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Dear Cathie,

At their meeting on the 13 May 2015, the Committee agreed to seek the Department's views regarding the option to statement young people up to 25 years old.

I can advise that the Department first became aware of this matter when the Assembly's Committee for Education discussed the possible extension of a young person's statement into the Further Education (FE) and Higher Education (HE) in June 2012.

As a result, officials from further and higher education Divisions in DEL met with DE officials to discuss existing provision for young people with disabilities in FE, and explore whether or not there would be merit in considering the extension of Special Educational Need (SEN) statements up to age 25.

As a result of these discussions, DEL provided DE with full details of assessment procedures and the range/level of support provided for disabled students, enrolling in both, FE and HE provision. This is attached, for information, at Appendix 1.

DEL also advised that, following informal discussions with the relevant FE and HE sectors, both indicated that they did not consider the extension of SEN statements up to the age of 25 to be of any added educational benefit to students. It was also considered that statements flowing from schools were unlikely to reflect an individual's support needs as they move into adulthood and into an FE or HE environment. It was considered that the existing assessment procedures in place for both FE and HE are more appropriate and reflective of the needs, provision and support available to students, enrolling in FE or HE courses.

Part-input was sought from DE on the possibility of amending the Bill to extend statementing up to age 25 to allow the opportunity to remain in a special school. DE's provided the following information:

Continuing statementing up to age 25 for the purpose of allowing a young person the opportunity to remain in a Special School was not a policy



proposal made by Minister O'Dowd at the formal consultation stage relating to policy proposals for the SEN and Inclusion Review. It was not raised by stakeholders during extensive consultation on the Review proposals, during further engagement in 2012, or directly with the Department of Education (DE) by other interested parties at any other time.

DE has no plans to continue statementing up to the age of 25. However, DE recognises that transition from school to adult life can be a difficult time for pupils who's SEN requires a statement. The Education Authority's Transition Service, which is funded by DE, exists to help these young people to plan for this change. The Service provides appropriate information, guidance and support to allow the young people to make informed choices for the future and provides direct links to post-school multiagency services in education, health, social care, employment and training.

DE continues to engage with the Education Authority, DHSSPS and DEL in relation to improving the transition planning process for these pupils. DE is also part of the cross-departmental Post-19 Transition Focus Group. This group is considering current gaps in provision and opportunities for making improvements for young people with severe learning disabilities post-19.

DE believes that this is the correct approach to ensuring that young people with SEN receive the appropriate provision and support after they leave school.

I hope you find this helpful.

Yours sincerely,

**FIONA STANLEY**  
**Departmental Assembly Liaison Officer**  
**Enc**

### PROCEDURES AND SUPPORT FOR STUDENTS WITH LEARNING DIFFICULTIES AND/OR DISABILITIES IN FURTHER EDUCATION (FE)

#### 1. LEGISLATION

Article 13(2) of the Further Education (Northern Ireland) Order 1997 requires that 'the Governing Body of an Institution of Further Education (FE) shall have regard to the requirements of persons over compulsory school age who have learning difficulties.'

Under the Special Educational Needs and Disability (NI) Order 2005 (SENDO), FE colleges are required to make adjustments to allow people with learning difficulties and/or disabilities to access FE courses.

FE colleges are also required to 'comply fully with the Equality Commission's Disability Discrimination Code of Practice for Further and Higher Education.'

#### 2. FUNDING

The Department provides funding to FE colleges through the Additional Support Fund (ASF) to help meet the additional costs, associated with provision for students with learning difficulties and/or disabilities (SLDD). ASF funding is targeted at all FE students, enrolled in FE college provision, who have declared a learning difficulty and/or disability. It is intended to help colleges to meet the necessary additional cost of provision for these students. ASF funding applies to all FE SLDD students, who have enrolled in FE mainstream provision and those in discrete provision. The ASF is earmarked, limited, and discretionary, and can be provided as an enhancement to the funding available to colleges for SLDD students, under the FE Funding Formula.

- **Additional Support Fund (ASF)** – this earmarked funding provides £2.5 million per annum to help with the cost of providing technical and/or personal support, such as classroom support/ special technical equipment for students with disabilities. (Annex A)

- **ASF - Discrete Provision** – this earmarked funding provides £2 million per annum to enable FE colleges to meet the costs of reduced classroom size, additional lecturer contact time, classroom assistants, or other services, involved in delivering tailored discrete courses for those with learning difficulties and for whom mainstream provision is not suitable.

### 3. REFERRAL

FE colleges have a number of different mechanisms for engaging with students with learning difficulties and/or disabilities (SLDD), which include:

- referral from SENCO at previous school;
- transition team;
- self-referral;
- careers service;
- at enrolment;
- referral by a lecturer; and
- Electronic Individual Learning Account.

### 4. ASSESSMENT

Each FE student, enrolled in FE provision, who declares a learning difficulty and / or disability is interviewed by a member of the college's Learning Support Team, and a needs assessment is carried out to establish the student's educational support needs.

The support, put in place, is designed around the individual student and is based on the assessment carried out by appropriately trained staff within the Learning Support Unit. An Educational Psychologist's assessment will be requested, if deemed necessary, or if a formal diagnosis is needed.

FE Colleges have collaborated with BRITE (Beattie Resources for Inclusiveness in Technology and Education), which has provided training and professional development in Northern Ireland for staff in FE colleges to

establish a qualifications framework to enable staff to facilitate individual learning support and needs assessment procedures. It is considered that this training provides the key to giving the students confidence in the assessment and the options recommended, as a result.

Colleges also use a range of condition specific assessment tools in addition to the needs assessment, including engaging Educational Psychologists if a formal diagnosis is needed.

## **5. AGREEMENT**

The level of support, put in place as a result of the needs assessment, is designed in conjunction with the individual student. Following the educational needs assessment, a Supplementary Learning Agreement (SLA) is agreed between the student and the college.

### **Supplementary Learning Agreement (SLA)**

The completion of an SLA, for each individual student is a requirement of ASF policy guidance. The purpose of creating and maintaining this form is to ensure that the student is involved in agreeing the level of support, learning pathway, progression, and review process, throughout their attendance at college. The SLA permits funding to be applied. Under the ASF, an individual SLA must be completed for each student in mainstream and discrete classes.

The SLA details:

- the extent of the disability and/or additional support required ; (this includes details of ASF personal and/or technical support, and associated costs;
- evidence of eligibility to support funding (e.g. educational psychologist's report, Statement of educational needs, GP letter etc.);
- the likely duration of additional support, if the disability is time-bound;
- the reasonable expectations of the outcomes of course participation;
- the identification of progression routes; and

- procedures for regularly reviewing the student's needs to ensure, for example, that the support identified remains appropriate.

Based on the findings of the assessment, the necessary support is agreed with the student and put in place, and the SLA is signed by, both, the college representative, and the student.

### **Progression Routes for SLDD in FE**

Students, for whom ASF basic funding is being claimed, are actively involved in decisions, relating to their course of study, support needs and educational and developmental progression. Progression routes must, as a minimum, ensure that the student has a clear pathway identified for future study or potential employment or independent living.

For those students in discrete provision, progression routes must ensure that the student has a clear developmental pathway, and is not repeating any previously undertaken qualifications or similar levels of qualifications.

### **Monitoring of Support for SLDD in FE**

Under ASF, the student is actively involved in the process of agreeing, monitoring and making any adjustments to the SLA throughout their course of study and agreements are formally reviewed, twice, during their course, to ensure the level of support remains appropriate. Details of reviews are recorded, signed by, both, the college representative, and the student.

Students, participating in discrete provision, are subject to continuous assessment by the college, and details of such reviews are recorded and signed by the college representative and the student (or an appropriate third party).

Under ASF, students participating in discrete provision of five hours or less per week (given the nature of these shorter, part-time courses), there is no formal requirement to review the SLAs, unless there is a change in provision or progression route.

## **Discrete Provision for SLDD in FE**

As mainstream FE courses are not suitable for all SLDD, colleges collaborate with special schools and adult day centres to provide customised training and development opportunities on discrete courses for young people with moderate or severe learning difficulties. These training and development opportunities may be offered in the college, at a day centre, or on other suitable premises.

FE colleges provide a number of courses and programmes with no formal entry requirements for students with learning difficulties and/or disabilities, aimed at acquiring a qualification, developing independent living, and preparing for work.

However, all students undertaking a discrete programme undergo the same assessment process as those entering mainstream provision.

### *Personal Support*

Personal support is categorised as follows:

- **Specialist Tutor/Adviser**, such as hearing or visual impairment tutor, IT consultancy, speech therapist or counsellor;
- **Lecturer** or IT adviser (including technician);
- **Interpreter** (for students with a hearing impairment);
- **Support Worker/Classroom Assistant**, such as examination support or reader;
- **Notetaker**, such as shorthand notetaker and/or typist, for assistance with student notes;
- **Assessment**: one-off assessments, (for example, by an educational psychologist), where the assessment is considered necessary, and is in addition to the college's standard assessment and enrolment procedure. (Colleges should take all reasonable steps to ensure a student provides evidence of a disability, before progressing any assessment); and

- **Staff time** for specific meetings, in relation to an SLDD student.

### Technical Support

The ASF may also be used to purchase specialised enabling equipment, such as brailers, Reading Edge equipment, IT adaptations, specialist software and related licences and IT hardware, hearing loops, and conference folders.

Colleges may give consideration to leasing specialist equipment, if it is required, for a short period of time, and is the most cost-effective option.

Technical support does not include photocopying, books, printers, general software, and capital expenditure, such as lifts, or items, which will become the personal property of students.



## **PROCEDURES AND SUPPORT FOR STUDENTS WITH LEARNING DIFFICULTIES AND/OR DISABILITIES IN HIGHER EDUCATION (HE)**

### **1. DISABLED STUDENTS' ALLOWANCES (DSAs)**

When students with learning difficulties and / or disabilities apply for a Higher Education (HE) course, they are encouraged to apply for Disabled Students Allowances (DSAs) to cover the extra costs of any support they may require throughout their course, as a direct result of their disability, mental health condition, or specific learning difficulty. The amount of support they are entitled to is laid down in the Education (Student Support) Regulations (Northern Ireland) 2009.

Students can apply at any time, before or during their course, and the amount they can acquire **does not** depend on their income or their family income but does depend on the needs assessment. This allowance does not have to be repaid.

A student is eligible to apply for DSAs if:

(i) He / she is studying an eligible full-time undergraduate course (including a distance learning course), and is personally eligible for maintenance support for that course; or

(ii) He / she is studying an eligible part-time undergraduate course (including a distance learning course), and is personally eligible for part-time support. (A part-time course would have to last for at least one year and must not take more than twice as long to complete as an equivalent full-time course).

In academic year 2015/16, the following help is available for full-time higher education students.

- A specialist equipment allowance of up to £5,266 for the whole course.
- A non-medical helper's allowance of up to £20,938 each year.

- A general disabled students' allowance of up to £1,759 each year.
- Reasonable extra travel costs, incurred by the student, to attend the university or college course, as a result of a disability.

The following help is available for part-time higher education students:

- A specialist equipment allowance of up to £5,266 for the whole course.
- A non-medical helper's allowance of up to £15,703, each year.
- A general disabled students' allowance of up to £1,319, each year.
- Reasonable extra travel costs, incurred by the student, to attend the university or college course, as a result of a disability.

## **2. DISABILITY NEEDS ASSESSMENTS**

Through the Disabled Students' Allowances, DEL provides funding to meet the costs of a Disability Needs Assessment for each student, who presents at the University with a disability. This is carried out by University staff and is an assessment of the support needs of the student, including their specialist equipment requirements and non-medical support provider needs.

## **3. REGISTER OF SUPPORT PROVIDERS (UNIVERSITY OF ULSTER AND QUEEN'S UNIVERSITY BELFAST).**

Through the Disabled Students' Allowances, DEL also provides funding to meet the administration costs of a Register of Support Providers in each of the two Northern Ireland universities.

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 colleges or universities in Northern Ireland. The Register maintains and develops a resource of freelance professional and non-professional support providers, who act in specialist roles to support disabled students. 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.

The administration of the registers has been funded through a charge against the Disabled Students' Allowances (DSA) entitlement of those students who make use of them. This administration charge covers the costs of the "matching" of the student with the support provider, and administration of support services, during the year.

The Register supports colleges and universities in meeting their duties under the Special Educational Needs and Disability Order (2005) (SENDO). SENDO means that colleges and universities have both anticipatory and reactive duties to accommodate the needs of disabled students, by making reasonable adjustments.