

## Questions:

To what extent do you agree/ disagree that the specific draft Regulations are effective in each of the following areas?

(a) the content, and arrangements for preparation and review of the <b>new Education Authority plan for SEN provision?</b> <small>[regulations 5 and 6 refer]</small>					
Strongly Disagree	Tend to Disagree	Neither agree nor disagree	Tend to Agree	Strongly agree	Don't Know
	X				

If disagree or strongly disagree, please provide further information:

INTO would expect that the EA and Trust to make every school/service aware of a comprehensive list of resources that will be made available to aid implementation. Teachers/stakeholders should be given an input into the kind of training that would be most beneficial to them. Face to face briefings need to be made available annually by EA, in addition to online support, as it would provide teachers with the opportunity to constantly review the document at every stage of its implementation. This training however needs to be planned for and of consistent quality throughout the EA. INTO expects trade union representatives to be consulted at every point throughout the implementation period and that an urgent review take place at the end of the first year as the existing plan for review after three years is inadequate. The findings at each review stage should be made available to the stakeholders/public and acted on accordingly.

INTO requires clarification of the fiscal implications of the plan. It is essential that funding is ring fenced in order to ensure that the fiscal burden does not fall on individual schools. Funding for training must be provided and maintained at all stages of the plan's implementation. INTO also queries fiscal implications for mediation. It is essential that a programme to raise the awareness of the compulsory engagement with mediation is centrally funded.

(b) the Board of Governors duties including those regarding <b>Learning Support Co-ordinator</b> in mainstream and special schools? [regulations 7 to 10 refer]					
Strongly Disagree	Tend to Disagree	Neither agree nor disagree	Tend to Agree	Strongly agree	Don't Know
	X				

If disagree or strongly disagree, please provide further information:

INTO questions the huge implications for Boards of governors in relation to the learning support coordinators, giving them an unnecessary burden of responsibility. Given that members of Boards of Governors are primarily volunteers from the local community, there will be a huge variance in their existing skills and experience to monitor and evaluate provision of special needs within schools.

INTO requires clarification on the relevant experience and/or qualifications necessary for learning support coordinators, as opposed to the 'current' qualifications as stated in the draft document. As an organisation INTO is concerned about the manageability of the new role. At present current SENCOs are an integral part of senior management teams, however the draft regulations present an anomaly by appearing to devalue the new role of learning support coordinator.

As laid out in the consultation draft document, there appears to be a discrepancy between the role of SENCO and that of Learning Support Co-ordinator, in that there is no guarantee that an existing SENCO will automatically transfer to the role of LSC, and the fiscal implication that this brings. INTO requires that there will be parity of transfer.

(c) the information about <b>appeal rights</b> (if no statement made or about the content of a statement) to be issued to the parent of a child under 2? <sup>[regulation 17]</sup>					
Strongly Disagree	Tend to Disagree	Neither agree nor disagree	Tend to Agree	Strongly agree	Don't Know
<b>X</b>					

**If disagree or strongly disagree, please provide further information**

INTO feels that assistance and support for a child over compulsory school age is a child/young adult and parental issue. The fact that parents of children under 2 years have no right of appeal is of major concern to INTO as early intervention and support is vital at this stage to prevent potential subsequent problems. Time limits for appeals as presented in the draft document are inadequate and may place administrative burdens on all concerned. There is an onus on all services to liaise and coordinate seamlessly. It has long been recognised that the Health Trusts work in conjunction with the EA in contributing evidence for statutory assessment, however with shorter timeframes available for completion of these assessments, INTO demands that EA seeks assurance from Health Trusts to facilitate all aspects of completion with expediency. Fiscal and geographical implications must also be acknowledged. INTO seeks clarification on the fiscal implications of the compulsory nature of mediation and sees the need for schools to be in attendance. The funding for mediation must be ring fenced to ensure no financial loss to schools.

(d) The <b>new mediation arrangements?</b> [regulations 28 to 32]					
Strongly Disagree	Tend to Disagree	Neither agree nor disagree	Tend to Agree	Strongly agree	Don't Know
	<b>X</b>				

If disagree or strongly disagree, please provide further information

INTO registers its concern as to the narrow time constraints in seeking/involving mediation. INTO believes that it is vital that schools, as of right, should be required to attend. Given that involvement with mediation is a compulsory element, with certification as proof of engagement prior to Tribunal; can the EA predict the volume of cases in the system at any one time, as this in itself has administrative and fiscal implications. Clarification is needed as to the calibre and qualifications of the mediators themselves.

(e) the <b>assistance and support</b> for a child over compulsory school age to exercise their rights within SEN Framework? [regulation 26]					
Strongly Disagree	Tend to Disagree	Neither agree nor disagree	Tend to Agree	Strongly agree	Don't Know
		<b>X</b>			

If disagree or strongly disagree, please provide further information

INTO supports the empowerment of all children with SEN.

(f) The arrangements for a child over compulsory school age who may <b>lack capacity</b> to exercise their rights in the SEN framework? [regulation 27]					
Strongly Disagree	Tend to Disagree	Neither agree nor disagree	Tend to Agree	Strongly agree	Don't Know
	<b>X</b>				

If disagree or strongly disagree, please provide further information:

Transparency is key – Children over compulsory school age & their advocates (where necessary) must be made fully aware of their rights. It is essential that DE ensure access to an advocacy service that is fit for purpose. Moreover, they must ensure that the process and information about how to negotiate the procedure is available at all times in formats that are accessible and understood. This will include ensuring that supportive agencies e.g. SENAC, children’s Law Society, Mencap, Disability Action are informed of their potential supportive role.

(g) that the <b>views of the child</b> will be sought by the Education Authority? [regulation 16]					
Strongly Disagree	Tend to Disagree	Neither agree nor disagree	Tend to Agree	Strongly agree	Don't Know
		<b>X</b>			

If disagree or strongly disagree, please provide further information:

We support the empowerment of all children with SEN.

(h) the reduced timescales to the various steps within the statutory assessment process through to the issue of a final statement? [regulations 17, 20 and 21]

Strongly Disagree	Tend to Disagree	Neither agree nor disagree	Tend to Agree	Strongly agree	Don't Know
	<b>X</b>				

If disagree or strongly disagree, please provide further information:

It has long been recognised that the Health Trusts work in conjunction with the EA in contributing evidence for statutory assessment, however, with shorter timeframes available for completion of these assessments, INTO demands that EA seeks assurance from Health Trusts to facilitate the whole process with expediency.

(i) the proposed **format of the statement** of special educational needs? [regulation 19 and Schedule]

Strongly Disagree	Tend to Disagree	Neither agree nor disagree	Tend to Agree	Strongly agree	Don't Know
	<b>X</b>				

If disagree or strongly disagree, please provide further information:

The proposed format of the statement does not improve the responsibility on HSCT to deliver adequate and fit for purpose provision.  
 It has been reported by INTO members of the reluctance by the EA to update and improve the relevance of an individual child's statement as they grow up. An updating of the Statementing process is essential.  
 E.g. The objectives of a non-verbal 4 year old are significantly different from a verbal, 16 year old with SLD.