of Commons Library

⁵ Legislation.gov.uk *The Special Educational Needs (Personal Budgets) Regulations 2014* [online] Available at: <http://www.legislation.gov.uk/ukdsi/2014/9780111114056>

⁶ Gov.uk (2015) *Children with special educational needs (SEN)* [online] Available at: <https://www.gov.uk/children-with-special-educational-needs/extra-SEN-help>

⁷ Graham, L.J., Jahnukainen, M. (2011) “Wherefore art thou, inclusion? Analysing the development of inclusive education in New South Wales, Alberta and Finland” *Journal of Education Policy* Vol. 26, No. 2. pp. 263-288

⁸ NCSE Working Group (2014) *Delivery for students with special educational needs: A better and more equitable way* County Meath: National Council for Special Education

However, it is now moving away from this approach as it has led to an increase in the number of referrals to special education. Many teachers have experienced difficulties in adapting their approach to the range of different needs within the classroom.⁹

New Zealand: schools to use SEN allocations creatively

Schools with children who have SEN are allocated a Special Education Grant. This is not ring-fenced but allocated to schools to allow them to use the money “creatively” to meet their students’ needs. However, it is provided on the basis of the following principles:¹⁰

- The money must improve students’ learning or behaviour;
- The school community decides how the money is spent (including teachers, principals, parents and governors); and
- Ownership of the process by the school community is essential.

Republic of Ireland: teaching hours and staff provided directly

Resources for SEN are, for the most part, provided in the form of additional teachers, teaching hours or special needs assistants. This is in line with the wider approach whereby the Department of Education and Skills pays teacher salaries directly. There are two funding streams for SEN: an individual allocation model for low incidence SEN and a general allocation model for high incidence SEN.

The general allocation model allocates teachers to schools on a permanent basis, based on the characteristics of the school, namely size and pupils’ gender and socio-economic backgrounds (it is not linked to levels of SEN and does not require formal diagnosis). It provides for the needs of:¹¹

- Children whose SEN arise from high incidence disabilities;
- Children with achievement at or below the tenth percentile in standardised tests of reading or maths; and
- Children with learning difficulties, including pupils identified with mild speech and language, social or emotional, coordination or attention control difficulties associated with conditions such as dyspraxia and attention deficit hyperactivity disorder (ADHD).

The individual allocation model provides a certain number of hours of teaching support per pupil according to the category of disability. For example, a child with a physical

⁹ Pijl, S., J. (2015) “Fighting segregation in special needs education in the Netherlands: The effects of different funding models” *Discourse: Studies in the Cultural Politics of Education* and NCSE Working Group (2014) *Delivery for students with special educational needs: A better and more equitable way* County Meath: National Council for Special Education

¹⁰ Ministry of Education (1998) *Managing the Special Education Grant* Ministry of Education

¹¹ Desforges, M., Lindsay, G. (2010) *Procedures used to diagnose a disability and to assess special educational needs: An International Review* Meath: National Council for Special Education

disability receives three hours of resource teaching a week, while a child with multiple disabilities is entitled to five hours.¹²

Schools may also apply for the support of special needs assistants; these are allocated according to a set of eligibility criteria, and based on the child's needs and the school's capacity to meet them. Funding is also provided through enhanced capitation grants for schools with special classes and grants for additional equipment.¹³

4 Governor training on SEN disputes and mediation

General induction and post-induction training is available to governors in Northern Ireland, although attendance is not mandatory. The Department advises that previous programmes of training included a course on SEN, covering areas such as governors' duties, policy and legislation and appeals.¹⁴

Due to the reconstitution of Boards of Governors in 2014/15, the current training programme focuses mainly on induction, and includes references to SEN in a "*general way*." The 2015-2018 programme is under development and will include training on SEN. The Department advises that governors receive advice on the Dispute Avoidance and Resolution Service (DARS) and on the Special Educational Needs and Disability Tribunal (SENDIST).¹⁵

However, research with governors in 2010 found that many would like more training on SEN and 61% of those surveyed would like more training on legal issues in general.¹⁶

Research in Scotland indicates that school staff often do not fully understand the legal framework and their rights and responsibilities, and that this can lead to disputes between schools and parents. To deal with this some mediation services provide training days to staff on low level dispute resolution including deescalating conflict and managing meetings effectively.¹⁷

5 Transitions in Northern Ireland

The transition from school to an adult environment is often challenging for young people with SEN.¹⁸ Evidence internationally indicates that young people with disabilities often have a more difficult transition to tertiary education than other young adults.¹⁹

¹² Rix, J., Sheehy, K., Fletcher-Campbell, F., Crisp, M., Harper, A. (2013) *Continuum of Education Provision for Children with Special Educational Needs: Review of International Policies and Practices* Meath: National Council for Special Education

¹³ As above

¹⁴ Information provided by the Department of Education, June 2015

¹⁵ As above

¹⁶ PricewaterhouseCoopers (2010) *School governors: the guardians of our schools* Bangor: Department of Education

¹⁷ Riddell, S., Weedon, E. (2009) "Approaches to dispute resolution in additional support needs in Scotland" *European Journal of Special Needs Education* Vol. 24, No. 4, pp. 355-369

¹⁸ Care Quality Commission (2014) *From the pond into the sea: Children's transition to adult health services* Gallowgate: Care Quality Commission

¹⁹ OECD (2011) *Inclusion of Students with Disabilities in Tertiary Education and Employment* OECD Publishing

Under the Disabled Persons (Northern Ireland) Act 1989, a HSC officer must give the EA their opinion as to whether the young person has a disability on the first review of a statement following their 14th Birthday.

Under the Education (Special Educational Needs) Regulations (Northern Ireland) 2005 annual reviews of statements from the age of 14 must include the preparation of a transition plan. Transition plans should:²⁰

- Draw together information from a range of sources to plan for the young person's transition to adult life;
- Build on conclusions and targets from previous reviews;
- Cover all aspects of a young person's development, allocating responsibilities to specific agencies and professionals; and
- Actively involve HSC Trusts.

The regulations do not require transition plans for those without a statement of SEN. However, the Code of Practice suggests that schools “*may wish to*” prepare their own transition plans for such students.²¹

Where a young person with a disability is due to finish full-time education, the EA must notify the designated HSC officer. The HSC officer must then arrange for an assessment of the young person's needs, usually within five months.²² Young people may choose not to be assessed as having a disability or to receive support from HSC Trust community arrangements.²³

Reviews of transition

A 2014 Education and Training Inspectorate (ETI) review of transitions for young people with SEN to post-school provision noted that the process works well for the majority of pupils moving to further education and training. It found that key staff are highly committed to achieving an effective placement for pupils and that there is clear evidence of rich and varied experiences.²⁴

However, the review highlighted “*ongoing serious concerns*” regarding transition provision for a small minority of pupils at post-19 (for whom health and social services are responsible). In particular:²⁵

²⁰ Department of Education (1998) *Code of Practice on the identification and assessment of special educational needs* Bangor: DE

²¹ As above

²² Legislation.gov.uk *The Disabled Persons (Northern Ireland) Act 1989* [online] Available at: <http://www.legislation.gov.uk/ukpga/1989/10/section/5>

²³ Department of Education (1998) *Code of Practice on the identification and assessment of special educational needs* Bangor: DE

²⁴ Education and Training Inspectorate (2014) *A survey report on transition arrangements from special schools and mainstream learning support centres to post-school provision* Bangor: ETI

²⁵ As above

- Young people with complex needs and those in areas with limited health provision require greater cooperation between health and education;
- A comprehensive review of what transition should provide for such pupils is urgently required;
- Opportunities for young people offered by voluntary agencies are limited in rural areas, leading to additional disadvantage; and
- There is a “glaring” need for improvement for pupils whose choice is very limited or confined to transition to post-19 provision in adult centres provided by DHSSPS (with some young people being placed with elderly adults).

A review in 2012 highlighted variation in the availability and adequacy of transition planning, support and post-school options by Education and Library Board (ELB) and HSC Trust. It noted that this is compounded by inadequate joint working between education and health and social services, and highlighted other concerns, including:²⁶

- A perceived lack of support for young people with disabilities attending further education and a lack of subsequent opportunities for progression;
- Reduced levels of access to allied health care services after leaving school;
- A perception that there are two separate planning and delivery processes for transition (education and health) which often occur at different times; and
- A sense that decisions about education, employment and health are often determined by available resources rather than the person’s best interests.

6 Transitions in other jurisdictions

Transition planning measures are widespread internationally, with many countries placing it in statute while some provide for it in guidance. Transition planning tends to take place from around the age of 14, with students as active participants.²⁷

Alberta, Canada: cross-departmental group supports implementation of transition legislation

In Canada education is devolved to provincial and territorial governments. Alberta enacted legislation in 2004 providing for case workers to work with young people with disabilities and other professionals to develop a transition to independence plan. A cross-departmental working group supports implementation of the Act.²⁸

²⁶ Lundy, L., Byrne, B., McKeown, P. (2012) *Review of transitions to adult services for young people with learning disabilities* Belfast: NICCY

²⁷ Duggin, C., Byrne, M (2013) *What Works in the Provision of Higher, Further and Continuing Education, Training and Rehabilitation for Adults with Disabilities? A Review of the Literature* County Meath: National Council for Special Education

²⁸ Duggin, C., Byrne, M (2013) *What Works in the Provision of Higher, Further and Continuing Education, Training and Rehabilitation for Adults with Disabilities? A Review of the Literature* County Meath: National Council for Special Education

In addition, Alberta supports and facilitates the participation of adults with learning disabilities in a variety of post-primary educational options. It places a particular emphasis on including those with complex and severe disabilities.²⁹

England: statutory duties for multi-agency cooperation

A wide range of legislation and policy governs the transition of young people with learning disabilities from school to adult services, emphasising the importance of multi-agency working.³⁰ Key aspects include:

- The Care Act 2014 requires local authorities to conduct transition assessments where there is likely to be a need for support after a child turns 18 and requires them to cooperate with partners for smooth transitions;³¹
- The Children and Families Act 2014 creates a 0-25 Education, Health and Care (EHC) plan for young people with SEN (this does not provide an automatic entitlement to education up to the age of 25), and requires professionals to cooperate and commission services jointly;³² and
- A revised SEND Code of Practice in January 2015 includes a greater focus on support for transitions.³³

From the age of 13-14 local authorities must ensure that annual reviews of EHC plans include transition planning, exploring the young person's options and starting to develop a study plan for post-16. Local authorities can meet their statutory duties around transition assessments through the annual review.³⁴

Research published in June 2014 found that a large proportion of young people with SEN did not have an EHC. This was linked to a lack of clarity in terms of roles and responsibilities and a lack of engagement between services, with integrated care planning still in the early stages of implementation.³⁵

Republic of Ireland: legislation not yet implemented

While the 2004 Education for Persons with Special Educational Needs Act provided for Individual Education Plans (IEPs) which would include elements on transition planning, this system has not yet been implemented.³⁶ Research suggests that this presents

²⁹ As above

³⁰ Conlon, L. (2014) *Transition planning for young people with learning disabilities in Great Britain* Belfast: NI Assembly Research and Information Service

³¹ Legislation.gov.uk *Care Act 2014* [online] Available at: <http://www.legislation.gov.uk/ukpga/2014/23/contents/enacted>

³² Legislation.gov.uk *Children and Families Act 2014* [online] Available at: <http://www.legislation.gov.uk/ukpga/2014/6/notes/division/2/3>

³³ Department for Education and the Department of Health (2015) *Special educational needs and disability code of practice 0-25 years* London: DfE

³⁴ Department for Education and the Department of Health (2015) *Special educational needs and disability code of practice 0-25 years* London: DfE

³⁵ Care Quality Commission (2014) *From the pond into the sea: Children's transition to adult health services* Gallowgate: Care Quality Commission

³⁶ Murphy, E. (2014) *Post-secondary support for people with intellectual disabilities in the Republic of Ireland* Belfast: NI Assembly Research and Information Service

significant difficulties in developing a framework for transition planning. A recent report recommended that national policy advice on transition planning should be developed.³⁷

The National Council for Special Education sets out a number of principles for the transition process, including that:³⁸

- Planning for transitions should begin well in advance;
- Collaboration between settings is crucial; and
- Support for transition can be provided by the Special Education Needs Organisers in collaboration with the relevant agencies.

However, research has found little evidence of schools proactively preparing for transitions at an early stage.³⁹

Scotland: no statutory requirement for multi-agency working

The Education (Additional Support for Learning) (Scotland) Act 2004 and a Code of Practice provide the framework for transitions of young people with SEN. Under the legislation education authorities must complete a transition plan, requesting information from the relevant agencies when a child is around the age of 15.⁴⁰ There is no statutory duty for authorities and agencies to cooperate, although this is promoted in guidance.⁴¹

Authors have criticised the transitions process in Scotland, noting that it provides a negative experience for most young people, highlighting that:⁴²

- Schools often start transition planning too late and do not involve other agencies at an early stage;
- Young people with complex support needs often face significant difficulties; and
- There is confusion due to the “plethora” of policy documents and initiatives in relation to transition.

United States: statutory requirements for transition planning

In the US the Individual with Disabilities Education (IDEA) Act requires transition planning within the individualised education plan (IEP) for each student with disabilities. The IEP must detail goals, identify appropriate transition services and set out the

³⁷ McGuckin, C., Shevlin, M., Bell, S., Devecchi, C. (2013) *Moving to Further and Higher Education: An Exploration of the Experiences of Students with Special Educational Needs* County Meath: National Council for Special Education

³⁸ Murphy, E. (2014) *Post-secondary support for people with intellectual disabilities in the Republic of Ireland* Belfast: NI Assembly Research and Information Service

³⁹ McGuckin, C., Shevlin, M., Bell, S., Devecchi, C. (2013) *Moving to Further and Higher Education: An Exploration of the Experiences of Students with Special Educational Needs* County Meath: National Council for Special Education

⁴⁰ Legislation.gov.uk *Education (Additional Support for Learning) (Scotland) Act 2004* [online] Available at: <http://www.legislation.gov.uk/asp/2004/4>

⁴¹ Conlon, L. (2014) *Transition planning for young people with learning disabilities in Great Britain* Belfast: NI Assembly Research and Information Service

⁴² Stalker, K., Moscardini, L. (2012) *A critical review and analysis of current research and policy relating to disabled children and young people in Scotland* Edinburgh: Scotland's Commissioner for Children and Young People

services the student needs for successful transition.⁴³ At the state level, the Office of Special Education Programs supports transition services, providing data and other supports to improve the transition process.⁴⁴

7 Health duties in relation to SEN in Northern Ireland

Duties to inform parents and comply with EA requests for help

Article 14 of the Education (Northern Ireland) Order 1996 sets out the duties of health bodies in relation to SEN. A HSC Trust must inform parents and the Education Authority if it believes that a child has SEN. The Order also requires the Trust to inform parents of any relevant voluntary organisation.

The 1996 Order also requires HSC Trusts to comply with a request from the EA for help (Article 14 states that the EA shall request help where it believes the HSC Trust could provide it). However, it qualifies this duty with three exceptions, namely where the HSC Trust believes that:

- Resource constraints make compliance unreasonable;
- The help requested is not necessary for the purpose of the EA's functions; and
- Complying is not compatible with the Trust's duties or prejudices the discharge of its functions.

Article 11 of the Education (Special Educational Needs) Regulations (Northern Ireland) 2005 requires HSC Trusts to comply with a request for help from the EA within six weeks of receiving the request, except where it is impractical to do so because:

- Exceptional personal circumstances affect the child or their parent during the six week period;
- The child or parent is absent from the board area for four or more weeks of the six week period;
- The child fails to keep an appointment for an examination or test; or
- The Authority has not previously produced or maintained any records or information relevant to the child's assessment.⁴⁵

Delayed statements

Figure 1 provides a breakdown of statements issued beyond the statutory timeframe of 26 weeks. It illustrates that delays in HSC Trust Advice account for almost three-

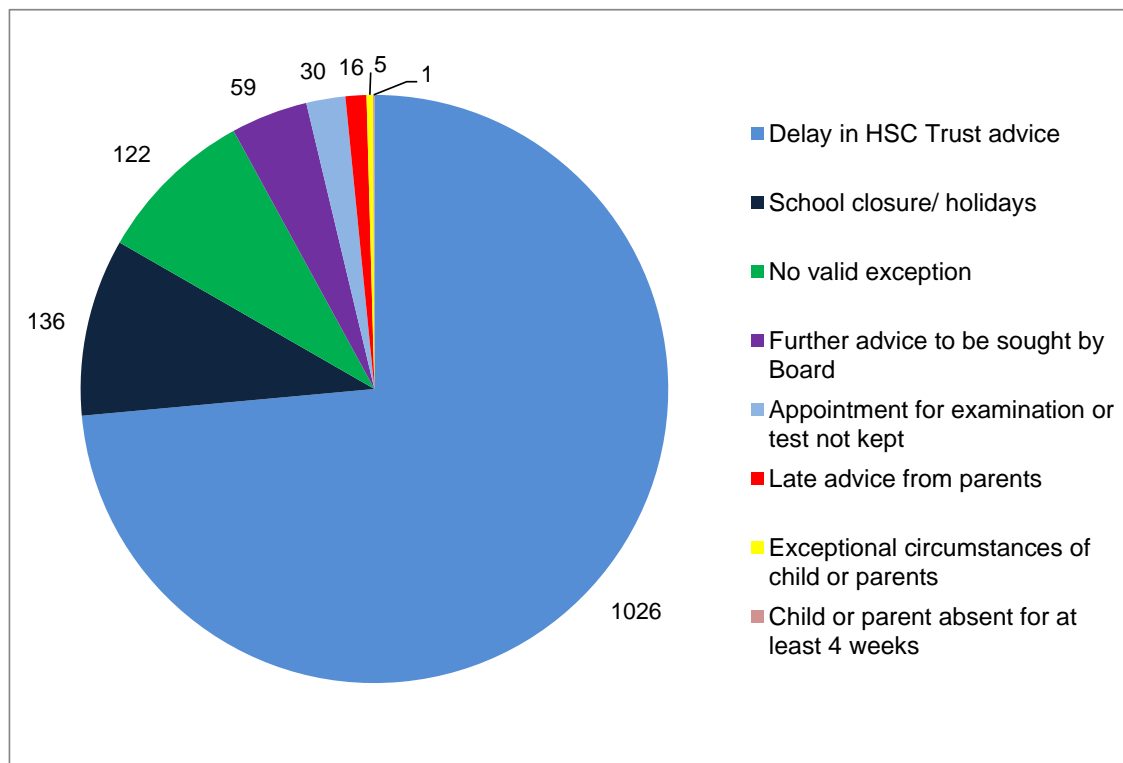
⁴³ Duggin, C, Byrne, M (2013) *What Works in the Provision of Higher, Further and Continuing Education, Training and Rehabilitation for Adults with Disabilities? A Review of the Literature* County Meath: National Council for Special Education

⁴⁴ As above

⁴⁵ Prior to receiving notice from the EA that it is considering carrying out an assessment

quarters (74%) of delays (1,026 delayed statements). It also shows that 122 statements (9%) breached the time limit without valid exceptions.⁴⁶

Figure 1: Number of statements issued outside the statutory time period of 26 weeks by reason for delay: 2013/14



There were variations by ELB, with 62% of the delays in issuing statements at BELB caused by late receipt of HSC Trust advice, compared to 72% at SEELB, 76% at NEELB and WELB and 89% at SELB.⁴⁷

None of the HSC Trusts collate information on the number of requests for help from ELBs that they did or did not comply with, or the reasons for their decision. In addition, they do not collate information on the extent to which they fulfil their duty to comply with requests for help within six weeks of receiving the request.⁴⁸

Other duties

The Children (Northern Ireland) Order 1995 requires health bodies to assist the Education Authority in the provision of services for children with SEN (Article 46). Article 18 sets out a general duty to provide personal social services for children in need, including those with a disability.⁴⁹ HSC Trusts have a number of other duties in relation to transitions under the Disabled Persons (Northern Ireland) Act 1989, as outlined earlier in this paper.

⁴⁶ Data provided by the Department of Education, June 2015

⁴⁷ As above

⁴⁸ Information provided by the Department of Health, Social Services and Public Safety, August 2015

⁴⁹ Legislation.gov.uk *The Children (Northern Ireland) Order 1995* [online] Available at: <http://www.legislation.gov.uk/nisi/1995/755/contents/made>

The Department's 1998 Code of Practice requires HSC Trusts to designate an officer to act as a point of reference for dealing with parents, the EA and other professionals. The designated officer should coordinate advice from all the health and social services professionals concerned.⁵⁰

However, there is wide variation in the designation of a staff member to act as this reference point across the HSC Trusts, as outlined in Figure 2. For example, the Northern Trust has four designated officers, while the Belfast Trust has none, instead stating that staff respond to requests.⁵¹

Figure 2: Designated officers at the HSC Trusts

Trust	Designated officer for SEN
Belfast	<ul style="list-style-type: none"> No designated officer Staff respond to requests and provide input for assessments and statements
Northern Trust	<ul style="list-style-type: none"> Four designated officers
Southern Trust	<ul style="list-style-type: none"> Designated Community Paediatricians act as points of reference From September 2015 the Trust will introduce integrated Children's Disability Teams – their managers will become the designated officers
South Eastern Trust	<ul style="list-style-type: none"> Three Paediatric Consultants act as the point of reference for SEN assessments
Western Trust	<ul style="list-style-type: none"> One designated officer

8 Special educational needs in Irish-medium education

Teachers and parents have called for better information and guidance on SEN and bilingualism and SEN and immersion learning. Much of the research suggests that assessment tests, resources and support services for SEN in Irish are limited, and that this is particularly problematic for children whose first language is Irish. A number of key issues are illustrated in Figure 3.⁵²

⁵⁰ Department of Education (1998) *Code of Practice on the identification and assessment of special educational needs* Bangor: DE

⁵¹ Information provided by the Department of Health, Social Services and Public Safety, August 2015

⁵² Ní Chinnéide (2009) *The special educational needs of bilingual (Irish-English) children* Bangor: DE

Figure 3: Key issues for SEN in Irish-medium education

Assessment	Provision	Training
<ul style="list-style-type: none">• Need for greater awareness of SEN• Teachers feel uneasy about assessing pupils with SEN• Lack of standardised tests in Irish• Low levels of referrals to educational psychologists	<ul style="list-style-type: none">• High levels of dissatisfaction with support• Irish-medium supports required• Limited teaching resources available in Irish	<ul style="list-style-type: none">• Many teachers believe that courses do not fully meet children’s needs• Classroom assistants need more training in regard to SEN

Other research notes high levels of uncertainty regarding the most appropriate strategies for children with SEN in Irish-medium education,⁵³ noting a need to build capacity among staff in Irish-medium schools to support children with SEN. A 2009 review suggested that specialists experienced in SEN could visit schools to help develop their capacity, recommending that:⁵⁴

- The Education Authority (EA) should develop capacity in relation to SEN through Irish where possible; this would require SEN support staff with high quality Irish-language skills, which could be developed through bursaries;
- Where SEN support is not available through Irish, children should receive as much support as possible through the medium of English;
- Teachers in Irish-medium Education must make the best use of available SEN support, and should be supported through the sharing of best-practice; and
- Investigations should take place into the development of diagnostic tools for the Irish-medium sector.

9 Conclusion

This paper has considered a number of issues in relation to SEN, and has highlighted a number of areas that could be given further consideration, including:

- The reported inadequacy of joint working between education and health in regard to transitions and the issues faced by students with complex disabilities transferring to post-19 education;

⁵³ An Chomhairle um Oideachas Gaeltachta & Gaelscolaíochta and Pobal (2010) *Special education needs in Irish-medium schools: All-Island research on the support and training needs of the sector*

⁵⁴ Department of Education (2009) *Review of Irish-medium Education Report* Bangor: DE

- The proportion of statements delayed due to the late provision of health advice;
- The lack of data collection or analysis by the HSC Trusts regarding the extent to which they are fulfilling their statutory duties in relation to SEN or the reasons why they cannot comply with requests within the statutory timeframe;
- The number of late statements that were not subject to a valid exception;
- The level of training on SEN available to school governors; and
- The limited availability of Irish-medium resources for SEN and the need for capacity building in this area.