# CSSC logo

16 February 2021

Dear sir / madam

**CSSC response to the public consultation on the Education Authority’s Draft Framework for Specialist Provision in Mainstream Schools and Draft Framework for Specialist Provision in Mainstream Schools - Pilot**

**Section 1: - Draft Framework for Specialist Provision in Mainstream Schools**

CSSC welcomes the opportunity to comment on the draft framework for specialist provision in mainstream schools. CSSC is mindful that special educational needs provision is a significant area of focus and that important strategic change is underway. CSSC is aware that running concurrently with the EA’s consultation on this framework and the draft area planning framework for special schools are the Department of Education’s consultations on the draft SEN Regulations and the new Code of Practice. CSSC notes the DE and the EA’s establishment of a Special Educational Needs and Disability (SEND) Programme Board which will co-ordinate the different strands of SEND development work identified by the Northern Ireland Audit Office in its recently published Impact Review of Special Education and commends the appointment of a Programme Reference Group which will have the opportunity to inform the Programme Board’s priorities. CSSC welcomes the opportunity to contribute to the Programme Reference Group, representing the interests of controlled schools. CSSC has consulted with controlled schools to inform this response.

**Rationale for change**

The draft framework for specialist provision in mainstream schools refers to the SEND Act’s strengthening of the rights of children and young people with special educational needs to be educated in mainstream schools as a key strategic priority for the EA. The consultation document states that in meeting the needs of children as they progress through their educational experience, specialist provisions exist across the key stages in both primary and post-primary settings and that the flexibility within this model of provision allows a child to move through the key stages availing of specialist provision, or reintegrating fully into a mainstream placement, where appropriate. However, it also confirms that of the 1,096 mainstream schools in Northern Ireland only 93 schools currently have approved specialist provisions and that in total, within these 93 mainstream settings, there are 214 specialist classes. These inconsistencies are correctly identified as requiring redress. The document identifies significant inconsistencies in respect of the types of specialist provision available in each Local Government District and these inconsistencies have been confirmed by Principals in discussions with CSSC.

CSSC endorses the EA’s view that change is required to improve equity and accessibility and agrees with the framework’s assessment that action is required urgently as a result of the significant increase in pupils with a statement of special educational needs in all settings. The framework is, however, an aspirational document and controlled schools have expressed concerns about the lack of operational detail. While CSSC understands that EA is unable to attach a budget to the framework, the ability to resource this provision is a concern for controlled schools and CSSC would emphasise that in supporting the establishment of specialist provision in mainstream schools EA must ensure that the necessary financial resource is available to meet the requirements which include but are not limited to enhanced staffing, specialist training for staff and potential modifications to school accommodation.

**Resourcing schools’ capacity to implement effective interventions**.

CSSC notes the SEND Act’s (2016) requirement that the Education Authority consult on an annual published plan of arrangements for SEN. CSSC would urge that the EA’s annual plan of arrangements in terms of training for specialist provision should be responsive to the needs identified by practitioners. The training developed should be specific to the type of specialist provision facilitated by the school and the specific needs of the children attending. Controlled school Principals have emphasised the need for staff in the mainstream classes to also be able to avail of the same training so that the inclusion of the child is ably supported by all staff. The need for training to be funded and time for schools to embed this training was also highlighted. CSSC understands that the training model, in order to ensure the effective and efficient use of resources in a challenging financial climate, often relies on a designated member of staff disseminating the training to staff. However, CSSC would emphasise that it is important that the staff disseminating the training are supported with the resources required to enable them to confidently deliver this training.

CSSC understands the importance of the physical environment to provide for a quality educational experience and is in agreement with the EA’s criteria that accommodation should be fit for purpose to enable specialist classes to be integral to the school. CSSC is, however, aware of existing specialist provision in which the physical environment is not fit for purpose and would encourage EA to ensure that the accommodation of existing specialist provision in mainstream schools is enhanced to reflect the changing and more complex needs of the pupil profile.

The Northern Ireland Audit Office’s Impact Review of Special Educational Needs, published in September 2020, emphasises that ‘developing staff expertise is a continual process,…Going forward it is essential that the capacity within schools continues to be developed and monitored to ensure that the training available is effective in equipping teachers with the appropriate skills to support all children and improve outcomes.’ The ability of Classroom Assistants to access training has also been highlighted as a pressing need and controlled schools have asked that work be undertaken to ensure that training for classroom assistants is funded and is scheduled at appropriate times. One school commented that while recent online training delivered by EA to classroom assistants was deemed to have been of a high standard, the scheduling of the webinar at 9.30 to 11.30 was an obstacle to the attendance of other classroom assistants who would have benefitted from participation but who were required to support pupils in the school’s specialist provision. Likewise the timetabling of SEN training for pre-school settings caused issues for Principals of controlled nursery schools who have teaching responsibilities and who also find it difficult to finance and access substitute cover, particularly during the Covid-19 pandemic.

CSSC notes that the consultation document draws a distinction between the specialist provision referenced in the framework and the important measures put in place by some schools to provide for pupils with special educational needs within mainstream classes which are arrangements funded by the school through their own budgets. CSSC would emphasise that the capacity to resource this provision is challenged within the current economic climate and it is therefore important for EA to work with schools to ensure the effective and efficient use of resources. CSSC is also aware of concerns expressed by controlled schools in relation to what they describe from experience as inflexibility in resourcing for specialist provision classes. CSSC understands that the specialist provision classes for Autism are staffed by a teacher and 2 classroom assistants funded by the Education Authority. One post-primary controlled school questioned if the additional classroom assistant provision was always the most appropriate model for supporting the specialist provision for Autism and suggested that it would be more appropriate for the school to evaluate what provision would best support the needs of the pupils known to the school, additional adult assistance or diverting the resource attached to the classroom assistant to specific therapies or resources identified by the school.

**Responding to a changing and more complex profile of pupil need**

The draft framework identifies a changing and more complex profile of special educational needs as one of the challenges to delivering a greater level of accessibility. Controlled schools have noted the increasing complexity of need that some children with special educational needs are presenting with in mainstream schools and have referred to specific concerns in relation to the successful management of challenging behaviour. Staff report that challenging behaviour can include physical violence that the child, because of a range of needs and challenging sensory processing difficulties, can find difficult to regulate. Controlled mainstream schools with specialist provision attached report that previously they would have availed of specialist accredited training with a focus on behaviour management and handling strategies which gave staff the confidence to safely de-escalate challenging situations ensuring the safety of the child and others. CSSC has been informed that this accredited training is no longer available to these schools and without the required licenses, which for many have now expired, staff are unable to engage with the non-verbal de-escalation techniques which are sometimes required for the pupils’ and others’ protection. The Team Teach model which has been commonly used by schools involves contracts between the staff and parents as to the type of interventions that can be used to prevent the child from harming themselves or others. Without these authorised interventions staff feel unable to physically intervene and one controlled school commented on the frustration communicated by the parent of a child exhibiting such behaviours who felt that the staff should have physically intervened to prevent their child’s behaviour from escalating to the extent that the child suffered physical injury. An evaluation of the Team Teach model, published in 2011 and authored by officers from the legacy South Eastern Education and Library Board, North Eastern Education and Library Board and the Southern Education and Library Board, while acknowledging that managing behaviour in school is an ongoing controversial issue, found that the quality of training was excellent and provided consistency and confidence for staff. The evaluation reported a decrease in the severity and frequency of interventions. The main techniques used were de-escalation and non-physical interventions and where there was a need for physical intervention mainly supportive holds were used. If the Team Teach model is no longer considered appropriate as a means of positive behaviour management in specialist provisions which are a part of mainstream schools the Education Authority must engage constructively with the Principals of such provision to consult on suitable alternative interventions which will prevent harm to the pupil and others. Controlled schools report that safe handling training is not a suitable alternative and without accredited training staff faced with challenging behaviour lack the confidence to deal with this and feel vulnerable to litigious action should they intervene physically in any way.

CSSC notes that a separate review of Social, Behavioural and Emotional Well-Being specialist provision will take place and that consideration of this type of provision is not included in the current area planning framework. CSSC is aware that the lack of specialist provision for social, behavioural and emotional well-being, while exemplified in the consultation document as a clear inconsistency with all such provision concentrated solely at post-primary level in the Belfast area, notes that this is an area for concern for controlled schools across all phases of education.

**Addressing regional inconsistencies in provision**

CSSC agrees that specialist provision should be readily available close to where children live. Controlled schools with specialist provision have provided numerous examples of children having to travel significant distances, bypassing several mainstream schools, in order to access provision at the school which has specialist provision attached to it. Supporting the child attending specialist provision in a mainstream school to experience an inclusive education is for schools a carefully managed process. Controlled schools have reported how opportunities to engage with mainstream peers in academic and extra-curricular opportunities are carefully planned and relationships between pupils in the specialist provision and their peers in the mainstream class are supported until the child is at a stage when they can potentially reintegrate fully into a mainstream placement. When the child is at a stage where the school, the parents and educational psychologist feel that the child is ready to avail of a mainstream placement the lack of local provision can impact on the long term success of the placement. Controlled schools report that parents often opt to move their child from the original placement so that they can avail of provision in a more local school as the move to mainstream also means that parents lose their entitlement to transport assistance. In many cases, because the new school is unaware of the child’s personality and does not have the same relationship that the previous school had established, the placement is severely challenged and in some circumstances parents have opted to return their child to the original placement. More locally established specialist provisions would prevent these efforts to integrate the pupil into mainstream provision from failing.

CSSC is aware of concerns expressed by controlled primary schools about the lack of local specialist provision attached to post-primary schools and concerns about the level of oversubscription to this type of provision. CSSC notes the EA’s reference to its mapping exercise which highlighted these regional differences in accessibility of provision and which impacts on the continuum of provision between primary and post-primary. Controlled schools commented that more needs to be done to strengthen the arrangements which support the effective transition of the child with special educational needs from primary to post-primary. Concerns suggest that a significant barrier to effective communication between the primary and post-primary setting is time which has resource implications. While specific documentation is attached to the transition process which will inform the post-primary setting of the needs of the child, controlled schools are of the view that more practical approaches to support successful transition need to be facilitated. These include adult accompanied visits to the post-primary setting and meetings between the different phases of education to discuss the child’s needs and strategies which will support the transition. While CSSC is aware that opportunities such as these are facilitated by schools they are also challenged by resourcing considerations.

CSSC notes the Education Authority’s aspiration of ensuring provision which is flexible and agile to meet the changing educational needs of children and young people and that the educational journey will be informed by assessed need, involving professional advice and input from schools and parents. CSSC agrees that this is a very important priority, however, would note concerns from controlled schools that the professional judgement of teachers is often not considered sufficient for EA to change the provision that a school and parent feel is required to meet the needs of the child.

CSSC, while aware of the pressure on special schools due to a lack of specialist provision in mainstream, note that controlled special schools have articulated concerns about the need for EA to engage with parents and allow parents to express a preference for a special school placement if the parent and the school can evidence that the special educational needs of the child would be better met in a special school. Controlled special schools report having to accommodate pupils into their settings later in the academic year because of the failure of a mainstream placement which was contrary to the parents’ desire for a special school placement.

**Multi-agency collaboration to support early identification and early intervention.**

Consultation with controlled schools across all phases of education emphasised the importance of early identification and early intervention. The Education Authority’s consultation on the proposed framework for children in the early years with SEN which concluded in May 2018 included proposals which would extend the continuum of mainstream pre-school provision and included proposals for a pilot of Early Years SEN Centres in up to six mainstream early years settings with the capacity to provide for 12 children for a minimum of 15 hours per week with an evaluation of the child’s needs informing their transition to an appropriate year 1 setting. CSSC was in favour of these proposals and expressed concerns from controlled schools that the current adult/child ratio of 2:26 in mainstream settings is insufficient in a situation where children present with complex special educational needs. The proposed framework also included plans to recruit Early Years Practitioners to the EA Early Years SEN Inclusion Service and to provide these practitioners with appropriate training to deliver additional support to mainstream pre-school settings.

Controlled nursery and primary schools with nursery units report that the statementing process is too lengthy. Pupils often do not receive the additional support which results from the awarding of a statement until they are in P1 or later meaning that the nurseries have had to support what are in some cases increasingly complex needs with additional classroom assistant hours and external support at significant cost to their budgets. In referring to the increasing complexity of need that is coming through the system controlled nursery schools have expressed concern at how these children have reached their pre-school year without their needs having been identified at an earlier stage. The Children’s Services Co-Operation Act (NI) 2015, which requires improved cooperation amongst Department and Agencies and places a duty on children’s Authorities to co-operate where appropriate, is referenced in the draft framework as having particular relevance within the area planning context and CSSC would concur with this as it is only through having an understanding of the nature of need within a region that the Education Authority will be able to plan for the most appropriate interventions. Controlled schools report delays in accessing information from the Health and Social Care Trusts regarding a child’s needs or in accessing information from the child’s GP. It is crucial that the information received by health and education during the 0 to 3 framework of provision is shared with teaching and support staff who will provide for the child once they enter their pre-school year. CSSC understands that the EA Early Years SEN Panel is working to identify children who require a statutory assessment prior to their pre-school year and that referral for Panel consideration is made by an educational psychologist or a paediatrician. CSSC welcomes these efforts to strengthen partnership working however, is aware of concerns regarding regional inconsistencies in access to health visitors which can result in failure to identify a child with special educational needs and to provide the appropriate interventions prior to their pre-school year. CSSC understands that the responses submitted to the proposed framework for children in the early years with SEN consultation in May 2018 will now be considered alongside the responses to this consultation and would emphasise the need for the framework to take into consideration support for children with special educational needs during their pre-school year.

**Supporting schools to realise the EA’s vision for specialist provision in mainstream schools**

Controlled schools agree with the requirement to have a clear commitment to inclusion in order to be considered for specialist provision and emphasised the importance of the whole school community working to ensure effective inclusion to reassure parents that their child is a valued member of the school community. A whole school approach must be emphasised in the draft framework and that the purpose of the specialist provision is to address barriers to learning and this can only be achieved if the whole school is invested in this approach. The language of inclusion needs to permeate the school’s ethos and all staff, teaching and non-teaching need to have a knowledge and understanding of the specialist provision and how they can contribute to the school’s efforts to promote inclusion. Controlled schools referenced the importance of classroom assistants in Social and Communication Units being trained by Middletown Centre for Autism and also emphasised the body of work that needs to be done in making parents aware of the purpose of specialist provision. CSSC agrees with the specific criteria and indicators which schools need to satisfy prior to consideration for specialist provision and have highlighted the importance of many of these criteria and indicators throughout this response, namely the clear commitment to inclusion, accessibility and accommodation. In relation to stable enrolment trends CSSC would contend that sustainability is an important criteria and concur that a seven class base will increase the likelihood of being able to offer non-composite classes to facilitate integration. CSSC would add, however, that it is important that the composition of the specialist provision is considered in relation to the composition of the mainstream provision. It is crucial that the number of specialist provisions attached to a mainstream school does not overwhelm the mainstream provision. CSSC would support the view expressed by controlled primary schools that a school with a 7 class base should have no more than two specialist provisions attached as this better facilitates the school community’s ability to support the child with SEN to integrate into the mainstream. A school with a disproportionate number of specialist classes faces many challenges with detrimental impacts for the mental health and well-being of staff and a potentially detrimental impact on the learning of pupils in the mainstream classes.

CSSC is aware that there are a number of speech and language provisions attended by children who do not hold a statement of SEN. Controlled schools expressed support for this model of support to continue as the difficulties experienced by the pupils attending represent a clinical difficulty, however, as a general rule, schools felt that to access specialist provision a pupil should have a statement of special educational needs.

Controlled schools have raised concerns at delays in accessing educational psychologist reports which are crucial to allow a child’s needs to be addressed through the Code of Practice. These delays have been a consistent theme in CSSC engagement with controlled schools with schools reporting if support is requested in September the earliest they would expect to have access to educational psychology is January. Controlled schools are also frustrated by their inability to refer sufficient numbers of pupils for psychological assessment which results in delays in accessing the appropriate interventions for pupils. CSSC also notes significant concerns highlighted by controlled schools about the timeliness of support that they are able to access from EA’s pupil support services for children and young people with special educational needs. Without being able to evidence the support that they have put in place for pupils at the current Stage 3 of the Code of Practice schools are unable to request a statutory assessment. Principals commented that the current pandemic has further frustrated these efforts through a lack of face to face interaction with EA officers.

**Section 2: - Draft Framework for Specialist Provision in Mainstream Schools - Pilot**

**Rationale for the Pilot**

CSSC agrees with the rationale for the pilot and furthermore, would agree that the statutory Development Proposal process does not have sufficient flexibility and a more agile process is required to enable EA to provide pupils and parents with a greater level of equity in the availability of specialist provision. CSSC notes that the EA is seeking to deliver this greater accessibility within the context of the challenge of a changing and more complex profile of special educational needs. Controlled schools concur that this is their experience and CSSC has already referred to the challenges faced by schools as they strive to identify and implement the most appropriate interventions. In order for the Education Authority to be able to respond in a timely manner to regionally identified need CSSC agrees that a more proportionate consultation process is required for establishing, closing or changing specialist provision in mainstream schools.

**Identification of schools for the pilot**

CSSC agrees with the criteria used by EA to identify schools, in particular in relation to the formalisation of temporary provisions established for more than four years with proven demand and delivery of a high quality specialist provision in a mainstream setting. CSSC would emphasise, however, that it is crucial for the Education Authority to be assured that potential schools for specialist provision are able demonstrate a clear commitment to inclusion. Securing capital investment cannot be the driving force for schools consenting to accommodate specialist provision. The school, as indicated in the draft framework document must be able to demonstrate that it has ‘a positive ethos in relation to supporting and promoting the inclusion of pupils with special educational needs and be responsive to making reasonable adjustments to meet needs.’

While the draft framework gives clarity to the terminology associated with specialist provision classes attached to mainstream schools controlled schools emphasised that work needs to be done to communicate this to parents.

CSSC notes the schools which are included in the pilot programme and also notes that the specialist provision to be established in each pilot school is focused solely on specialist provision for Learning and specialist provision for Autism. Controlled schools have commented that while the consultation document states the number and type of provision to be established at each setting it does not provide sufficient detail in relation to what is specifically being proposed for each key stage. CSSC is aware that in many schools the model is one of delivering specialist provision for Autism at Foundation and Key Stage 1 and specialist provision for Learning at Key Stage 2 while specialist provision for Autism is again a feature at Key Stage 3. Schools which currently have specialist provision for Autism from Foundation to Key Stage 2 commented on the significant advantages of this continuum of support for the child with autism. Greater clarity is needed for the rationale for a lack of specialist provision for Autism at Key Stage 2. CSSC is aware that the model for specialist provision for Autism will be kept under review by EA and would emphasise the importance of engaging with the views of practitioners in order to inform the establishment of effective practice. CSSC welcomes the Education Authority’s stated intention to develop recommendations for the Minister to consider based on a report on the pilot outcomes.

**Ensuring the successful inclusion of specialist provision in mainstream schools.**

CSSC supports the Education Authority’s intention to address the equity and accessibility of specialist provision in mainstream schools and welcomes the commitment to consult on its plan of arrangements for SEN on an annual basis. CSSC would emphasise the importance of ensuring constructive engagement with leadership and management of schools, staff, pupils and parents to inform this annual plan of arrangements to ensure that the provision that is developed is responsive to identified need and is staffed by practitioners who are trained in the most appropriate interventions. While controlled schools have commented on the challenges they face in delivering the most appropriate interventions they have also highlighted the many benefits of facilitating this type of specialist provision.

CSSC is proud of the inclusive ethos of the controlled sector as articulated by one of our member schools which referred to specialist provision as ‘brilliant’ and emphasised when it is properly resourced and the whole school community, teaching and non-teaching staff, develop a common understanding of the importance of inclusion the benefits for the child with SEN and the pupils in mainstream classes are noteworthy. Pupils within the mainstream classes are supported to develop respect and tolerance for diversity and the child with SEN is better placed to develop a positive self-image as well as accessing increased learning and extra-curricular opportunities.

CSSC is willing to discuss its response to this consultation. I can be contacted on 028 95 313030 shane.mccurdy@csscni.org.uk.

Yours faithfully

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Interim Chief Executive