

**INTO RESPONSE TO  
DEPARTMENT OF EDUCATION CONSULTATION TO 'THE WAY  
FORWARD FOR SPECIAL EDUCATION NEEDS AND INCLUSION**

INTO welcomes the opportunity to respond to this extremely important consultation. The area of Special Educational Needs and Inclusion have been overdue a policy overhaul for a number of years now. Currently 17.7% of our schools' population are presenting with some type of special educational need. This number continues to grow year on year.

INTO regrets the delay in bringing forward this important consultation. INTO also regrets the politicisation of this policy issue, which has operated to the disadvantage of pupils, teachers and schools.

Although overly bureaucratic, the Code of Practice (CoP) issued in 1996, was perceived to provide equality of access to support, based upon need. Parents felt that the statutory aspect of the CoP guaranteed the needs of their child would be identified and along with teachers were assured that the necessary support would be provided. It is essential that any new implementation of policy regains the confidence and support of teachers and parents.

INTO has profound misgivings about the principles underpinning *'The way Forward for SEN and Inclusion'* and summarises these as follows:

- (i) LMS, as a means of effectively distributing resources to schools, is totally inefficient, whatever the outcomes of the forthcoming Fundamental Review of LMS;
- (ii) The Department's continuing opposition to the ring-fencing in school budgets of SEN resource is extraordinary and discouraging for the future; the arguments advanced in favour of the continuation of this policy are Para 16.3 are specious;
- (iii) The persistent inability of the Department to guarantee and provide qualitative professional development and capacity development for teachers on any issue;
- (iv) The hopelessly, unrealistic timetable for the proposed introduction of these changes over a three year period [Para 18.1] 'closely linked to the delivery of appropriate INSET for teachers ' [Para 18.2]

- (v) The proposed transfer of the current identification and assessment process to schools has major implications for the conditions of service of principals and teachers in terms of administrative burden, bureaucracy and relationships with parents;
- (vi) The transfer of accountability from Education and Library Boards [ELBs]/ESA to schools represents an unrealistic and unacceptable policy change in the absence of concrete proposals to provide schools and teachers with the necessary resource or capacity building/professional development opportunities. INTO is concerned about the policy direction and teacher unfriendly tone of this Consultation as exemplified in Para 1.4 which states '...The underlying aim of these proposals is that all children are provided with the necessary support...with the *onus placed firmly on the schools* to provide for the diversity of need...'

### **Aims**

The initial aim of the review was to reduce the bureaucracy that was built into and had grown up around the area of SEN. The proposals contained in this document will see the administrative burden increase on principals and teachers and the wider educational establishment. The SEN and Inclusion proposals for the way forward have not been workload proofed. As they currently stand they will add enormously to the increasingly diverse bureaucratic and administrative burden of teachers and principals.

**INTO demands that the proposals be workload proofed by the Department and that the conditions of service implications of any revised proposals are tabled within the Teachers' Negotiating Committee for meaningful consultation and agreement.**

Teachers will have to continue to compile IEPs renamed but not reconceptualised as PLPs. They will also have to collate large amounts of evidence and complete lengthy forms to access any additional support from the Multi-disciplinary Groups (MGs). The membership, priorities and accountability of the MGs are - like so many of the proposals in the document - very unclear.

**INTO demands that all matters of unspecified detail relating to the Multi-Disciplinary Groups be identified and made concrete.**

The administrative and accountability burden on principals will greatly increase. They will have to include all those new pupils who fall into the widened concept of Additional Educational Needs (AEN). They will now also have to negotiate with MGs and ESA to ensure provision for pupils. They will have the additional burden of increased financial and educational accountability. In addition to all to this, they incur an inevitable set of additional legal liabilities.

**INTO demands that this way forward be amended to remove these unacceptable burdens.**

A second aim of the review was to eliminate the inconsistencies in identification and provision that exist between and within Education and Library Boards. The establishment of the regional Criteria Group should help address these issues. However, the development of flexible local arrangements, under the auspices of the Multi-Disciplinary Groups [MGs], may make the situation even more variable. Co-terminosity, which offered a framework for achieving consistency, will be hard to achieve with Councils, health and learning communities already having different boundaries.

The final aim was perhaps the most pressing reason for the Review. The year on year increase in cost was perceived to be financially unsustainable. However the non-identification of needs will not make the needs go away. Developing more inclusive and AEN aware schools may go some way to alleviating the levels of need.

The original aims of the SEN Review have been overshadowed by the imbalance of accountability that is injected into the Consultative Proposals. INTO is concerned that the increased accountability, workload and bureaucracy, will have the unwelcome side effect of making teachers and principals more reluctant to embrace new methods and strategies.

INTO is responding to this Consultation Document in a narrative manner.

**CONSULTATION POINT 1    Inclusion**

*Do you agree with the introduction of an inclusive framework based on the wider concept of additional educational need [AEN]?*

INTO welcomes this more positive descriptor of special educational needs.

However, the policy proposals around the concept of Inclusion proposes a movement away from what is described as "an in-child deficit model" to a broader view of additional educational need encompassing special educational need. This will see schools being forced to shoulder an increased level of responsibility to address learners individual needs in all but the most complex of cases. There is no indication in the document apart from a general reference to 'Every School a Good School' [ESAGS] how this is to be done or indeed how it is to be resourced.

INTO advocates that pupils should be placed in the setting that best meets their needs and the wishes of their parents.

In the majority of cases this should be in an appropriately resourced mainstream setting with appropriate support. Decisions on the placement of pupils with AEN should be reached collaboratively between the stakeholders in the best interests of the child.

The Consultative document does not adequately recognise that genuine Inclusion is a financially expensive option. Inclusion is not achieved by placing a child in an educational setting; Inclusion is an experience not an establishment.

To ensure genuine and positive inclusion, a measure must be developed to indicate acceptable workload for classroom teachers and other educational workers.

This policy does not address the issue of the cumulative effect of AEN within a classroom. Classrooms can become overpowered by the needs of one individual to the detriment of other pupils and teachers and other educators working there.

INTO agrees with the right of parents to choose the placement for their child. However much more needs to be done to ensure that parents make informed choices in full knowledge of the support that each setting can provide. It is very distressing to see a child placed inappropriately because parents have not been fully informed about the limitations of the setting.

INTO welcomes the acknowledgement of the outstanding contribution of Special Schools to the education system and to society as a whole but is concerned that this policy does not ensure the consistent provision of a range of settings such as Learning Support Centres, Autistic Spectrum Support Centres and Language support centres.

**INTO recommends that**

- ESA be responsible for ensuring a range of settings is available in all areas. ESA officers should compile advice indicating the criteria required to access the different settings.
- Increased funding is made available to reflect the increased costs of Inclusion
- DE/ESA inform parents of the potential and limitations of the policy

**ESA, as the employing authority, must ensure reasonable workload and work/life balance is established for all its staff including teachers and principals.**

**ADDITIONAL EDUCATIONAL NEEDS**

INTO notes the recognition that educational difficulties can arise from needs other than medical needs. The more inclusive term of Additional Educational Needs reflects a more genuine concept of equality. INTO has concerns that the change from Statements to Co-ordinated Support Plans (CSPS) may mean pupils have poorer access to provision. The statutory nature of Statements meant that teachers and parents knew the levels and type of support that best met the needs of the pupil. More recently, teachers and parents have found that statements have changed and no longer fulfil the original purpose. The statementing process did help to reduce resource drift from pupils who had identified needs to those pupils who presented with challenging behaviours or demanding parents.

**INTO recommends that the statutory nature of statements is maintained.**

The CSPA whilst it may be statutory will involve both Health and Social Care. The Principals and class teachers are dependent on Health and Social Care to meet the learners' requirements as outlined in the CSPA but have no means of ensuring they deliver. To move away from a statement in such circumstances is to expose teachers to increased and unacceptable risks.

## **CONSULTATION POINT 2**

**Do you agree with the key principles on which the policy proposals are based?**

INTO is strongly of the view that the Consultative document proposes a model of accountability, which is all about teachers, principals and schools and ignores ESA and those in health and social care with whom it is proposed schools should become partners.

Schools and teachers have always been accountable for the best use of the support and resources provided to them. This Policy unfairly shifts the responsibility for provision to schools and teachers without guaranteeing them the proper resources nor does it outline how the other professionals in education, health and social care are to be made accountable and to whom. Teachers and schools are already accountable to parents, Boards of Governors and the ETI. Adding in additional layers of accountability merely increases, to an unacceptable extent, the workload of teachers and principals.

INTO is of the view that the accountability model outlined will lead to short term target driven policies that will be unable to address the larger picture of AEN/SEN provision. The focus upon targets and measurable data is a retrograde step. Qualitative measures are very difficult to establish. Any attempt to develop regional criteria to support a target setting culture which underpins a lot of the proposals in this consultative document serves again to simply undermine the concept of inclusion. The illusion that SEN provision can be reduced to value for money measures flies against the whole idea of Inclusion which this policy paper purports to promote.

**INTO recommends that:**

- A more balanced system of accountability is established with DE or ETI having a strategic overview.
- Measures of effective practice and interventions include qualitative as well as quantitative data.
- Accountability mechanisms are used to identify and provide for individuals, structures and systems that need support.

**CONSULTATION POINT 3 EARLY IDENTIFICATION AND INTERVENTION**

INTO agrees with early identification and assessment. Learning difficulties can be ameliorated if they are identified early and appropriate provision is put in place. INTO has major concerns with the slow pace of intervention that is associated with the present Code of Practice and wants to see the system improved. More resources need to be devoted to early screening and diagnosis followed up with intervention programmes. INTO would also wish to see extra help reach these children in the classroom much more quickly.

INTO is concerned that the document places the main responsibility for identification and provision on schools. These proposals would place an unacceptable burden on teachers. There is not only the issue of a teacher's capability to fulfil the new requirements but also potentially serious legal implications for individual teachers.

INTO supports the proposal to enable lower level diagnostic testing to be carried out at school level by the Learning Support Co-ordinator ( LSC ). INTO recommends that the necessary training is provided for LSCs where this is required. Teachers are familiar with the preparation and implementation of IEPs. INTO is concerned that the proposed change to PLPs will create unnecessary workload. INTO supports the development of an electronic based record providing it does not result in the withdrawal of resources from schools.

**INTO recommends:**

- \* **Adequate resources be provided to facilitate early screening and diagnosis;**
- **Responsibility for identification and provision is shared with ESA and other statutory agencies;**

- **Qualitative and timely training is provided for LSCs.**

#### **CONSULTATION POINT 4 PRE-SCHOOL SETTINGS**

INTO does not agree with the proposal to extend the Policy into non statutory provision in its present form. The differences between statutory and non-statutory provision are too great for the policy to be adjusted to cope. The proposal also flies in the face of the Department's evidence base as outlined in the Chief Inspector's Report 2006-2008:

*'...The highest and most consistent quality in the nursery schools, where over one half of provision is judged to be outstanding. In nursery units just over one-half of the provision ranges in quality from very good to outstanding; in the voluntary sector it is just over one third...'*

Research demonstrates that the outcomes for children with SEN are much more favourable in a setting which is graduate and professionally led. Pupils who have recognised AEN should be placed in a statutory setting where they can access appropriate support. The rising population is putting pressure on places and this should be considered as part of the ongoing though protracted Review of Pre-School Education.

The proposal in the consultation that ELBs/ESA '...establish and maintain a core of well-trained "early intervention officers" who will...support the initial assessment of those children facing barriers to learning...' is not in the interest of children in the voluntary sector. Pre-school settings should always be professionally led.

#### **INTO recommends that:**

- Pre-school pupils with identified or potential AEN should be placed in statutory provision led by qualified teachers.
- Nursery school principals are given principal release time to enable them to carry out their duties.
- ESA ensures that sufficient statutory places are available in each area to meet the demands of parents.

## CONSULTATION POINT 5 PRIMARY AND POST-PRIMARY

INTO supports the ethos of inclusion and whole school responsibility for all children who face barriers to learning. INTO also agrees with the proposal that there should be greater collaboration and sharing of expertise and resources across local education establishments and agencies. However INTO views the placing of a duty on ESA to ensure that schools are meeting their responsibilities as the wrong approach. Policing schools and teachers will not achieve success for special needs pupils.

INTO recommends that the DE puts in place the structures and resources that will facilitate greater cooperation and that DE also examine the barriers to cooperation and collaboration that exist within the education system. INTO highlights the lack of time and resources, large class sizes and the competitive culture that underlies the LMS funding policy.

INTO welcome the proposal to create nurture groups at primary school level. INTO is very aware of the rise in numbers of young children presenting with a wide range of emotional and behavioural difficulties. These children often require very high levels of adult care and support. INTO is aware of the obligations this places on teachers and the increased stress which can lead to teacher ill health.

INTO recommends that this proposal is prioritised by ESA.

INTO takes serious issue with the statement made in relation to pupils who are being educated outside the school system that *"in many instances, the mainstream schools have abdicated their responsibility for the outcomes of these pupils"*. It is the experience of INTO that schools do their very best for these pupils often with only limited external support and that exclusion from school is a very last option. INTO recommends that schools are provided with the necessary resources and support to enable these pupils to remain in mainstream schools.

### **INTO recommends that:**

- DE creates structures and remove barriers to facilitate co-operation;
- DE/ESA makes the provision of Nurture Units a priority;
- Schools are given additional resources to enable pupils in AEP to remain in mainstream.

## CONSULTATION POINT 6 TRAINING AND DEVELOPMENT

INTO welcomes the recognition of the need for capacity building contained within this Policy. The Chief Inspector's Report 2006-2008 highlights the historical inequality of funding between investment in the teaching workforce and investment in changing structures and systems ( 233) and calls for this imbalance to be redressed. The GTCNI publication *Teaching: the Reflective Profession* provides a solid foundation for capacity building within the teaching profession.

Competence 9 which states that; *'Teachers will have developed a knowledge and understanding of their responsibilities under the Special Educational Needs Code of Practice and know the most common special needs and appropriate strategies to address these.'* should be the focus of the capacity building programme. Many teachers have had to absorb the financial and time costs for their own professional development e.g. studying for Masters' Degrees in Special Education or attending Saturday workshops, run by support groups.

The inclusion of the educational workforce, as well as teachers, in a capacity building programme has the most significant budget implications. It would be impossible and unreasonable to expect that this commitment could be met out of the current budget.

INTO agrees that some funding for training should be delegated to school level but is strongly of the view that a significant proportion should be retained centrally at ESA level to ensure that all teachers and the educational work force will have adequate access to appropriate professional development.

Teachers in the classroom have faced initiative after initiative over the last number of decades. The only constant in the educational system has been the continuing changes. Even in this environment of constantly increasing demands, teachers will always welcome genuine opportunities to improve their skills and competence.

INTO does not accept the premise that capacity building alone will address the frontline issue of AEN. Many high performing teachers indicate their frustration about being unable to meet the needs of all their pupils, due to an unreasonable work load and/or conflicting needs of pupils in the same classroom.

While capacity building is an area to be developed, INTO notes that the workload involved in supporting pupils with additional needs in a classroom as well as all the other connected issues such as meeting with other teachers and support workers, form filling and record keeping is not adequately addressed in this policy. Teachers need time to meet with other teachers and support services. They need to reflect and develop their own planning and resource banks. They need opportunities to observe best practice.

This Policy acknowledges the importance of these but it does not ensure their provision.

**INTO recommends that:**

- ESA retains the majority of the funding for capacity building to ensure all teachers can access high quality and effective support.
- Capacity Building becomes part of the School Development Plan
- GTC and ITT have a key role in developing a high quality professional development programme for teachers.

**CONSULTATION POINT 7 LEARNING SUPPORT CO-ORDINATORS**

INTO welcomes the enhancement of the role of the SENCo to Learning Support Co-ordinator [LSC] as a positive step. LSCs should be members of SMT and play a strategic role in the construction of the School Development Plan and the allocation of funding to support AEN provision and the reduction of barriers to learning.

However, INTO notes that it was always the intention that the role of the SENCo was to be one of expertise and support. This has not happened, due to financial, and other time constraints. Steps will need to be taken to ensure that the role is correctly recognised and resourced.

The difficulties faced by small schools are raised in Para 9.4 but are not addressed. INTO seeks further information about what specific support and co-ordination arrangements are proposed for these schools.

**INTO recommends that:**

- **Systems are put in place to ensure that MGs are made more accountable to the schools in their area;**
- **ESA ensures consistency of provision;**
- **The role of the Learning Support Coordinator is made statutory and the costs to schools are provided upfront by DE/ESA;**
- **Proposals are drafted detailing the support and co-ordination arrangements for small schools in rural areas**

## **CONSULTATION POINT 8 CO-ORDINATED SUPPORT PLANS**

INTO is concerned with the proposal to replace Statements with statutory Co-ordinated Support Plans (CSP). INTO has always been of the view that the Code of Practice and the Statementing Process is cumbersome and overly bureaucratic. INTO wants to see this process drastically simplified with a consequent reduction in unnecessary paperwork and reviews.

In this context INTO supports the removal of time consuming *annual reviews*.

INTO is concerned that the proposal to introduce CSPs will remove the right of a parent to access additional resources which their child may require. INTO is also very concerned that the proposal should not become a means by which the present inadequate level of funding to schools is further reduced.

**INTO recommend that the process be simplified but that the legal status of a statement of special needs and its capacity to generate additional resources, is retained.**

## **CONSULTATION POINT 9 TRANSITION POINTS**

INTO is largely in agreement with the proposals relating to transition points. INTO supports the development of an effective and consistent transition process. INTO would like to draw attention to the points made under consultation point 4 and the recommendation that pre-school pupils with identified or potential AEN should be placed in statutory provision which is professionally led. Nursery principals and co-ordinators must be given adequate time to undertake this work.

INTO support the appointment of Transition Co-ordinators to strengthen the transition process for those children with statements of SEN and also the appointment of Carers Managers and Specialist Advisors.

**INTO recommend that the necessary time and resources be made available to enable effective transition to take place.**

## CONSULTATION POINT 10 DEVELOPING EFFECTIVE PARTNERSHIPS

The proposed collaborative working within and between educational settings is a welcome step. Pupils and teachers can only benefit from the potential for improved support and access to expertise. Current funding protocols work against this type of initiative. This Policy does not indicate how it would address the financial implications of collaborative working.

INTO agrees that within school staffs there is enormous, under-utilised talent and capability. Unlocking such requires time, space and most importantly of all additional resource. Unfortunately this Consultation is very light on practicality and heavy on prescription and aspiration. As such in its present form it is not fit for purpose.

Comment has already been made on the additional workload and responsibility being tilted towards teachers and particularly principals in schools. It is highly unlikely that the supportive role proposed for governors in Para 12.3 [d] will ever come to pass.

The Consultation's prescriptive thrust for teachers in schools is evident in Para 12.5 with the proposal for School Management Teams to incorporate any targeted area of external support into their school development plans [SDPs].

The prescription continues in Para 12.6 *'... all schools and other educational settings will be required to collaborate and work in partnership [both mainstream and special] to identify and make full and effective use of the expertise, knowledge and skills of the wider school cluster/ learning community...'*

Evidence from the London Challenge and the ongoing Manchester Challenge suggests that for collaboration across schools to be meaningful requires schools to have additional support in terms of staffing, time and resource. Yet the consultation shies away from such concrete proposals coming up with the mealy mouthed proposal that *'...consideration may be given to schools receiving financial and other incentives when they collaborate and share expertise and resources...'*

This is quite unacceptable.

INTO demands that as a basic first step, the independent Curran Report recommendation that all Northern Ireland teachers receive Planning Preparation and Assessment [PPA] time is introduced. Collaboration between schools and other educational settings also needs to be supported by additional resources.

INTO recognises the enormous expertise that exists within the special school sector. However rather than recommending additional barriers to sharing this expertise [ see Para 12,7 '...opportunities should be created for special schools to achieve recognition as centres of expertise...'] INTO proposes that this dead hand of bureaucracy and gate-keeping is dropped in favour of special school access being shared with local area learning communities and that Northern Ireland wide provision of specialist outreach and training services is provided for - not "possibly" as suggested in the Consultation.

**INTO supports the partnership proposal between DE and DEL although both these departments should really be merged into one.**

#### **Multi-disciplinary Groups [MGs] Para 12.19**

INTO cannot endorse the introduction of MGs whilst so many issues around their functioning remain unclear. INTO does support the concept of more effective working with both Health and Social Care - something that should have been addressed long before now. The Policy needs to indicate how these structures will be funded, who will provide the funding, who will sit on them and who they will be accountable to. It may or may not be the case that the proposed MGs are the mechanism required to do this but this consultative document does not make that clear.

Competitive tendering will act against collaborative working. Structures need to be put in place to ensure that the MG does not become the new gatekeeper to resources but is a truly supportive body that works proactively, promoting best practice in schools. The role, structure and geographic spread of the MGs needs to be clarified.

The effectiveness of MGs will be heavily reliant upon the committed involvement of other agencies such as Health and Social Services. This Policy recognises the importance of cross Departmental input.

INTO opposes the challenge role proposed for MGs of schools regarding the levels and effectiveness of the support they are providing for their pupils Para 12,22. This is in view of earlier comments about the proposed transfer of accountability and administrative responsibility to schools without concrete measures for funding, resourcing or capacity building. The MG role for schools should be supportive rather than as proposed here. The proposal also duplicates the role of the Education and Training Inspectorate [ETI] and

exposes an anti teacher/school agenda that is destructive of trusting and collaborative professional relationships.

**INTO is of the view that:**

- **Funding is made available to facilitate collaboration within and between settings;**
- **A cross departmental group should be established with independent access to funds to ensure that provision is centred around the child, rather than by Departmental priorities;**
- **The support role of ESA be enhanced in order to avoid a repeat of the inconsistency of support that currently exists. ESA should be best placed to ensure that effective regional services are made available to pupils with more significant or unusual needs, schools, teachers and educational support workers;**
- **ESA could ensure that websites such as the one provided by the Standing Conference on Teacher Education North and South <http://scotens.org> are linked into the school computer systems giving teachers and principals access to reliable and instant advice and support;**
- **ESA should also develop a workload reducing information management system that would be integrated with the schools' current ICT system;**
- **All matters relating to the Multi-Disciplinary Groups need to be identified and made subject to consultation.**

## **CONSULTATION POINT 11**

## **OUTWORKING OF THE PROPOSED MODEL**

Para 13.2 outlines the increased role and responsibility being placed on schools by these proposals but '*...within a funding allocation...*' INTO draws attention again to the lack of specificity about the additional resource which schools would need to implement this strategy.

The anti-teacher patronising tone which surfaces throughout this consultative document emerges again in Para 13.3 when schools [?] are reminded that it is '*...important ...they should not assume that an increase in a child's level of need , or time within a school, necessarily calls for an increased level of resource. ...*' It has to be assumed that references to the school fabric are a mechanism for attempting to undermine the

professional judgements of principals and teachers. INTO emphasises that the mainstreaming strategy underpinning this Consultation is an expensive option and it stands or falls on the basis of the additional resource being made available to schools. This is not at all clear as the Consultation currently stands and as such it is not fit for purpose.

The external support from other schools proposed in Para 13.5 requires such schools being given the resource to provide this service. This is self evident. Again there may be learning points from the collaborative strategies piloted in the London and Manchester Challenges.

The teacher distrusting tone appears again in Para 13.6 where the school [sic] '*...must be able to demonstrate that it has taken appropriate and reasonable action to meet the child's needs...*' Do the authors even suspect that school staff would take inappropriate and unreasonable action so to do? The tone is wrong as is the emphasis on not trusting teachers' judgements and bringing forward proposals which are increasingly administratively burdensome.

INTO welcomes the recognition that the five stage model has been cumbersome and in practice a three stage model has been the norm in many schools.

Para. 13.3 makes clear that the proposal is focused on moving the burden, accountability and management of SEN to schools with little regard to capacity or capability.

In 2001 the Department of Education proposed that each school should appoint a teacher who would be a 'workload Tsar.' Nothing was ever done to ensure this was implemented. Surely it is not too much to expect after all this time that DE/ESA should work proof all their proposals for teachers to ensure the emphasis can be kept on teaching and learning?

The proposals in Para 13.8 relating to Co-ordinated Support Plans [CSPs] continue this negative, niggardly, teacher distrusting agenda. This is simply appalling as is the lack of detail about how the MG sub-groups are to be populated.

## **CONSULTATION POINT 12**

## **RESOLUTION AND APPEAL MECHANISMS**

INTO supports the proposal but suggests that affirmative measures are in place to assist parents and pupils from economically disadvantaged backgrounds to manage this process.

**INTO recommends the continuation of the Dispute Avoidance and Resolution Service (DARS) and the Special Education Needs and Disability Service Tribunal (SENDIST)**

## CONSULTATION POINT 13                      FUNDING

This policy has significant implications for funding. INTO rejects the view that simply reorganising the funding to the frontline will in itself address the funding issue in this area. It is equivalent to reorganising the deck chairs on the Titanic. The current system is collapsing because increased awareness and identification of SEN has made reasonable demands upon an inadequate budget. This policy has new funding commitments with the change to AEN and Inclusion. Moving the finance to school level will not change the degree of financial burden; it will just move it to the school. INTO - all the teachers' unions and the Association of Chief Executives of Education and Library Boards have consistently rejected the LMS model of funding as being not fit for purpose. To move SEN funding into this model will only further exacerbate the situation.

There is a total lack of specific proposals in this Consultation. Nothing is proposed to enhance the education budget to meet the expanded requirements required by the recommendations in the Consultation. There is a plea to the LMS Fundamental Review - the draft terms of reference have not as yet been prepared.

Making Principals '...fully accountable to ELBs/ESA for both the quality of provision for both the quality of provision for children and for the effective use of allocated funding...' is a conditions of service issue [Para 15.3].

Likewise there are no specific proposals for the funding of special schools and outreach services in the consultation.

### **INTO recommends that:**

- **These proposals be fully costed**
- **Substantial earmarked funds be made available to implement the proposals**
- **Certain funds be held centrally and are allocated by ESA**
- **The funding of Special Schools and outreach services continue to be funded centrally by ESA**
- **Savings accrued as a result of a reduction in bureaucracy be put into frontline services**

## **CONSULTATION POINT 14 ACCOUNTABILITY**

## **MONITORING, REVIEW, EVALUATION &**

INTO remains unconvinced about the data requirements from schools for the Department of Education. It is more suggestive of a distrustful, policing function rather than an aide to strategic planning and policy development!

INTO deplores the DE stance that SEN funding will not be ring-fenced '...in order to allow schools flexibility and increased autonomy...' INTO calls for school SEN funding to be ring-fenced. This will have the additional benefit of not requiring what DE calls 'robust control mechanisms' which in reality is gobbledegook for increased administration and bureaucracy for school principals.

INTO also seeks the training schedule from ESA for school governors. Holding Boards of Governors accountable for the quality of provision and the effective use of allocated funding is in reality emperors' clothes. It cannot happen and will not happen.

INTO is interested that DE will seek to issue guidance both of a statutory and non-statutory nature. INTO will expect that any such guidance will be the subject of meaningful consultation with the teacher unions.

**INTO recommends that:**

- **School SEN funding must be ring-fenced**
- **Accountability is viewed as a reciprocal three way process between parents, schools and ESA. This reciprocal process should be monitored by ETI**
- **ETI has the main responsibility for the overview of AEN provision by ESA and sch**
- **ESA funds GTC research into effective interventions and practice.**

## **CONSULTATION POINT 15**

## **ROLES AND RESPONSIBILITIES**

### **Department of Education [DE] Paras. 17.1/2**

INTO concurs with the proposed DE role. However, whilst ensuring that all future policies are compatible with the revised framework, DE should also ensure that the revised framework and all future policies have been properly workload proofed.

A cyclical training programme for principals, governors, LSCs and teachers is lamentably inadequate. High quality and appropriate training is essential for all principals and all teaching staff [and relevant support staff] as this is supposed to be a whole staff issue.

This is a high priority and one which makes the proposed roll-out timetable totally inadequate.

Funding is totally and inadequately dealt with in this consultative document and the fundamental review of LMS funding is an urgent requirement.

### **Proposed ESA**

INTO is of the view that the role and responsibilities delineated for ESA are inappropriate. The over arching role is more the function of the ETI. ESA should be working in partnership with schools and other service providers. There should be a joint accountability and responsibility with schools for the provision of AEN.

### **DHSS**

Much work needs to be done with partners in DHSS to ensure better collaboration. The standard outlined in para. 17.5 and the expectation that delivery should be "...within available resources..." should also pertain to schools and other education settings.

### **Multi-Disciplinary groups [MGs]**

Agreed in the context of INTO opposition to the proposed challenge role of schools by MG sub-groups. The lack of specificity at this point makes it difficult to comment further. INTO is very concerned that the MGs role could be distorted to that of a gatekeeper for resources - rather than a supportive and collaborative mechanism.

### **Mainstream schools and other educational establishments**

The role envisaged for schools can only be delivered with the provision of effective resources and the implementation of the Curran recommendations of PPA being applied at long last for Northern Ireland teachers. PPA has been a statutory entitlement for teachers in Britain for many years.

Internal and external school collaboration can only be realised by the provision of additional resources about which the proposals are surprisingly vague. Much more detail on this is needed.

The recommendation in Para 17.13 that teachers will be responsible for '...supporting all learners within their class whatever their individual needs to reach their potential is high on aspiration but short on practicality in the absence of lower class size, proper capacity development and additional resources to implement such an expensive strategy.

The responsibilities for Boards of Governors in Para 17.14 are risible and hopelessly incapable of implementation.

INTO supports the additional role for special schools as centres of excellence but this too will be resource led.

### **Education & Training Inspectorate [ETI]**

Agreed in the context of ongoing consultation with the teachers' unions. The ETI has a valuable role to insure that the aspirations of this consultative document become a reality in the lives of children with AEN.

**INTO recommends that ETI must inspect all stakeholders and consult openly in relation to the development of inspection protocols.**

### **Children's Services Directors**

**INTO recommends that Children's Service Directors should have an educational background and be held accountable for decisions following meaningful consultation with the teachers unions**

### **CONSULTATION POINT 16 PROPOSED PHASED INTRODUCTION of the POLICY ROLL OUT**

It is not possible to make an informed judgement on the roll out time frame of this policy when so much detail about the mechanisms, procedures and out-workings of the policy and other educational structures are still unclear and undecided. INTO is of the view that the timeline for the roll out is totally unrealistic. It is clear that the new structures and systems need to be in place before the current system is dismantled. The capacity building

envisaged in this policy could not be completed during this very tight window of three years.

It is completely unrealistic to implement this policy over a three year period. INTO proposes a five year phased implementation. However this is contingent on teachers, principals and relevant support staff receiving adequate high quality training and most important of all, the proper additional resources being made available. DE failure to secure additional funding for this policy implementation from the forthcoming 2011/14 Comprehensive Spending review will seriously disable the implementation of the policy.

With the development of Learning Communities taking such a significant amount of time, it is hard to envisage the development of collaborative working practices within three years. A further weakness of the Roll Out of the policy is that there is no provision for a review of the Policy by all stakeholders, during the roll out and after full implementation.

**INTO recommends that:**

- **The policy is properly audited to establish financial costs;**
- **The roll out should occur over a longer time frame INTO proposes five years;**
- **Responsibilities and budgets are not transferred to schools until the capacity building for teachers, support staff, principals and governors, and the new structures are in place.**
- **DE conducts a review of the policy with key stakeholders during the roll out phase and a more extensive review involving all stakeholders after roll out has been completed.**

**Frank Bunting  
Northern Secretary  
INTO**