

16 February 2021

Dear sir/madam

# CSSC response to the public consultation on the Education Authority’s Draft Special Schools Area Planning Framework

**Draft Special Schools Area Planning Framework**

CSSC welcomes the opportunity to comment on the Education Authority’s (EA) draft special schools area planning framework. CSSC is mindful that special educational needs provision is a significant area of focus and that important strategic change is underway. CSSC notes that alongside EA’s consultation on this framework and the draft framework for specialist provision in mainstream schools the Department of Education (DE) has also very recently completed its consultation 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 special schools to inform this response.

CSSC agrees with the EA’s vision for special school provision in that it should be:

* Consistent in the education and interventions offered
* Close to where children live
* For all ages and stages of development and
* Flexible to meet changing educational physical and medical needs.

CSSC would note, however, that the document is aspirational and principals of controlled special schools have expressed concerns regarding the lack of operational detail. EA’s acknowledgment of the significant inconsistencies across the region in relation to the accessibility of the full range of provision for some pupils is noted, however, in our engagement controlled schools emphasised that EA needs to engage and work more constructively with the leadership and management of special schools to bring consistency to provision which at present reflects legacy Education and Library Board arrangements. This will ensure that the relevant development work, which will be an outworking of the framework, is informed by the views of practitioners who have a clear understanding of what is required for pupils with special educational needs and of which interventions are the most effective in meeting their needs. CSSC understands that EA is unable to attach a budget to the framework and notes that the ability to resource this provision is a concern for controlled special schools which articulated the view that some indication of the budget available to EA to ensure its vision for special schools is achieved would allow for better and more realistic planning. CSSC would emphasise that in working towards a regionally consistent model of delivery it is essential that these efforts are adequately resourced to address the requirements of unmet need.

**Capacity to meet increased demand for special school places**

The pupil growth in special schools is clearly evidenced in the framework document and CSSC notes the increase of 37% of pupils who now present with very significant intellectual or cognitive impairments. The framework clearly demonstrates why change is required and that growing demand is further compounded by an increasing number of pupils with a complex interaction of need, including very complex medical needs as well as severe challenging behavioural needs. Controlled special schools expressed the view that the annual DE census data should have allowed for better strategic planning than has been their experience to date.

CSSC understands that in contrast to the arrangements for the mainstream sector there is no cap on pupil numbers in special schools and pupils are placed by the EA as a result of a statement of special educational needs. Controlled special schools have identified the lack of enrolment limits as a significant issue for leadership and management and report that pressure is often brought to bear on settings to accept more pupils than they feel they are able to safely accommodate. CSSC was informed of instances where parents were notified of a placement by the EA before schools had been informed and therefore did not have the opportunity to confirm that the school could meet the needs of the child.

**Capital investment requirements to meet increased demand for places**

CSSC notes that the framework document provides an overview of capital investment that has been secured from DE for named special schools through Major Capital Works and School Enhancement Programmes. Controlled schools report that the increasing complexity of pupil need is a challenge to the provision within special schools and CSSC notes the framework’s acknowledgement that this is placing an increased pressure on staff and accommodation. While the framework outlines that design plans for new schools, and where there is other capital investment, are taking this into account and will create more flexible spaces to allow for small group teaching, schools referred to challenges in accessing improvements to current accommodation. Even those schools earmarked for capital investment highlighted that minor works will have to be undertaken in the lead up to the stated capital investment in order to ensure that the physical environment is conducive to a quality educational experience. While the framework outlines the intention to ensure there is capacity to meet current and projected demand for places within special schools, concerns have been raised by controlled special school that the capital investment secured is not addressing capacity issues but rather replacing old with new and not enhancing capacity to meet the increased numbers of children with SEN within appropriate accommodation. While Belfast is identified as the area with the least investment in the special school estate and a priority for the progression of new provision no further detail is provided regarding the EA’s plans for this area. CSSC notes that during online consultation events in relation to this framework EA stated that plans for the Belfast area which were consulted on in 2018 would be reviewed and that responses to this current consultation would guide any future actions not only in Belfast but for all areas in Northern Ireland.

**Working with practitioners to inform EA’s vision for special schools**

CSSC notes and agrees with the guiding principles which will influence the EA’s work with parents and the EA’s co-operation and collaboration with other statutory partners including the health and social care trusts as well as the community and voluntary sectors. Controlled special schools, however, do not feel that the framework is child-centred and believe it to be more focused on structures. While the document states that the EA will be outcomes focused and look for clear local evidence in terms of what is working to meet need, CSSC engagement with controlled schools indicated that this does not reflect their experience and current practice. Controlled schools emphasised that there needs to be better recognition and utilisation of the expertise and experience of special school leaders and staff. Controlled special schools expressed the view that their professional opinion is often not respected when the case is made for additional provision or resources to meet the individually assessed needs of a pupil.

In further consideration of the guiding principles, controlled schools, in consultation with CSSC, reported often not being made aware of changes to the support and interventions newly available to their settings as part of EA’s efforts to bring regional consistency. It was noted that information to this effect was often only accessed incidentally during conversation with colleagues from other special schools. It is therefore crucial that the EA communicates clearly the full range of special educational support and provision available. CSSC notes that the framework states that increased clarity and transparency in terms of the full range of special educational support and provision available will influence EA’s work. This is critical to ensuring that the EA is better able to address the inequities in provision which are a legacy of the different ways in which the former Education and Library Boards operated.

**Working with practitioners to respond effectively to a more complex profile of SEN**

Controlled special schools state that they have consistently drawn attention to the increasing number of pupils with severe and complex needs but have been frustrated by the lack of engagement with special schools to establish a better understanding of these needs and to agree on and resource the most appropriate interventions. Special schools also referred to having to source training to provide for these unmet needs. CSSC recognises that these efforts have led to the staff of special schools developing expertise in specific areas. There are numerous examples of effective evidence based practice in controlled special schools that has impacted positively on the outcomes for children and young people. An excellent example of the proactive and innovative approaches of controlled special schools was their engagement with Professor Barry Carpenter in February 2020 to better understand the new generation of children in schools with Social Emotional Mental Health (SEMH) needs. This engagement brought Barry Carpenter’s work to the attention of the EA and CSSC welcomed the subsequent, facilitation of access across all phases of education to a Teacher Professional Learning Programme focused on supporting schools in addressing the barriers to learning posed by the Covid pandemic. Special schools understand that, from engaging with the research, in the absence of evidence or knowledge about a child with a new disability, inquiry based learning allows the leaders and staff of special schools to systematically and deductively collect evidence and analyse outcomes for use in practice. This approach allows schools to respond to the needs of the individual child and reconcile the curriculum to meet these needs.

CSSC notes the SEND ACT’s (2016) requirement that the EA consults 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 the staff of special schools is responsive to the needs identified by practitioners. The framework document for specialist provision in mainstream drew a distinction between the provision referenced in the framework and the important measures put in place by some schools to provide for pupils with special educational needs from their own budgets which includes resourcing specialist staff training. CSSC would highlight that all school budgets are challenged within the current economic climate and it is therefore important for EA to work with all schools to ensure the effective and efficient use of resources and ensure that all special schools, if the intention is to develop all within a common structure, are able to provide the same effective interventions. CSSC understands that an EA review of pupil support services is currently underway and would emphasise the importance of engaging with practitioners to evaluate what are the most effective interventions.

DE’s Learning Leaders: A Strategy for Teacher Professional Learning refers to the need to build professional learning communities within education; to support closer collaboration between practitioners, schools and clusters and professional learning providers. CSSC believes that a resourced cluster is essential to allow practitioners to share effective practice and to avail collectively of the support of relevant external agencies to enhance practice. In consideration of the expansion of specialist provision in mainstream schools EA should consider how the expertise of staff within special schools can benefit and support the practice of staff supporting children with SEN in mainstream schools. These forums, if properly resourced could be a means of facilitating the development and dissemination of effective practice.

**Bringing consistency to provision across the region – the need for true multi-agency collaboration**

The EA has recognised the importance of consistent provision across Northern Ireland of special school education for children aged three and CSSC notes that currently over 60% of special schools offer formal pre-school provision. CSSC, in its response to the proposed framework for children in the Early Years with SEN in May 2018, welcomed the proposal to conduct an annual audit of staffing and pupils across special school nursery settings so that appropriate adjustments could be made to the special schools’ early years workforce in line with changing need and demand. CSSC understands that the responses submitted to this consultation in May 2018 will now be considered alongside the responses to this consultation.

In recent consultation with CSSC, controlled schools across all phases of education have emphasised the importance of early identification and intervention. CSSC is aware 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. These efforts are crucial to ensure that special schools have greater assurances that children with SEN will have been known to EA at an earlier stage. CSSC 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 provision of the appropriate interventions prior to their pre-school year. Support prior to the pre-school year would ensure that children and their parents are better supported to choose the most appropriate option to meet the child’s needs for the actual pre-school year, whether that be placement in a mainstream pre-school setting with additional support or a special pre-school placement.

CSSC acknowledges the work of the Early Years SEN Panel as an example of the efforts by the EA and Health and Social Care Trusts to work together to seek to make the earliest possible intervention in the lives of children and would recommend that every effort is made to develop effective data sharing agreements that will allow for effective long-term planning to address the needs of children presenting with complex special educational needs. The framework document acknowledges that ‘in a growing number of pupils the challenges presented by the most complex medical and challenging behavioural needs require a significant level of medial and therapeutic input from colleagues within the health and social care trusts and from other support services within EA.’ CSSC notes that the Children’s Services Co-operation Act(NI) 2015 requires improved cooperation amongst departments and agencies and places a duty on children’s authorities, as defined by the Act, to co-operate where appropriate, in order to deliver services which will improve the well-being of children and young people. Controlled special schools have expressed concerns at the regional inconsistencies in the support available to special schools from Health and Social Care Trusts and believe that significant work needs to be undertaken to ensure that true multidisciplinary collaboration supports the efforts of special schools to meet the needs of pupils with special educational needs and disabilities. In relation to the EA’s ability to ensure the effective and efficient use of resources, controlled schools have highlighted specific areas in which Health and Education could collaborate more effectively while ensuring value for money. Health and Social Care Trusts have the expertise to provide manual handling training yet this training has been previously sourced from a private company. Controlled schools expressed a desire for Occupational Therapists to be funded to provide training for the staff of special schools and noted how Allied Health Professionals are key to supporting their work, however, access to their support is inconsistent across the regions. An audit of the therapies and support available from Health and Education is required across the regions so that inconsistency in provision can be addressed and special schools better informed about the support they can avail of.

**Supporting practitioners to respond effectively to challenging behaviour**

CSSC in consultation with controlled schools was made aware of concerns in relation to support for challenging behaviour. CSSC notes that while a separate review of Social, Behavioural and Emotional Well-Being specialist provision will take place consideration of this type of provision is not included in either of the current frameworks which EA is consulting on. The increase in the number of children with complex needs is often compounded by challenging behaviour. In our engagement controlled schools noted that Team Teach represents an effective means of positive behaviour management and this accredited training which covers de-escalation strategies, non-physical interventions and supportive holds is crucial to supporting the staff of special schools to effectively respond to challenging behaviour.

Controlled special schools noted that while EA initially coordinated the Team Teach training ensuring that two members of staff in each special school were trained as trainers in the Team Teach methods, this is no longer the case with schools reporting that there has been no training for trainers in the last five years. It is CSSC’s understanding that this training is now a matter for individual schools and with changes in staffing, retirements, new opportunities elsewhere, some special schools no longer have accredited trainers on their staff team resulting in schools collaborating and ‘borrowing’ trainers from other schools. A more strategic approach is needed as it was highlighted that in the last five years there has been an exponential growth in the numbers of staff in special schools who have not received the training.

Controlled schools believe that Team Teach is essential to ensuring the safety of pupils and the protection of staff. The Team Teach model involves contracts between staff and parents as to the type of interventions that can be used to prevent the children from harming themselves or others. Without the licenses which are required to allow staff to engage with the non-verbal de-escalation techniques staff are reluctant to engage in these techniques for fear of potential litigious action being taken. Ensuring that all staff are trained in accordance with the Team Teach model allows for authorised interventions that will protect the child and also the staff member. 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, 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 were de-escalation and non-physical intervention and where there was a need for physical intervention mainly supportive holds were used. CSSC is of the view that this training should be co-ordinated and funded by EA to ensure a consistency of approach in supporting special schools to manage challenging behaviour.

In consultation with CSSC controlled special schools also raised the issue of support for the mental health and wellbeing of children and young people and noted that special school pupils were not able to avail of the same support as their mainstream peers during lockdown as the materials were not accessible with pupils having to rely on adult support to access the materials. CSSC notes the wellbeing funding recently released to all schools in Northern Ireland but would note that it is crucial that a more long-term strategic review of support for the mental health and wellbeing of pupils needs to be considered. The findings of the Northern Ireland Youth Wellbeing Survey, commissioned by the Health and Social Care Board, further supports this need with special educational needs (related to emotions, behaviour, concentration or getting along with people) representing key risk factors for common mood and anxiety disorders among children and young people in Northern Ireland. The survey report noted that special educational needs increased the rate of any mood or anxiety disorder by a ratio of 3.

**Evaluating the special schools estate in partnership with the leadership and management of special schools**

CSSC notes that the EA has developed criteria and indicators to evaluate the special school estate in order to identify need and make suitable provision for children and young people with special educational needs. CSSC also notes that the framework will be used to inform a review of the current actions for special schools within the Area Planning Annual Action plan and future area planning priorities. In consultation with controlled special schools some confusion was expressed about the purpose of the criteria and indicators and the general view expressed was that these could not be used to evaluate special schools’ provision without also taking into consideration the support available to special schools from the Department of Education and the EA. CSSC notes that one of the criteria developed to evaluate special schools is that of Strong Leadership and Management by Boards of Governors and Principals.

Controlled special schools believe that they meet these criteria however, in consultation with CSSC they expressed the view that support for leadership and management of special schools has not been a significant priority for the EA. Legacy management structures within special schools persist across the region and whilst a working group was previously established by EA to consider this issue, controlled special schools note that the work has stalled and no progress has been made in addressing perceived inequalities and the leaders of special schools are of the view that inadequate remuneration will eventually impact on the quality of people who are willing to assume what is a challenging role.

Controlled special schools also referred to the lack of support for the mental health and wellbeing of staff which for many settings was identified as a significant issue. CSSC is concerned to hear that supporting the medical needs of pupils and struggling to manage challenging behaviour, which can often lead to injury, is taking its toll on staff in special schools. The Covid pandemic has also resulted in staff not being able to meet together and therefore their ability to support one another is severely impacted.

CSSC notes that stable placement trends is one of the criteria developed by the EA in this framework and the descriptor notes ‘placement trends across key stages demonstrate consistency, stability in staffing allocations and flexibility in staffing allocations and flexibility in capacity to meet current and projected demand.’ In consultation with CSSC, concerns were expressed by controlled schools about a perceived lack of respect for their professional judgement in discussions regarding staffing allocations. Schools expressed confidence in their knowledge and understanding of the needs of their pupils and to plan appropriate staffing allocations, recognising the need to ensure the effective and efficient use of resources, but reported that their well evidenced requests for additional staffing which will allow them to meet current and projected demand are often frustrated by the managing authority. Concerns were also expressed that the staffing allocation is often not known until late in the academic year meaning that considerable work has to be undertaken to adjust deployment of staff. Greater consideration needs to be given to communicating the purpose of the criteria and associated indicators and the role of the Department of Education and the EA in supporting special schools to meet these criteria needs to be more clearly articulated.

CSSC notes the EA’s intention to support a model which enables academic and pastoral progression from early years through to post-16 and that currently over 70% of special schools offer post-16 provision giving pupils access to transitional pathways that lead to attainment of accredited outcomes where possible. CSSC is aware of the diligent work that controlled special schools undertake to support their pupils to achieve these outcomes, however, frustration and concerns have been expressed by schools at the lack of provision to support pupils with special educational needs post-19.

Indicator 4.2 notes that special schools are to ensure strong links with external and internal partners in relation to transition planning for post-19 pathways. CSSC is aware of significant concerns raised in relation to the lack of provision to support pupils with special educational needs post-19. Controlled schools referred to a void in the support that young people receive when they transfer to Adult Services. This is an issue that has been highlighted by special schools for a number of years and it is strongly felt that proper multi-agency working is required to improve this situation. Adequate resources to ensure regional consistency and equity in provision needs to be available and appropriate support provided to enable schools to develop links with external and internal partners in relation to transition planning for post-19 pathways . The 2014 Northern Ireland Assembly Research and Information Service Briefing Paper on Transition Planning in Northern Ireland refers to a variety of small scale transition support programmes available to young people with disabilities, however, the paper highlights regional inconsistencies in terms of access to these programmes and as they are delivered by voluntary and community organisations their resources are limited. The report confirms the views expressed by controlled special schools that there is a lack of effective collaboration between Education and Health and Social Care services in providing for the transition of the most vulnerable members of our society.

**Special schools as a core element of provision for pupils with moderate learning difficulties**

The Special Educational Needs and Disability Act (Northern Ireland) 2016 strengthens the rights of children and young people with SEND to be educated in mainstream schools and this is identified as a key strategic priority for the EA in the draft framework for specialist provision in mainstream schools. It is crucial that the decision to educate a child in a mainstream setting, which may or may not have specialist provision attached, is taken with due reference to the views of the parent.  Controlled special schools have emphasised the need for EA to engage with parents and allow them the freedom to express a preference for a special school placement if they believe this is in the child’s best interests and the school can evidence that the special educational needs of the child would be better met in a special school.  This has been of particular concern in relation to pupils with moderate learning difficulties. Controlled schools have reported examples of pupils with moderate learning difficulties transferring to a special school placement later in the academic year as a result of the breakdown of a placement in a mainstream setting which went against the parents’ desire for a special school placement.  CSSC, while noting the statement in the draft framework that, ‘there is no suggestion that children currently placed in a special school will be transferred to specialist classes within mainstream schools,’ would emphasise the need for parents to be reassured that their views in relation to how their child’s needs are to be best met are taken into consideration.   CSSC recognises the pressure on capacity in special schools and is supportive of the enhancement of specialist provision in mainstream schools, together with appropriate support for staff to meet the increasing complexity of need, however, it is crucial that special schools remain a core element of provision for pupils with moderate learning difficulties where it is clear that this particular type of provision is required to meet a pupil’s individually assessed needs.

**Working together to support system wide change**

CSSC notes that consultation on this draft special schools area planning framework is an attempt to engage in effective consultation and notes the EA’s response to requests to engage more fully with stakeholders by extending the consultation period and increasing the number of consultation events to assist stakeholders to participate fully in the process. With this in mind, CSSC would emphasise the importance of continued engagement with practitioners, those responsible for meeting the needs of children with SEN on a daily basis. Controlled special schools expressed the view that the EA should develop as a priority, a more nuanced understanding of special schools which acknowledges the diversity within this sector. Controlled special schools would welcome a more strategic, positive, long-term view of special education based on an understanding of the context of individual schools. . The secondment of special school principals to the EA to help guide this work would be welcomed and would ensure that the review of pupil support services and other relevant SEND development work is informed by the expertise of the staff of special schools.

The recent secondment of a special school principal to support the consultation process around the area planning framework for special schools was welcomed and it is recommended that this type of engagement is facilitated in other areas of the EA’s work. CSSC notes that the EA’s SEND Implementation Team includes a number of seconded SENCOs and welcomes this approach to ensuring that the support provided is informed by the knowledge and expertise of practitioners. Conscious of the significant work being undertaken to address special educational needs provision, CSSC would emphasise that consistent and regular engagement with practitioners to inform this system wide change is crucial to allow for change that is responsive to pupil need and allows all children with SEN to progress and achieve improved outcomes.

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



S N S McCurdy

Interim Chief Executive