



Rialtas na hÉireann
Government of Ireland

Minister of State's Briefing

Special Education

June 2020



1. Special education

4.1 Overview

The Special Education Section is responsible for overseeing the development of Departmental policy for children with special educational needs as well as managing a range of initiatives aimed at supporting children with special educational needs and to develop comprehensive, efficient and effective services for such children.

Funding for special education provision in 2020 will amount to some €1.9 billion, which is equivalent to 20% of the gross overall current allocation for education and training.

The unit is headed by Eddie Ward, Principal Officer; with a total staff complement of 9.3 WTE.

4.2 Financial Provision

Special Education Section directly funds the services listed in the following table:

Service	Outturn 2018 € million	Outturn 2019 (Est) € million	Provision 2020 € million
Special Education Miscellaneous	0.50	0.55	1.00
National Braille Production Centre	1.28	1.28	1.28
National Council For Special Education	12.96	14.11	20.41
Special Education Initiatives Inc. Funding for Primary Assistive Technology	4.71	5.05	5.82
Tuition Grants – Home Tuition, July Provision, etc.	35.86	36.35	36.50

The Section also manages the following services which are funded through subheads controlled by other sections including teacher and SNA payroll:

- Provision for 17,064 WTE Special Needs Assistant (SNA) posts in 2020
- 16,320 WTE Special Education Teacher posts
- Over 1,400 WTE teachers in special schools
- Over 1,620 special classes with additional classes due to open in Sept 2020
- Assistive technology for pupils in Primary schools
- A Support Service for Schools managed by the National Council for Special Education (NCSE) which includes a visiting teacher service for children who are Blind/Visually Impaired or Deaf/Hard of Hearing and Teacher training and continuing professional development in the area of special education through the Special Education Support Service (SESS) and Behavioral Support Programme.

- Enhanced capitation levels for special schools and special classes
- Modification of school buildings

4.3 Key Priority Issues

4.3.1 Allocation of Special Education Teachers to Mainstream Schools

Over 13,500 special education teacher posts are currently allocated to mainstream primary and post primary schools.

The total number of SETs has increased by 38% since 2011, from 9,740 in 2011, to over 13,500 at present.

Budget 2020 provided an additional 120 special education teacher posts which means that 13,620 Special Education Teaching posts will be available for allocation to mainstream primary and post primary schools by the end of 2020.

Special Education teachers support the mainstream class teacher by providing additional teaching support for pupils with special educational needs in schools.

A new model for allocating special education teachers was introduced for mainstream schools from September 2017 which was designed to distribute special education teaching resources fairly to schools, taking into account their profiled needs.

It replaced the previous model which was considered inequitable, encouraged unnecessary labelling of children with special educational needs, was considered a blunt response, and required a formal diagnosis and application procedure as a pre-condition to access teaching resources.

Based on policy advice received from the NCSE, the new allocation model was developed to create a profile for each school which is needs-based and gives schools autonomy to decide how to deploy the resources they have, based on the needs of pupils.

The Special Education Teaching allocation provides a single unified allocation for special educational support teaching needs to each school, based on that school's educational profile.

- The school profiles take account of a number of components:
 - A baseline component which is provided to every mainstream school to support inclusion and early intervention for children with special educational needs, which is based on school enrolment numbers.
 - The number of pupils with complex needs enrolled to the school
 - The learning support needs of pupils in the school, as evidenced by standardised test results
 - The social context of the school including disadvantage and gender.
 - In terms of implementation which has gone reasonably smoothly, the model has many positive benefits for both schools and students.

Current Position:

School profiles are updated every two years. The model was introduced in 2017 and profiles were reviewed in 2019.

It is expected that some pupils with additional learning needs will enrol to schools over the course of the model and it is expected that these will be broadly balanced by school leavers over the same period.

There are processes in place whereby SET allocations can be appealed or reviewed.

Next Steps:

Allocations were updated for all schools with effect from September 2019.

DES Circulars 007 and 008 2019 noted that the allocations which are being made for schools effective from September 2019 will remain in place for two years, following which, revised profiled allocations will be considered for schools from September 2021.

4.3.2 In School and Pre School Therapy Services Demonstration Project

A demonstration project to provide in-school and pre-school therapy services has been established and took place over the course of the 2018/19 school year.

The project has been developed by the Departments of Education, Children and Youth Affairs, Health, and the Health Service Executive and is being managed and co-ordinated by the National Council for Special Education.

The purpose of the project is to test a model of tailored therapeutic supports by providing speech and language and occupational therapy within 'educational settings'. This innovative pilot will complement existing HSE funded provision of essential therapy services.

The project has been taking place in the Health Service Executive (HSE) Community Healthcare Organisation (CHO) 7 Region of South West Dublin, Kildare and West Wicklow.

75 schools, including a representative sample of primary, post primary, and special schools are taking part.

75 Pre-school settings associated with primary schools participating in the project are also included.

In total 150 settings have participated in the demonstration project.

Children who require speech and language therapy services and who are not attending one of the pilot schools will continue access services from the Health Service Executive.

Children who are attending pilot schools and who receive therapy supports from the HSE will also continue to access such services. The in-school therapy model is designed to supplement, not to replace existing services.

It provides for a clinical Speech and Language Therapy service delivery model of Specialist, Targeted and universal supports in line with best practice for pupils which will see them receiving supports along a continuum of provision depending on the extent or severity of needs of the child/pupil.

Current position:

The demonstration project to provide in-school and pre-school therapy services will continue, as part of the School Inclusion Model, over the course of the 2019/20 school year.

Next steps:

The project has been evaluated over the course of the 2018/19 school year. The evaluation is currently being finalised.

Decisions in relation to the extension of the service to other areas or Counties, or to extend the service nationally, will be taken following consideration of the evaluation of the existing informed pilot phase.

4.3.3 The Special Need Assistant (SNA) Scheme

Currently, a child must have an assessed disability to require or qualify for access to SNA support. The care needs outlined must be of such significance that they are beyond that which would normally be expected to be provided to a child by the child's class teacher, support teacher, or other school teachers, or beyond the level of assistance which could be offered to the student by his/ or her fellow pupils in school.

The care needs must also be those beyond which could normally be provided for by alternative supportive approaches or modifications of the classroom environment, teaching approaches and/or assistive technology or specialist equipment.

The type of significant care needs that pupils may have can be varied, depending on the nature or level of the disability or sensory impairment that a child may have. Examples of the primary care needs which would be considered significant – and which might require SNA support are

- Assistance with feeding; administration of medicine; toileting and general hygiene: (including catheterisation); mobility and orientation; moving and lifting of children, operation of hoists and equipment and severe communication difficulties
- Assisting teachers to provide supervision in the class, playground and school grounds
- Non-nursing care needs associated with specific medical conditions: such as frequent epileptic seizures or for pupils who have fragile health.
- Care needs requiring frequent interventions including withdrawal of a pupil from a classroom when essential

There are also secondary care associated tasks which SNAs will often perform, but only once they have been allocated on the basis of the primary care support tasks listed above.

The operation of the SNA scheme is set out in the Department's Circular 0030/2014.

Review of Special Needs Assistant Scheme

The NCSE Comprehensive Review of the SNA Scheme, published in May 2018, found that the SNA Scheme, as then currently configured, works well in meeting the needs of younger children and students for whom it was originally designed, and is greatly valued by parents, students and schools, however, it was found to be less effective for older primary and post-primary students.

The review recommended a new school inclusion model where the response by the State to the additional care needs for students in our schools would be broadened and better tailored to individual needs to include both health therapeutic and education supports.

School Inclusion Model

In February 2019, Government approved the trialling of a new School Inclusion Model (SIM) for the 2019/20 school year which comprised:

- the establishment of a pilot of a new service model for children with special educational and additional care needs which involves 75 participating schools in the Community Healthcare Organisation area (CHO 7) for the 2019/20 school year. The new service model has the following elements:
 - a new frontloaded allocation model of SNAs allocated in line with profiled need having regard to the approach taken by the New Allocation Model for Special Education Teachers which was introduced in September 2017,
 - expansion of the National Educational Psychological Service (NEPS) to support pilot schools, and
 - continuation of the pre-school and in-school demonstration project in the pilot area to ensure a wrap-around service for the pilot schools;
- the establishment, on a pilot basis, of an NCSE Regional Support Team in the Community Healthcare Organisation area (CHO 7) where the pilot is taking place, to include specialists in relevant disciplines (Speech and Language Therapists, Occupational Therapists, Behaviour Practitioners), in order to inform teacher Continuing Professional Development and best practice in schools in that area;
- the development of a National Training Programme for SNAs and a pilot roll-out;
- the provision of a nursing service for children with complex medical needs in schools to complement existing HSE-supported nursing provision; and
- the trialling in the NCSE of a new functional operating model in order to better reflect the establishment of the NCSE Support Service and regional teams, and to more fully integrate supports for the piloting of the new model.

Budget 2019, provided €4.75 million for the implementation of the recommendations of the Comprehensive Review of the Special Needs Assistant Scheme, including the implementation of a new service pilot. A comprehensive independent evaluation of the Model will be undertaken to test its effectiveness and to support decision making in terms of further implementation.

Significant progress has been made in all aspects of the SIM pilot and regular updates are provided for Government.

Deferral of the Rollout of the new allocation model for SNAs from September 2020

On 17 December 2019 Government approved the phased implementation of the SIM nationally with the implementation, in the first instance, of the frontloading of SNA allocations to all mainstream schools and classes for the 2020/21 school year.

In light of the ongoing Covid-19 crisis the new Frontloaded Allocation Model for Special Needs Assistants, for students in mainstream classes in primary and post -primary schools has been deferred until the beginning of the 2021/22 school year.

Schools have been notified of the arrangements for the allocation of SNA support in respect of students in mainstream classes for 2020/21. The arrangements include the following provisions:

- 2019/20 mainstream class SNA allocations will be frozen, from the date of issue of Circular 0030/2020, and will automatically rollover into the 2020/21 school year. This means that no school will receive an allocation less than that which they have on the date of issue of this Circular and existing SNAs currently in standard SNA posts can continue in these posts for the next school year in the normal way.

- Schools may apply to the NCSE for additionality where they can demonstrate that the current allocation does not meet additional care needs within the mainstream classes in the school. Applications for additionality arising from significant new or emerging additional care needs, which cannot be catered within existing allocations, will be dealt with by way of an exceptional review process.
- A diagnosis of a disability, or a psychological or other professional report, will not be necessary for this process. The role of the SNA to support the care needs of students in mainstream classes, as set out in Circular 0030/2014, remains unchanged.

It is expected that schools will review and reprioritise the deployment of SNAs within mainstream settings and allocate resources to ensure those with the greatest level of need receive the greatest level of support. Providing access to SNA support continues to be based on primary care needs as outlined in DES Circular 0030/2014. SNA allocations for special classes and special schools are not affected by this arrangement.

The new circular will also outline the next steps for the full implementation of the Frontloading Model from September 2021.

Budget 2020 provided for an additional 1,064 additional SNAs for allocation to schools, bringing the total numbers to 17,014 by December 2020. This allocation of SNAs is for allocation to schools which will enable the establishment of new special classes, creation of new places in special schools and support children in mainstream classes.

The School Inclusion Model incorporates the pre-school and in-school therapy demonstration project. This is a project co-funded by the Departments of Children and Youth Affairs, and Education and Skills. It is managed by the NCSE and therapists are supplied by the HSE who also ensure the necessary clinical governance arrangements. Due to the Covid-19 crisis, these therapists like others in the HSE were reassigned to other duties, including contact tracing and testing. Indications from the Department of Health are that re-engaging necessary support from the HSE as part of the provision of an in-school therapy service will be challenging, at least in the immediate term, due to reassignment of staff as part of the COVID-19 response. Other approaches are being considered to support the model for the 2020/21 school year.

Next steps:

Preparation for the introduction of the new allocation model nationally had commenced but some aspects had to be suspended due to Covid-19 restrictions. It is anticipated that, as soon as practicable in the next school year, training and information sessions will commence to prepare the sector for the introduction of the new allocation model for the 2021/22 school year.

Work will also continue on progressing all elements of the wider School Inclusion Model more generally and on its evaluation. This will include potential alternative models for provision of therapy supports.

4.3.4 Summer Provision (SEN)

A summer education programme for children with complex special educational needs will run this summer. In previous years a summer programme ran for children with complex special educational needs which is known as July Provision.

The Department has published details of a summer programme for children with special educational needs enrolled in special schools, special classes and mainstream classes. The programme incorporates some aspects of the July Provision of previous years.

Summer Provision 2020 – Reconnecting with Education, is a significantly expanded programme for children with complex special educational needs which aims to re-establish the child's relationships and connection with school and their peers as a basis for learning and participation and to help the child to re-engage in learning and social activities and help them adapt to new routines and changes. The programme aims to ensure, in so far as possible, that the child can reintegrate/transition into their planned education setting for the next school year with their peers. In-school or home-based supports by teachers and SNAs will help to prevent regression among children with special needs.

The eligibility criteria have been widened to include the following categories of children:

1. Pupils with a diagnosis of Autism
2. Pupils with severe and profound learning difficulties
3. Any child in a special school or a special class in a primary school
4. Children transitioning into a special class from early year's settings to primary school
5. Pupils in primary school mainstream classes who present with the following disabilities:
 - Children with Down syndrome
 - Children who are Deaf or most severe hard of hearing
 - Children who are blind or have a most severe visual impairment
 - Children who have a moderate general learning disability
 - Children with severe emotional behavioural difficulties

HSE programme

This programme will take place in schools, subject to availability. The Department will fund the employment of SNAs to work on the programme. The programme will involve a number of three hour sessions per week for children and young people with complex needs.

Children's disability service managers will engage with families to identify those in most need of these supports and agree the number of sessions per week that can be provided. Staff in children's disability services will provide direction and support for SNAs to deliver activity based "summer camps". The clinicians will ensure that activities are tailored to the needs of the children. The programme aims to -

- Provide short respite breaks for families
- Facilitate children with complex needs to begin the transition from their homes to re-engaging with their communities and schools
- Provide safe opportunities for children with complex needs to engage with their peers

The programme provides a flexible continuum of both education and care supports for some of the vulnerable children with complex needs. These children together with their families have experienced considerably disruption in their lives and endured much stress with the onset of the Covid health crisis including the closure of school buildings and the withdrawal of health support services. This programme will serve as stepping stone for the reopening of schools and the resumption of normal living.

4.3.5 Special Schools

There are 124 special schools providing specialist education for approximately 7,500 pupils with special educational needs annually with over 1,400 teachers:

- 114 special schools for children with special educational needs
- 7 hospital schools
- 3 schools attached to Child and Adolescent Mental Health Services (CAMHS) units

Special schools were all established as special primary schools.

The NCSE is responsible for determining the appropriate staffing levels in relation to the support of pupils with special educational needs in special schools, in accordance with the policies of the Department.

Enhanced pupil teacher and SNA ratios are provided to special schools to support them in dealing with pupils' educational and care needs. Since 2012, special schools are provided with teaching staff on the basis of individual pupil profiles and disability categories of those pupils, as opposed to being based principally on school designation, in accordance with Department Circular 0042/2011. Special school staffing allocations are reviewed and updated each year by the NCSE and schools are staffed on the basis of each year's current school enrolments.

Budget 2020 provides for an additional 23 teaching posts for special schools, designed to meet expected increases in enrolments in 2020, providing over 8,000 pupil places in special schools.

Special School Insurance

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

4.3.6 Children with Special Educational Needs seeking a school placement

The Department's policy provides that children with complex special needs should be placed in mainstream classes with their peers unless this is deemed not to be in their best interest or to be inconsistent with the effective provision of education for other students. Children with more complex needs are placed in either special classes in mainstream schools or in special schools where lower pupil:teacher ratios apply and there are other supports available.

Historically, schools have willingly opened special classes for children in their areas. However, the NCSE which is responsible for planning and coordinating local provision has experienced difficulty recently in getting schools in some areas to open special classes.

By way of response, the Government introduced legislation in 2018 providing the Minister for Education & Skills with a legal power under 37A (2) of the Education Act 1998 to direct schools to make new places available, where all reasonable efforts have failed.

The use of the section 37A (2) of the Education Act 1998 to address shortages of special class and school places

The Minister has a legal power under 37A (2) of the Education Act 1998 to direct schools to make new places available, where all reasonable efforts have failed.

Government policy provides that children with complex special needs should be placed in mainstream classes with their peers unless this is deemed not to be in their best interest or to be inconsistent with the effective provision of education for other students. Children with more complex needs are placed in either special classes in mainstream schools or in special schools where lower pupil:teacher ratios apply and there are other supports available.

The National Council for Special Education (NCSE) has a statutory function to plan and co-ordinate the provision of education and support services to children with special educational needs. This includes the establishment of special class and special school placements in areas with identified need. The NCSE works with families and schools to ensure that advance planning is in place so that schools in an area can, between them, cater for all children who have been identified as needing special class placements.

Historically, schools have willingly opened special classes for children in their areas. In most cases this remains the case. For example, in September 190 new special classes are expected to open. However, the NCSE which is responsible for planning and coordinating local provision has experienced difficulty recently in getting schools in a small number of areas to open special classes. By way of response, the Government introduced legislation in 2018 providing the Minister for Education & Skills with a legal power under 37A (2) of the Education Act 1998 to direct schools to make new places available, where all reasonable efforts have failed.

The initial step in the section 37A process is for the NCSE to inform the Minister that there is a shortage of places in a particular area. The NCSE will only activate the legislation after it has taken all reasonable efforts to get schools and their Patrons to voluntarily agree to provide additional special class or school places.

Last year, the NCSE indicated that parents in Dublin 15, South Dublin, Kildare and Cork were experiencing difficulty securing school places for their children.

In Dublin 15, a total of 86 children were identified being without a placement and Section 37A was initiated for the first time to address the reported shortage of places in Dublin 15. Significant progress was made in a relatively short period in Dublin 15 with the establishment of Danu Special School which will eventually have an enrolment of 40 students as well as seven schools offering to open special classes. The new places will help these families and ensure that the children concerned have access to education.

The establishment of new special schools and special classes has been supported by a programme of professional development and in school support for the teachers and school management.

More recently in October 2019, the process has been initiated in respect of South Dublin where 82 children have been identified as needing placement. As required under the Education (Admissions to School) Act 2018 the NCSE has recently consulted with the schools and their patrons in South Dublin in advance of preparing a report on the matter as set out in the legislation. This Report was received on 21 April. The NCSE has formed the opinion that there is a shortfall of both special school and special classes in the South Dublin area. The NCSE identified that the following additional provision was required-

- 8 ASD primary school special classes to cater for 43 children of school going age who will be without placements for September 2020
- Special school places for 36 children with ASD and complex needs, and 2 children with Severe EBD, for September 2020

Since September 2019, the NCSE has engaged intensively with schools, boards of management and patron bodies with a view to addressing this issue.

Since submitting the report in April, the NCSE and Department have engaged on this matter, with the NCSE providing clarifications on aspects of the report and the level of consultation undertaken taken by the NCSE in reaching its opinion.

Minister McHugh formed the opinion that the 39 schools referred to in the Report should be requested to make additional provision for children with special educational needs as required under S 37A of the Act.

Legal notices have been issued to schools and their patron bodies. The Act provides for a very transparent process of engagement and at each step schools may make representations. Notices issued and representations received must be published.

At the end of January 2020, the High Court heard cases in relation a lack of school places for students with special education needs in the South Dublin area. The cases were adjourned to allow the NCSE and schools in the area to identify possible options.

The recent experience of the shortage of suitable school places for children with special needs has highlighted the need for more pro-active planning and coordination at a central level to ensure the timely delivery of special class and school places in future. Protocols have been put in place to facilitate the exchange of data and information in a timely way to enable more effective pro-active planning in the short, medium and longer term throughout the country.

Next Steps

Receipt and consideration of representations by the 39 schools to whom legal notices have been issued.

4.3.7 NCSE Policy Advice on Special Schools and Classes

In September 2018, the NCSE was requested to develop policy advice on the educational provision that should be in place for students educated in special schools and classes and to make recommendations on the provision required to enable them achieve better outcomes.

The NCSE progress report received in November 2019 provides information on NCSE's work to date on special education policy, including some preliminary analysis of emerging findings from the consultation and research strands, which underpins NCSE policy advice. The NCSE consults extensively with stakeholders in developing its advice.

The report notes that the NCSE cannot draw definitive conclusions from the research that any one type of educational placement is better than another for children with SEN. However, some studies do suggest that students with SEN who are educated in mainstream settings have better short and long term outcomes than those who are in specialist educational placements. However, this requires further examination.

The work to date has included reviews of provision in Ireland and other jurisdictions, for example, Canada, Portugal and the UK.

In 1986, New Brunswick, Canada changed its policies to require that students with disabilities be included in mainstream classrooms. A recent report (2019) of the UN Special Rapporteur on the rights of persons with disabilities commented very favorably on the progress in inclusive education made by the authorities of New Brunswick where all children with disabilities attend regular schools. In the view of the rapporteur, the New Brunswick provision is one of the best in the world "and should be taken as a role model". The report stated "The government of New Brunswick adopted legislation and policies requiring the inclusion of students with disabilities in general schools and the provision of support in an integrated and interdisciplinary way. Inclusion was strengthened and became sustainable due to the introduction of an integrated services delivery framework".

NCSE is also examining, as part of the Policy Advice, the significant implications following ratification of the Convention on the Rights of Persons with Disabilities (CRPD) in 2018, Article 24(2) of this convention obliges States, inter alia, to ensure that children can access an inclusive, quality and free education on an equal basis with others in the communities in which they live. The UN Committee overseeing implementation is interpreting inclusive education as educating all children together within their local school and having a continuum of provision, i.e. mainstream schools, special classes and special schools, is not compatible with Article 24. Ireland is due to submit its first report to the UN in 2020.

From the initial findings and conclusions of the progress report, any decision about whether to move towards the inclusion of all students in mainstream schools requires very careful consideration and if this policy advice recommends a move towards greater inclusion, this could potentially bring about significant changes in the education of students with the most complex needs. The implications of any such potential changes, and their likely resource impacts, need to be fully explored and articulated as part of the final policy advice to be submitted later this year.

This is a long term vision and it is important to say that if any change is to be made it will have to happen gradually and by putting the needs of children with the most complex needs at the heart of this.

Next steps:

The final policy advice is expected in December 2020.

4.3.8 Home Tuition Scheme

The purpose of the Home Tuition Grant Scheme is to provide funding towards the provision of a compensatory educational service for children who, for a number of specific reasons, are unable to attend school.

Home tuition is not an alternative to a school placement and is provided in very limited and specific circumstances. By its nature, it is intended to be a short term intervention.

It is a condition of grant funding that tutors engaged by Parents are registered with the Teaching Council of Ireland and vetted by the National Vetting Bureau.

Special Educational Needs Home Tuition Scheme

This strand of the Home Tuition Scheme provides funding towards a compensatory educational service for children with special educational needs awaiting a suitable school placement. Funding towards 20 hours home tuition is available as a short term measure until a suitable place is available. If the NCSE has not been able to establish the required school placements, it can activate the provisions contained in section 37A of the Education Act 1998 if required.

The scheme also provides Home Tuition for pre-school/early educational intervention for children with autism who meet the schemes eligibility criteria. This scheme provides funding towards 10 hours tuition for children under 3 years of age and 20 hours per week for children over 3 years of age.

Subject to conditions, Parents are free to use the grant to engage tutors to deliver tuition in their home or pre-school providers to deliver tuition in a group / pre-school setting. Such arrangements are essentially between the parents and the relevant provider.

Medical and Mental Health Home Tuition Scheme

This strand of the Home Tuition Scheme provides funding towards a compensatory educational service for students, enrolled in schools, with significant medical conditions which has caused, and is likely to continue to cause, major disruption to their attendance at school.

In exceptional cases the Department will provide fund home tuition for students with diagnoses of school phobia and/or associated depression/anxiety which causes major disruption to their attendance at school. This scheme provides funding towards 5-10 hours tuition per week depending on the circumstances.

Statistics

	Mental Health	Medical	Early Intervention	SEN no placement	Total
2014/15	303	311	166	697	1,477
2015/16	329	304	222	745	1,600
2016/17	347	325	182	856	1,710
2017/18	361	327	206	866	1,760
2018/19	381	303	158	829	1,671

Next Steps:

In advance of the 2020/21 Home Tuition Scheme, the process by which Home Tuition applications process will be reviewed.

4.3.9 Middletown Centre for Autism

The Middletown Centre for Autism project is a jointly funded initiative between the Department of Education in Northern Ireland and DES aimed at supporting the promotion of excellence in the development and harmonisation of education and allied services to children and young people with autistic spectrum disorders. The project is funded on a 50:50 basis with the Department of Education, Northern Ireland.

Current position:

The Centre's 2019-20 Resource Allocation from DES is £1,174,000. (Approx. €1,344,000.)

Department of Education Northern Ireland will match this budget to provide a total resource budget for the Centre of £2,348,000. (Approx. €2,688,000).

An additional capital allocation of £40K (€46.5K) is available to the Centre to cover a bid for increased costs.

The Centre provides a range of services including training for parents and schools and referral services for children. It also funds research.

Next steps:

The Centre is governed by a Board of Directors consisting of 10 directors, 5 appointment by the Minister for Education and Skills and 5 appointment by the Minister of Education (NI). Both Departments had agreed to align their recruitment and appointment process for new broad members.

The term of the existing Board expired in March 2019 but was extended with the agreement of both sides. It is expected that a new Board will be appointed shortly.

4.3.10 Extended School Year (July Provision)

The purpose of the Department's extended school year (ESY) scheme – also known as July provision – scheme is to provide funding towards an extended school year for children with a severe or profound general learning disability or children with an Autism Spectrum Disorder (ASD).

The scheme was developed to reduce potential regression in learning associated with these specific categories of special education needs over the summer holidays.

There are two elements to the July Provision Scheme:

- School Based July Provision – Schools that have special classes for autism and/or severe and profound learning disability can participate in the July Programme. The Department contacts all eligible schools each year to invite them to participate in the programme and extend their special classes into the month of July.
- Home Based July Provision – where eligible students cannot be accommodated in a school based programme, funding may be provided towards the provision of 40 hours home based tuition.

Participant numbers and expenditure

The number of children accessing the scheme each year shows an increasing trend year on year. Participant numbers from 2014-2018 are set out below as well as associated expenditure on the scheme.

Year	2014	2015	2016	2017	2018
No of children	6,731	7,893	8,767	9,446	10,150
Cost €millions	€10.3m	€11.5m	€12.6m	€13.6m	€15.1m

Review of the Scheme

The National Council for Special Education (NCSE) has reviewed the scheme (Autism Advice 2016) and found that it does not meet the identified objectives. The review found that in general parents value July provision because it provides day-time respite for families and a structured day for students. However, the NCSE review also identified a number of other concerns and in particular, it raised a significant concern about the equity of the scheme as currently designed.

The Council recommended that consideration be given to the establishment of an equitable national day activity scheme for all students with complex special educational needs and to consult with other relevant Departments.

The scheme was challenged on equity grounds by Down Syndrome Ireland in 2019 and arrangements were to fund its summer activity programme up to €100,000 on a once off basis while a revised scheme was being developed.

Next steps:

It is expected that proposals for a revised scheme will be developed in the coming months and there will be consultations with stakeholders and relevant Government Departments.

4.3.11 Implementation of the EPSEN Act

The EPSEN Act was passed by the Oireachtas in 2004. It was a very significant piece of legislation, providing a framework for the delivery of future special education services. Amongst other issues, it provides for:

- Inclusive education
- The right to an individual education plan
- In certain circumstances, the assessment of a pupil's special needs
- The designation of a school placement by the NCSE
- The establishment of the Special Education Appeals Board

It also provided a statutory underpinning of the work of the National Council for Special Education (NCSE).

Current position:

A significant number of sections of the EPSEN Act have been commenced, principally those formally establishing the NCSE and those promoting an inclusive approach to the education of children with special educational needs.

However, in light of the difficult economic situation arising in the period 2008-2012 and the significant costs involved, the full implementation of EPSEN was deferred.

Next steps:

While the implementation of the EPSEN Act has been deferred, significant work has been continuing to improve special educational services through the implementation of policy advice recommendations and through the allocation of additional resource teaching and SNA resources for schools. Significant advances have been made in recent years in expanding and improving the range of provision and supports e.g. the new special education teacher allocation model, the pilot introduction of therapeutic supports and the planned changes to the SNA allocation model.

The DES continues to seek to improve provisions, by implementing NCSE policy advice recommendations, and also by seeking to bring into effect many of the good ideas contained in the EPSEN Act, on a non-statutory basis initially, through policy developments across a range of areas.

In doing so, DES takes into account the provisions contained in the EPSEN Act, and also current policy advice and research which notes that allocation models based primarily on a response to assessment and diagnosis can create a risk of children being diagnosed as having a special educational need for resource allocation purposes, rather than for health reasons. Also, that as there is a spectrum of ability and disability within every special education disability category, account must be taken of need, as well as diagnosis.

In seeking to improve special educational services, the DES will therefore take into account the provisions of the EPSEN Act and also the findings of research and analysis regarding best practice

in relation to the provision of special educational supports for children, which has been published since passing of the Act.

4.3.12 Special Education Litigation

[REDACTED]

Current Position:

[REDACTED]

[REDACTED]

[REDACTED]

Next steps:

[REDACTED]

[REDACTED]

4.4 National Council for Special Education

4.4.1 Basis of Establishment (Statutory or otherwise):

The National Council for Special Education (NCSE) is a statutory body established under the Education for Persons with Special Educational Needs Act 2004.

The NCSE was set up to improve the delivery of education services to persons with special educational needs arising from disabilities with particular emphasis on children.

4.4.2 Main responsibilities:

The general functions of the Council as set out in Section 20 of the EPSEN Act may be summarised as follows:

- Planning and coordinating provision of education and support services to children with special educational needs
- Disseminating information on best practice concerning the education of children with special educational needs.

- Providing information to parents in relation to the entitlements of children with special educational needs
- Assessing and reviewing resources required by children with special educational needs.
- Ensuring that progress of students with special educational needs is monitored and reviewed
- Reviewing education provision for adults with disabilities.
- Advising educational institutions on best practice.
- Consulting with voluntary bodies.
- Advising the Minister for Education and Skills on matters relating to special education.
- Conducting research and publishing findings.

In addition the Council has specific functions in relation to the core provisions of the Act such as assessment and individual education plans.

In carrying out its functions under the Act the Council is required to consult directly with stakeholders as necessary and to establish a formal national Consultative Forum representative of all the stakeholders.

4.4.3 Financial Allocation 2020:

The NCSE's total allocation for 2020 is €20.41 million; €9.52 million for pay and €10.89 million for Non Pay.

4.4.4 Staff numbers:

In addition to Teresa Griffin, CEO, 4 Principal Officers and other civil servants, a NCSE Inclusion Support Service was established by way of the transfer on 20th March 2017 of the management of the Special Education Support Service, the National Behaviour Support Service and the Visiting Teacher Service for Children who are Deaf/Hard of Hearing and for Children who are Blind/Visually Impaired to the National Council for Special Education

Prior to the transfer, the NCSE consisted of just over 100 civil service staff, most of whom were Special Educational Needs Officers (SENOs) who work directly with schools and families.

The transfer saw the overall staffing of the NCSE increase significantly. In addition to the civil service staff, the NCSE now manages 43 Visiting Teachers, 62 seconded teachers/Advisors.

The NCSE, through its Inclusion Support Service, would provide appropriate support to schools whose emerging needs are of such significance that they require the provision of such additional support.

The new integrated structure is as follows:

- The NCSE Support Service will be organised on the basis of five geographical regions, each consisting of two teams. Each of the five regions to be headed by a Regional Manager, reporting to the Head of Operations.
- Each of the ten teams will have a Team Manager reporting into the respective Regional Manager.
- It is the intention that the members of the interdisciplinary teams (currently consisting of SENOs, Visiting Teachers and NBSS/SESS Advisors) will in future to be renamed as Advisors and report into the respective Team Manager.
- A separate Policy and Practice area to be established consisting of five Specialist Leads.

4.4.5 NCSE Council

The EPSEN Act sets out the arrangements for appointments including nominations from scheduled bodies and Ministers and makes provision for gender balance, and also the provisions of the Government's guidelines on Appointments to State Boards.

Current Council Membership:

Name	Appointment/Nomination
Joe Hayes, Chairperson	Public Appointments Service (PAS)
Áine Lynch	National Parents Council – Primary
Anne Tansey, Director of NEPS	Minister's appointment
Antoinette Nic Gearailt	Association of Community and Comprehensive Schools
Carol Cuff	Minister for Health
Clodagh Ní Mhaolchiarain	Gaelscoileanna Teo
Don Mahon, Retired Inspector	Public Appointments Service (PAS)
Deirbhile Nic Craith	INTO
Dharragh Hunt	National Disability Authority
Eamon Clavin, Inspector	Minister's Appointment
Eileen Daly	Rehab
Pat Geoff	IPPN
Peter Archer, Researcher	Public Appointments Service (PAS)

