



Education Authority

**Draft Framework for Specialist Provision in
Mainstream Schools**

and

**Draft Framework for Specialist Provision in
Mainstream Schools - Pilot**

16 October 2020

Foreword

I am pleased to launch this public consultation on the Education Authority's (EA's) proposed future educational provision for children with special educational needs (SEN) across special schools and specialist provisions in mainstream schools in Northern Ireland.

These proposals have been developed following engagement with a range of key stakeholders with a particular interest in special education including the Department of Education, health and social care professionals and school principals.

The EA is committed to providing services that will support our children and young people to get the best start in life. This is particularly important for children with special educational needs. In supporting children it is important that we recognise the need for a range of specialist provision across our mainstream and special school settings to meet the diverse and changing learning needs of pupils.

We want to ensure that our children have access to excellent provision throughout their educational journey which is appropriate to their needs and close to where they live. These consultations will inform the services that we will provide for children with special educational needs in the future.

As we develop services around the needs of our children and young people in a child-centred and inclusive way, we want to bring clarity and transparency to the process. We will continue to work alongside our partners in health and social care and the voluntary and community sectors as we seek to improve services for children and young people.

I believe that the proposed frameworks for the future delivery of SEN provision across special schools and specialist provision in mainstream schools will help us to enable positive outcomes for children across Northern Ireland and enhance consistency in the accessibility of our services.

As the EA undertakes this important work there is an opportunity for you to have your say in relation to the future of SEN provision across Northern Ireland. The EA is commencing the public consultation before a final decision on future frameworks is reached.

I would therefore ask you to please take the time to read these documents and complete the attached questionnaires. Your contribution is important and will be given full consideration as we seek to improve pupil outcomes for those children and young people who require specialist support and parents' confidence in the educational opportunities provided.

A handwritten signature in black ink that reads 'Michele Corkey'.

Michele Corkey
Director of Education

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Section 1

Draft Framework for Specialist Provision in Mainstream Schools

Part 1: Introduction and Background

1.1 Introduction

The purpose of this document is to outline the Education Authority's (EA's) vision, rationale and delivery framework with regards to specialist provision in mainstream schools across Northern Ireland. This draft framework is part of the wider Area Planning strategy that relates to mainstream schools and has been reflected in the Providing Pathways - Strategic Area Plan for School Provision 2017-2021 and the associated Action Plan for Primary, Post Primary and Special Schools (2019-2021).

The EA funds specialist provision in a mainstream school to support children with a statement of special educational needs which indicates that specialist teaching within a small group setting is most appropriate¹. These specialist provisions, recognised and approved by the DE through the Development Proposal process provide a learning environment which has a level and form of support not readily available in a mainstream class, with fewer pupil numbers and with a higher level of adult support, including a teacher and a minimum of one classroom assistant. The setting can offer a modified curriculum that offers greater opportunity to balance learning opportunities with that of developing important life and social skills. The EA places children in these settings following consideration of their assessed needs. Specialist provisions exist to meet the special educational needs of statemented pupils in an area. Currently the Board of Governors of the mainstream school, supported by the EA, assume governance of the specialist provision.

In meeting the needs of children to progress through their educational experience, specialist provisions exist across the Key Stages in both primary and post primary settings. There is flexibility within this model of provision to allow a child to move through the Key Stages availing of specialist provision or, reintegrating fully into a mainstream placement, where appropriate. The educational journey is informed by assessed need, involving professional advice and input from the school and parents.

For children availing of a specialist placement, there is opportunity for wider participation in the school alongside mainstream peers. The EA is committed to promoting inclusion and therefore it is important that this is reflected in this continuum of provision.

It is imperative that the importance of a range of specialist provision within a continuum of support for pupils with special educational needs is recognised. This includes support in mainstream schools, through to specialist provision in

¹ There are a number of Speech & Language provisions attended by children who do not hold a statement of special educational needs.

mainstream schools and special schools. While this full range of provision exists in some geographical areas of Northern Ireland there are significant inconsistencies across the region in relation to the accessibility of the full range of provision between key stages and phases for some pupils which is recognised and which requires redress.

The delivery framework is also linked to the EA vision to:

'Inspire, support and challenge all our children and young people to be the best that they can be'.

The EA is committed to ensuring that the vision applies to all children and young people with special educational needs, so that the educational provision they access gives them the best start in life, assists them to become progressively independent and to optimise their educational, personal and life outcomes.

1.2 Specialist Provision in Mainstream Schools

Since the establishment of the EA in 2015, it has been recognised that there are significant inconsistencies across the region in relation to the accessibility of specialist provision in mainstream schools.

According to the **2019/20 DE Census Data**, Northern Ireland has approximately












- **349,500** pupils enrolled in schools;
- **19,200** children with a Statement of Special Educational Needs;
- **11,000** children with a Statement of Special Educational Needs attending mainstream primary and post primary schools with additional support;
- **1,900** pupils with a Statement of Special Educational Needs in specialist classes within mainstream schools; and
- **6,174** pupils enrolled in special schools.

The EA monitors the number and type of specialist provisions in mainstream schools annually to inform the Area Planning process. While there are 1,096 mainstream schools in Northern Ireland, only 93 schools have approved specialist provisions. Regionally, this represents less than 10% of mainstream schools. A breakdown of the approved provisions by council area, phase and management type is provided in Appendix 1. This data highlights the significant level of variation in provision on a geographical basis.

In total, there are currently 214 specialist classes within these 93 mainstream primary and post-primary schools. Some of these 93 schools have more than one class depending on the age ranges and the needs of the children and young people.










Figures 2 and 3 below highlights the specialist provision which currently exists and the inconsistencies across the 11 local government districts at primary and post primary level.

Figure 1: Specialist Provision in Mainstream Primary Schools









Local Government District	Specialist Provision Classes
Antrim & Newtownabbey	
Ards & North Down	
Armagh City, Banbridge & Craigavon	
Belfast	
Causeway Coast & Glens	
Derry City and Strabane	
Fermanagh & Omagh	
Lisburn & Castlereagh	
Mid & East Antrim	
Mid Ulster	
Newry, Mourne & Down	

Source: EA

Figure 2: Specialist Provision in Mainstream Post Primary Schools

Local Government District	Specialist Provision Classes
Antrim & Newtownabbey	
Ards & North Down	
Armagh City, Banbridge & Craigavon	
Belfast	
Causeway Coast & Glens	
Derry City and Strabane	
Fermanagh & Omagh	
Lisburn & Castlereagh	
Mid & East Antrim	
Mid Ulster	
Newry, Mourne & Down	

Source: EA

Key	Specialist Provision Type
	Social Communication Unit (SCU)
	Autism Specialist Class (ASC)
	Learning Support Class (LSC)
	Moderate Learning Difficulties (MLD)
	Hearing Impairment Class (HIC)
	Speech & Language Class (SLC)
	Education Centre for Physical Difficulties (ECPD)
	Social, Behavioural and Emotional Well-Being (SBEW)

1.3 Resource Provision

There has been a significant increase in demand for specialist provision places in mainstream schools across the region in recent years. This has placed a demand on the limited number of places available not least in the areas where there are significant geographical inconsistencies in relation to the accessibility of provision for some pupils. As demonstrated in Figure 1 and Figure 2, in some areas this provision does not exist; in some areas the provision is very limited. In areas where formally approved provision is not available and in order to meet the assessed needs of pupils in a timely fashion, the EA has funded teachers and classroom assistants to support pupils recommended for such provision. This is a **temporary measure** to be reviewed through the Area Planning Process in the near future.

From 2015, the EA has funded 14 resource provisions classes across primary and post-primary schools to meet the needs of pupils with cognition and learning needs, and separately autism. This was to address some of the local pressures in relation to the absence of approved specialist provision in some areas. A further 30 resource provision classes have been established across primary and post primary schools for the 2020/21 academic year.

It is also important to draw a distinction at this point between these provisions and the important measures put in place by some schools to provide for pupils with special educational needs within the mainstream classes. These arrangements are **funded by the school** through their budget.

1.4 The Legislative Context – A Summary

When developing a framework for specialist provision in mainstream schools the EA must proceed within a clear legislative and policy framework to ensure that the needs of children with special educational needs are met. Core to the protections for children with special educational needs is **The Education Order (Northern Ireland) 1996** which is a key piece of legislation in regard to children and young people with learning difficulties and special educational needs. The 1996 Order placed responsibility for securing provision for learners with special educational needs with the EA and schools. A number of other key pieces of legislation are summarised in Appendix 2.

More recently, **The Children's Services Co-operation Act (NI) 2015** required improved cooperation amongst Departments and Agencies and places a duty on children's Authorities, as defined by the Act, to co-operate where appropriate, in order to deliver services which will improve the well-being of children and young people. This duty has particular relevance within the area planning context as EA strives to have increased equity in provision across the organisation.

The **Special Educational Needs and Disability (SEND) Act (NI) 2016** will have phased implementation. This legislation broadens special educational needs to include disabilities and further strengthens the rights of children and young people with special educational needs to be educated in mainstream schools which is a key strategic priority for the EA. The SEND Act focuses on raising standards and improving pupil outcomes and places the child firmly at the centre of the processes of early identification, assessment, provision and review.

As the EA commences the implementation of measures linked to the new SEND Act (2016) this will enable further transparency to our provision in both special schools and in specialist provisions in mainstream schools to meet the needs of children and young people with special educational needs. This will be reflected in the EA's SEND Plan.

The DE published **Schools for the Future: A Policy for Sustainable Schools** in January 2009 which has, as its vision, an estate of educationally sustainable schools planned on an area basis, with a focus on sharing and collaboration. It is important to note that the Sustainable Schools policy does not apply to special schools but by contrast, the core elements of this policy are particularly relevant when considering the establishment of specialist provisions in mainstream schools.

In this context, developing specialist provisions in sustainable mainstream schools not only ensures the long term sustainability of the provision but provides improved opportunities for inclusion and integration of SEND pupils within a school community as well as access to a broad and balanced curriculum.

The Sustainable Schools Policy states that the minimum (not optimal) enrolments for new primary schools should be 140 pupils for primary schools in urban areas and 105 pupils for primary schools in rural areas. It also states that Post-primary should have a minimal enrolment of 500 pupils. The policy states also that the minimum (not optimal) enrolment for a new sixth form in an 11-18 school should be 100 pupils.

Part 2: Why is Change Needed?

2.1 The Rationale for Change

The EA is seeking to put in place an ambitious framework in order to provide pupils and parents with a greater level of **equity** in the availability of specialist provision in mainstream schools across the region. This will provide greater access to inclusive educational opportunities for pupils with a statement of special educational needs by addressing the geographical inconsistencies which currently exist.

This change is required urgently as a result of the significant increase in stated pupils in all settings as set out in Figure 3 below.

Figure 3: Special Educational Needs Trends – 2015/16 – 2019/20

	2015/16	2016/17	2017/18	2018/19	2019/20	% Change 2015/16 - 2019/20
Pupils Enrolled	339,785	341,771	344,128	346,908	349,474	2.85%
Pupils with a Statement of Special Educational Needs	16,572	17,037	17,837	18,425	19,200	15.86%
Pupils with a Statement - Mainstream with Support	9,648	9,824	10,256	10,558	11,111	15.16%
Pupils with a Statement - Specialist Provision in Mainstream School	1,751	1,806	1,846	1,908	1,915	9.37%
Pupils with a Statement - Special School	5,173	5,407	5,735	5,959	6,174	19.35%

Source: EA and DE

The EA is seeking to deliver a greater level of accessibility within the context of the following challenges:

- 1 an increasing demand for specialist provision in mainstream schools places;
- 2 an increasing pressure on special schools as a result of the lack of specialist provision in mainstream schools;
- 3 a changing and more complex profile of special educational needs;
- 4 an inequality and inconsistency in the type of provision offered across the region; and
- 5 a need to ensure the effective and efficient use of resources particularly in a challenging financial climate.

In seeking to deliver a greater level of accessibility the EA will:

- 1 improve outcomes for children with a statement of special educational needs attending mainstream schools;
- 2 ensure there is capacity across our schools to meet current and projected demand for places within specialist provision in mainstream schools; and
- 3 to be more responsive to identified pupil need.

The process through which this change is delivered is currently the statutory Development Proposal process, as defined under Article 14 (1-9) of The Education and Libraries (Northern Ireland) Order 1986. This process is used to effect changes to schools which are considered to be significant, either to the school itself, or in relation to the impact on another school. This currently includes any permanent establishment of specialist provision in mainstream schools.

2.2 Review of Special Education

In March 2015, a Ministerial led Review of Special School Provision in Northern Ireland was published. The review made a total of 12 recommendations which can be found in Appendix 3. One of these related specifically to specialist provisions in mainstream schools and is detailed below:

- A separate review of Learning Support Centres (LSC) provision is carried out to ensure equity of provision across each ELB to supplement the findings of this report.

From 2016 the EA has completed an annual audit of specialist provision in mainstream schools to provide information on current uptake as well as identifying geographical areas where availability of places was not adequate to meet local assessed need. The continuum of provision between Primary and Post Primary Schools has been mapped which highlighted regional differences in accessibility of provision across the EA. These differences in accessibility will be addressed through the Area Planning process.

Part 3: Our Vision and Guiding Principles

3.1 Our Vision for Specialist Provision in Mainstream Schools

Our vision is to promote inclusion for children in specialist provisions: providing the best educational experiences; equality of opportunities; and pathways possible, leading to positive outcomes and experiences of the highest quality in schools which are:

- **Consistent in the education and interventions offered**
- **Close to where children live**
- **For all ages and stages of development**
- **Flexible to meet changing educational, physical and medical needs**
- **Inclusive, providing opportunities for education alongside mainstream peers where appropriate**

By having provision which is consistent in the education and interventions offered EA wants to provide pupils with equitable access to excellent provision with a highly skilled and diverse workforce across all areas of Northern Ireland.

Through having specialist provision in mainstream schools located close to where children live the EA wants to minimise travel distances and provide opportunities for them to be educated alongside their mainstream peers.

By having specialist provision in mainstream schools which are for all ages and stages of development the EA wants to minimise the need for transition to other schools throughout a child's educational journey. Availability of provision across primary and post primary schools within local areas reduces parental uncertainty at transition points across a child's educational journey. This model also enables academic and pastoral progression across primary and post primary phases.

Provision which is flexible and agile to meet the changing educational needs of children and young people will provide clarity and transparency for parents on the education and special educational needs support that is available to meet the changing needs of their children. As mentioned previously, the EA considers it in the best interests of the child to experience progression, therefore there is flexibility within this model of provision to allow a child to move through the Key Stages availing of specialist provision or, indeed, reintegrating fully into a mainstream placement, where appropriate. The educational journey is informed by assessed need, involving professional advice and input from schools and parents.

The EA is committed to promoting inclusion for children accessing placement in specialist provision. Although the setting offers a safe learning environment for children and young people, it is also a platform from which they can extend their experiences. The potential benefits of well-planned and managed inclusion for children and young people in a specialist provision are immense and may include:

- access to a broader curriculum;
- improved academic achievement;
- greater opportunities for the development of friendships and relationships;
- opportunities to develop communication and social skills;
- better awareness of a range of special educational needs amongst staff and pupils; and
- a greater respect for and appreciation of diversity within the whole school.

3.2 Guiding Principles

In realising this vision and in line with EA values there are a number of guiding principles which will influence our work with parents and our co-operation and collaboration with other statutory partners including the health and social care trusts as well as the community and voluntary sectors. The EA will seek to be:

- **Child-centred** – children with special educational needs have different and individual needs. It is expected that different types of provision will be required by different children to meet their individually assessed need, as part of our continuum of high quality provision and associated support.
- **Inclusive** – ensure that children with special educational needs can have opportunities for inclusion alongside mainstream peers as appropriate and enjoy community connections to enrich their experiences in a range of different ways.
- **Outcomes focused** – evidence improved outcomes for children and young people with special educational needs as well as increased independence in preparation for life beyond school. There is therefore a need for clear local evidence in terms of what is working to meet need, based on how our children are responding to interventions provided by high quality staff.
- **Equitable** – bring consistency to the nature and type of specialist provision in mainstream schools for children and young people is essential.
- **Transparent** – bring increased clarity and transparency in terms of how parents and professionals access the full range of special educational support and provision available.

Part 4: Progressing Our Vision

First and foremost, prior to consideration for specialist provision, all schools must satisfy the six criteria of the **Schools for the Future: A Policy for Sustainable Schools**.

In addition, to realise this vision the EA has developed specific **criteria**, see Figure 4 below, as well as **indicators** for each of these criteria, set out separately in Annex A, to identify the gaps in our existing specialist provision in mainstream schools and to identify mainstream schools in which to establish additional suitable provision for future needs of children and young people with special educational needs.

Figure 4: Specialist Provision in Mainstream Schools Criteria

<p>A. Quality Educational Experience</p>
<p>The school provides a broad and balanced educational experience that recognises the diverse needs, including individual assessed needs of all pupils. Pupils have access to appropriate educational opportunities and pathways that lead to attainment of accredited outcomes through maximum inclusive opportunities with their mainstream peers where possible.</p>
<p>B. Strong Leadership and Management by Board of Governors and Principal</p>
<p>There is effective leadership and management within the school which positively affects morale and motivation, and contributes to consistent standards of attainment with clear direction and accountability. There is strong leadership and effective management in all areas of SEN within the school.</p>
<p>C. Accessibility and Accommodation</p>
<p>Pupils requiring a specialist provision place can access this within a reasonable distance and travel time across both urban and rural areas in line with Schools for the Future: A Policy for Sustainable Schools. Specialist provision in mainstream takes account of both pupil and sectoral need recognising the DE's duty to facilitate and encourage both integrated and Irish medium education. Accommodation should be fit for purpose to enable specialist classes to be integral to the school.</p>
<p>D. Clear Commitment to Inclusion</p>
<p>The school has a strong ethos supporting and promoting the inclusion of SEN pupils alongside their mainstream peers; and is flexible and responsive with regards to making reasonable adjustments to meet pupil need. The indicators here also recognise the development of life-skills and personal development, through where possible inclusion with mainstream peers.</p>

E. Strong links with the Community

As well as offering specialist provision classes across key stages internally, the school is part of a network of specialist provisions that offer cross phase options within the local area. The school regularly engages with the SEN clusters. The school prioritises strong links and relationships with parents and the local community including, where appropriate, links with Further Education, Area Learning Communities, and other mainstream schools through the Entitlement Framework, Shared Education etc. These strong relationships enable the school to become an integral part of the community which impacts on the value that the community places on education and allows pupils to have access to enriched educational experiences.

F. Stable Enrolment Trends

The school is sustainable in accordance with the Schools for the Future: A Policy for Sustainable Schools. Additionally, where possible, primary schools will have a minimum of seven class bases increasing the likelihood of being able to offer non-composite classes to facilitate integration for SEN pupils.

Part 5: Realising Our Vision

5.1 Specialist Provision Classes

With the phased implementation of the new SEND Act (2016) and the future description of Special Needs Coordinators (SENCOs) as Learning Support Coordinators (LSCs) there is the potential for confusion in relation to the use of terminology that relates to Learning Support Classes (LSCs). Depending on the composition of the class, legacy boards used different descriptors. As part of the case for change EA needs to bring regional consistency to the description of classes that meet the needs of pupils with special educational needs.

Moving forward the EA is proposing that in order to avoid any confusion, the term 'specialist provision' should be used. These would be defined as:

Proposed Terminology	Current Terminology
<i>Specialist Provision (Learning)</i>	<i>Learning Support Centres or Moderate Learning Difficulty Classes</i> for children with a diverse range of learning and associated difficulties
<i>Specialist Provision (Autism)</i>	<i>Autism Specific Classes</i> in some areas and <i>Social Communication Classes</i> in others
<i>Specialist Provision (Language and Communication)</i>	<i>Speech and Language Classes</i>
<i>Specialist Provision (Hearing Impairment)</i>	<i>Hearing Impaired Classes</i>
<i>Specialist Provision (Physical)</i>	<i>Education Centres for children with a Physical Disability</i>

It is important to note that the EA also has a range of support and services for children and young people with Social, Behavioural and Emotional Well-Being difficulties (SBEW) at both primary and post-primary phases. However, with the exception of a specialist SBEW class (St Vincent's attached to St Joseph's College, Belfast) these are not within mainstream schools. A separate review of these services will take place and they are therefore not included in this current area planning framework.

The framework for specialist provision in mainstream schools will be used to inform decision making in relation to establishing provision to address the future needs of statemented pupils whose needs are best met in a small group setting within a mainstream school.

This framework will increase opportunities across Northern Ireland for pupils with special educational needs to have their needs met within a broader continuum of provision in line with assessed need; the specialist provision class remains a core element of this spectrum of provision.

5.2 Pilot

Currently the creation of, or change to, specialist classes within mainstream schools requires the publication of a statutory Development Proposal. The statutory Development Proposal process, as defined under Article 14 (1-9) of The Education and Libraries (Northern Ireland) Order 1986, is required to effect changes to schools which are considered to be significant, either to the school itself, or in relation to the impact on another school.

It is the EA's view that a more agile and flexible process could be considered to meet the needs of children and young people with special educational needs while continuing to meet our statutory duties.

In that regard the EA is working with DE to take forward a pilot which allows more agile planning and delivery in relation to the type and number of specialist provisions required in mainstream schools across Northern Ireland without the need for a Development Proposal but which would retain the robust detail required for this process.

This pilot, outlined in Section 2, will run in parallel with the consultation process for this framework. On completion of the pilot outcomes will be analysed and, if successful, will inform the future process for establishing specialist provisions in mainstream schools.

Section 2

Draft Framework for Specialist Schools in Mainstream Schools - Pilot

Part 6: The Pilot

6.1 Rationale for the Pilot

The DE Transformation Programme Project, Delivering Schools for the Future (DSF), in considering barriers to effective area planning, highlighted the inflexibility of the statutory Development Proposal process to establish, close or change specialist provision in mainstream schools (eg year on year in response to local demands).

Taken together, the ‘barriers’ work, the statutory duty placed on the EA to prepare and publish a plan of arrangements for special educational provision (to be consulted upon by DE); and the development of EA’s *Framework for Specialist Provision in Mainstream Schools* (to be consulted upon by the EA) present a timely opportunity to assess and review the current process for making changes to specialist provision at mainstream settings through the Development Proposal process. It will be crucial to ensure that when the new regulations, Code of Practice and EA frameworks are introduced that supporting change mechanisms are proportionate, agile and remove any duplication in consultative processes.

The pilot will run in parallel with the DE and EA’s consultations on the draft SEN Regulations/Code of Practice and area planning frameworks respectively. It is envisaged that, by doing so, the findings of the pilot will feed into both consultations and collectively the information gathered from stakeholders, through the aforementioned consultations and the pilot exercise, will inform a new process for the approval and implementation of these provisions.

This pilot will include a small number of schools at which the EA either wishes to establish, close or change specialist provision, or seeks formal approval for provision which has been operational for over four years.

6.2 Aim of the Pilot

The aim of the pilot, undertaken by EA on behalf of DE, is to develop, test and agree a new process that will facilitate the establishment, closure or change of specialist provision in (sustainable) mainstream schools in an efficient and expedient manner without the requirement for a Development Proposal but consistent with the EA’s *Framework for Specialist Provision in Mainstream Schools*.

The EA is seeking the views of all of its stakeholders on the introduction of a more agile approach to the establishment of specialist provision in mainstream schools. The consultation on the pilot will inform EA and DE’s process for the establishment and approval of specialist provision in mainstream schools.

6.3 Background

The EA will establish a network of specialist provision in mainstream schools to provide for the special educational needs of pupils whose assessed needs indicate that they require a smaller group setting. In doing so the EA will provide pupils and parents with a greater level of equity in the availability of specialist provision in mainstream schools across the region to address the geographical inconsistencies which currently exist.

Consistent with the current consultations on DE's *Special Educational Needs Framework*, the EA's draft *Special Schools' Area Planning Framework* and the draft *Framework for Specialist Provision in Mainstream Schools*, this pilot will support an inclusive approach to enable the special educational needs of children and young people to be met within a mainstream setting.

The EA's draft *Framework for Specialist Provision in Mainstream Schools* details the background to specialist provision in mainstream schools, the current process for its establishment and types of provision. The draft framework also details the rationale for change and the challenges faced:

'The EA is seeking to deliver a greater level of accessibility within the context of the following challenges:

- 1 *an increasing demand for specialist provision in mainstream school places;*
- 2 *an increasing pressure on special schools as a result of the lack of specialist provision in mainstream schools;*
- 3 *a changing and more complex profile of special educational needs;*
- 4 *an inequality and inconsistency in the type of provision offered across the region;*
and
- 5 *a need to ensure the effective and efficient use of resources particularly in a challenging financial climate.'*

In meeting the challenges above, the EA, working with DE will provide a more agile process for the approval and establishment of specialist provision in a timelier manner.

The needs of the majority of children with SEN are routinely being met in a mainstream school setting. This raises the question as to whether or not specialist provision should continue to be considered a 'significant' change to a school's character when in many schools this is an integral service provided by the school and therefore part of its character.

6.4 Current Process

Currently the establishment, closure, or change to specialist provision within mainstream schools requires the publication of a Development Proposal. The statutory Development Proposal process, as defined under Article 14(1-9) of the Education and Libraries (Northern Ireland) Order 1986, is required to affect changes to schools which are considered to be significant, either to the school itself, or in relation to the impact on another school. The Development Proposal process is lengthy and it takes at least a year from inception to approval.

The pilot provides a more effective and efficient process to the approval and establishment of specialist provision in a mainstream school. Should the pilot be adopted, following consultation, the establishment of specialist provision in mainstream schools would be through the consultation on an annual published plan of arrangements for SEN, in line with requirements under the Special Educational Needs and Disability (SEND) NI Act (2016). This is consistent with Article 6A of the 1996 Order which places a duty on the EA to prepare and publish a plan of arrangements for SEN. This would also fulfill the responsibilities around consultation and having a robust process in place to gather the views of all stakeholders in order to inform the decision making process.

6.5 Pilot Objectives

- To develop a new more streamlined and efficient process to establish, close or change specialist provision in mainstream schools.
- To ensure that the new process provides opportunity for interested parties to have their views considered before final decisions are taken.
- To define how the process will operate in practice including linkages with publication of an **annual published plan of arrangements** for SEN (2016 SEND Act refers).
- To develop recommendations for the Minister to consider based on a report on the pilot outcomes.

6.6 Pilot Schools

The EA identified schools with:

- existing temporary provisions established for more than four years, with proven demand and delivery of a high quality specialist provision in a mainstream setting;
- major capital announcements, with existing provision, which provide the opportunity for enhanced provision in modern purpose-built accommodation; and
- major capital announcements, without existing provision, where there is identified local need.

Schools which are named in the Annual Action Plan 2019-21, but not included here, will be considered for this new process should the pilot and the EA consultation on a draft *Framework for Specialist Provision in Mainstream Schools* prove successful.

As detailed in the draft *Framework for Specialist Provision in Mainstream Schools*, the *Sustainable Schools Policy* sets out six sustainability criteria, and associated indicators, which are identified as the key references for assessing existing and future education provision to ensure schools are sustainable and adequately meet the needs of pupils.

In addition, the EA has developed a further six criteria and associated indicators to identify mainstream schools in which to establish additional suitable provision for future needs of children and young people with special educational needs. Five of

these criteria are enhancements to the Sustainable School Policy and one is additional. The EA has assessed the schools included in the pilot against the six criteria in the SSP and these additional criteria developed by the EA for specialist provision in mainstream schools.

The 10 schools included in the pilot are:

Primary Schools	Post-Primary Schools
Fort Hill Integrated PS, Lisburn Holy Evangelist PS, Belfast Seaview PS, Belfast The Good Shepherd PS, Belfast	Abbey Community College, Newtownabbey Ballycastle Shared Campus - Ballycastle HS and Cross and Passion College Dunclug College, Ballymena Fort Hill Integrated College, Lisburn Lisneal College, Derry/Londonderry

Fort Hill Integrated Primary School, Lisburn

Fort Hill Integrated Primary School has approval for a new build school. The EA will establish a four class specialist provision in the new school for Autism and Learning across Foundation, Key Stage 1 and Key Stage 2. This proposed specialist provision will initially be established in the current school building, on a phased basis, with the four class provision included in the new build school for Fort Hill Integrated Primary School.

Pilot Proposal	Fort Hill Integrated Primary School	Learning - 2 classes Autism - 2 classes	Foundation, Key Stage 1 and Key Stage 2
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Holy Evangelist Primary School, Belfast

Holy Evangelist Primary School has an established temporary two class Social Communication provision for Foundation, Key Stage 1 and Key Stage 2. The EA is changing this provision as set out below. This provision will be included in the new build school for Holy Evangelist Primary School.

Pilot Proposal	Holy Evangelist Primary School	Learning - 1 class Autism - 1 class	Foundation, Key Stage 1 and Key Stage 2
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Seaview Primary School, Belfast

Seaview Primary School has approval for a new build school. The EA will establish a four class specialist provision in the new school for Autism and Learning in Foundation, Key Stage 1 and Key Stage 2. This proposed specialist provision will initially be established in the current school building, on a phased basis, with the four class provision included in the new build school for Seaview Primary School.

Pilot Proposal	Seaview Primary School	Learning - 2 classes Autism - 2 classes	Foundation, Key Stage 1 and Key Stage 2
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The Good Shepherd Primary School, Belfast

The Good Shepherd Primary School has an established temporary two class specialist provision for Social Communication in Foundation, Key Stage 1 and Key Stage 2. The EA is changing this provision as set out below.

Pilot Proposal	The Good Shepherd Primary School	Learning - 2 classes Autism - 2 classes	Foundation, Key Stage 1 and Key Stage 2
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Abbey Community College, Newtownabbey

Abbey Community College has an approved two class specialist provision for learning operating over Key Stages 3 and 4. The EA will expand on this provision with the establishment of two Autism classes across Key Stage 3 and Key Stage 4. This provision will be included in the new build school for Abbey Community College.

Pilot Proposal	Abbey Community College	Autism - 2 classes	Key Stage 3 and Key Stage 4
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Ballycastle Shared Campus - Ballycastle High School and Cross and Passion College

The Ballycastle Shared Campus - Ballycastle High School and Cross and Passion College, has approval for a new build shared campus. The EA will establish a four class specialist provision in the new shared campus in Key Stage 3 and Key Stage 4. The implementation of this specialist provision will follow completion of the new Shared Campus capital build.

Pilot Proposal	Ballycastle High School	Learning - 1 class Autism - 1 class	Key Stage 3 and Key Stage 4
	Cross and Passion College	Learning - 1 class Autism - 1 class	

Dunclug College, Ballymena

Dunclug College has approval for a new build school. The EA will establish a two class specialist provision in the new shared campus in Key Stage 3 and Key Stage 4. This provision will be included in the new build for Dunclug College.

Pilot Proposal	Dunclug College	Learning - 1 class Autism - 1 class	Key Stage 3 and Key Stage 4
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Fort Hill Integrated College, Lisburn

Fort Hill College has an established temporary four class Social Communication provision for Key Stages 3 and 4 over a number of years. The EA is changing this provision as set out below. This provision will be included in the new build school for Fort Hill Integrated College.

Pilot Proposal	Fort Hill Integrated College	Learning - 2 classes Autism - 2 classes	Key Stage 3 and Key Stage 4
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Lisneal College, Londonderry			
Lisneal College has an approved two class specialist provision for learning operating over Key Stages 3 and 4 and an established temporary Autism provision class for Key Stage 3. The EA will expand on this provision with the establishment of two Autism classes across Key Stage 3 and Key Stage 4.			
Pilot Proposal	Lisneal College	Autism - 2 classes	Key Stage 3 and Key Stage 4

If approved, the pilot will provide significant benefits through over 280 specialist provision places (of which almost 150 are additional) in mainstream schools for the special educational needs of pupils whose assessed needs indicate that they require a small group setting. The EA will work with DE on the associated costs of providing this additional SEN provision. Similarly, EA will work with DE to seek the capital investment required to ensure that specialist provision is part of new purpose-built mainstream accommodation.

6.7 Pilot Implementation

The approval of the pilot will see the establishment, closure or change of specialist provision in:

School	Pilot Proposal Specialist Provision	Key Stages
Primary Schools		
Fort Hill Integrated PS, Lisburn	2 x Learning and 2 x Autism	Foundation, Key Stages 1 and 2
Holy Evangelist PS, Belfast	1 x Learning and 1 x Autism	Foundation, Key Stages 1 and 2
Seaview PS, Belfast	2 x Learning and 2 x Autism	Foundation, Key Stages 1 and 2
The Good Shepherd PS, Belfast	2 x Learning and 2 x Autism	Foundation, Key Stages 1 and 2
Post Primary Schools		
Abbey Community College, Newtownabbey	2 x Autism	Key Stages 3 and 4
Ballycastle Shared Campus: Ballycastle HS	1 x Learning and 1 x Autism	Key Stages 3 and 4
Cross & Passion College, Ballycastle	1 x Learning and 1 x Autism	Key Stages 3 and 4
Dunclug College, Ballymena	1 x Learning and 1 x Autism	Key Stages 3 and 4
Fort Hill Integrated College, Lisburn	2 x Learning and 2 x Autism	Key Stages 3 and 4
Lisneal College, Londonderry	2 x Autism	Key Stages 3 and 4

Section 3 Consultation

Part 7: Consultation

7.1 EA Consultation

*“Effective consultation is a key part of the policy-making process. People’s views can help shape policy developments and set the agenda for better public services.”
(Code of Practice on Consultation, 2004)*

The EA is committed to consulting with key stakeholders and the local community on the draft Framework and engaging local people in the planning and delivery of area planning for specialist provision in schools.

Consultation means effectively consulting with those who are representative of the local community and those who use the services provided by the EA. This includes hard-to-reach groups in line with the EA Equality Scheme. The EA will ensure that specific efforts will be made so that the consultation reaches groups in the format that best meets their needs, for example, the consultation documentation will be made available upon request, in other languages for those not fluent in English, and/or in braille or larger print.

The EA will observe the principles of the Consultation Charter (Consultation Institute), which are:

- 1 **Integrity** - Honest intention, willing to listen and be prepared to be influenced.
- 2 **Visibility** - Stakeholders should be aware of the consultation exercise.
- 3 **Accessibility** - Methods that meet the needs of the intended audience.
- 4 **Confidentiality** - Ensure all stakeholders are aware as to the level of information that will be made public.
- 5 **Disclosure** - Disclosure of information that can influence the exercise and disclosure on behalf of consultees, for example, if the consultee represents an organisation.
- 6 **Fair Interpretation** - Objective collation and assessment of information and viewpoints.
- 7 **Publication** - Publication of both the output and the outcomes of the exercise.

By observing these principles, the EA is demonstrating its commitment to best practice and to assisting stakeholders to participate fully in the process.

7.2 How to Respond – the draft Framework for Specialist Provision in Mainstream Schools and Pilot

The EA is seeking your views on the draft Framework for Specialist Provision in Mainstream Schools as this draft Framework will inform all future priorities, decisions and actions as they relate to specialist provision classes in Northern Ireland.

The EA is also consulting on the pilot as a process to develop, test and agree a new process that will facilitate the establishment of specialist provision in mainstream schools in an efficient and expedient manner without the requirement for a Development Proposal, but taking account the EA's draft *Framework for Specialist Provision in Mainstream Schools*.

During the consultation period the EA will actively seek to engage with a wide range of stakeholders and in particular stakeholders with an interest in SEN including parents, children and young people, schools, other educationalist, statutory organisations, health and care authorities, councils, local politicians, trade unions and other government departments.

The EA would encourage you to respond using the online version of the Consultation Questionnaire on the draft Framework for Specialist Provision in Mainstream Schools and associated Pilot via the link on the website.

Should you be unable to respond online, the Consultation Questionnaire is available upon request using the email address - mainstreamconsultation@eani.org.uk.

Copies in other formats, including Braille, large print, etc may be made available on request. Please contact us using the link below if you need copies in an alternative format or a language other than English, and EA officers will do our best to assist you: mainstreamconsultation@eani.org.uk

Alternatively you can send written responses to: mainstreamconsultation@eani.org.uk

Or by post to:

Education Directorate
Area Planning
Ballee Centre
2-6 Ballee Road West
BALLYMENA
BT42 2HS

Responses must be received by the EA by Friday 11 December 2020, extended to Thursday 11 February 2021 and further extended to Monday 12 April 2021 at 5.00pm (document updated on 8 December 2020 and 20 January 2021).

Should you have any queries about the consultation, or requests for alternative formats, please contact the e-mail or postal details above.

7.3 Next Steps

The EA will consider all responses received and will provide a 'Summary of Consultation' report regarding the responses received and how the consultation process influenced development of the final version of this draft framework and on the Pilot.

The draft Framework for Specialist Provision in Mainstream Schools will be finalised following the consultation process and will be considered by the EA Board for approval and forwarded to DE for endorsement. The 'Summary of Consultation' report will be made available on the EA's website when approved.

The Framework for Specialist Provision in Mainstream Schools will inform all future priorities, decisions and actions as they relate to specialist provision classes in Northern Ireland.

7.4 Equality Consideration

Under Section 75 of the Northern Ireland Act 1998 all public bodies are obliged to consider the implications of any decisions on nine different groupings before decisions are implemented. The two duties within this Equality legislation include promoting equality of opportunity and promoting good relations between all communities. The equality of opportunity duty requires that the Education Authority shall, in carrying out all its functions, powers and duties, have due regard to the need to promote equality of opportunity.

- 1 Between persons of different religious belief.
- 2 Between persons of different political opinion.
- 3 Between persons of different racial groups.
- 4 Between persons of different age.
- 5 Between persons of different marital status.
- 6 Between persons of different sexual orientation.
- 7 Between men and women generally.
- 8 Between persons with a disability and persons without.
- 9 Between persons with dependants and persons without.

The Good Relations Duty requires that the Education Authority shall, without prejudice to their equality obligations, have regard to the desirability of promoting good relations:

- 1 Between persons of different religious belief.
- 2 Between persons of different political opinion.
- 3 Between persons of different racial groups.

The Framework for Specialist Provision in Mainstream Schools has been considered in the context of Section 75(1) and Section 75(2) of the Northern Ireland Act 1998 and decision was taken not to conduct an equality impact assessment as there are no negative impacts on any of the equality of opportunities and/or good relations categories. The EA would welcome any comments or views with regard to the screening. The link to this screening is available on the website.

7.5 Freedom of Information

The Education Authority will publish a summary of responses following completion of the consultation process. The closing date for responses to this consultation will be Friday 11 December 2020, extended to Thursday 11 February 2021 and further extended to Monday 12 April 2021 at 5.00pm (document updated on 8 December 2020 and 20 January 2021).

Unless individual respondents specifically indicate that they wish their response to be treated in confidence, the nature of their response may be included in any published summary of responses.

Respondents should also be aware that the Authority's obligations under the Freedom of Information Act may require that any responses not subject to specific exemptions under the Act, be disclosed to other parties on request.

Appendix 1 – Analysis of Specialist Provision in Mainstream Schools – 2019/20

	PHASE				PRIMARY - MANAGEMENT TYPE				POST PRIMARY - MANAGEMENT TYPE			
	Primary Schools with Specialist Provision	Total No of Primary Schools	Post Primary Schools with Specialist Provision	Total No of Post Primary Schools	Controlled	Catholic Maintained	Controlled Integrated	Grant Maintained Integrated	Controlled	Catholic Maintained	Controlled Integrated	Grant Maintained Integrated
Antrim & Newtownabbey	1	53	2	10	0	0	1	0	2	0	0	0
<i>Total Approved Enrolment</i>	16,630		8,215									
Ards & North Down	4	45	0	12	3	1	0	0	0	0	0	0
<i>Total Approved Enrolment</i>	14,005		9,960									
Armagh City, Banbridge & Craigavon	8	90	6	23	5	3	0	0	4	2	0	0
<i>Total Approved Enrolment</i>	23,552		17,217									
Belfast	12	93	1	32	9	3	0	0	0	1	0	0
<i>Total Approved Enrolment</i>	36,686		31,291									
Causeway Coast & Glens	6	79	3	16	4	1	1	0	2	1	0	0
<i>Total Approved Enrolment</i>	16,317		10,670									
Derry City & Strabane	6	65	2	14	4	2	0	0	1	1	0	0
<i>Total Approved Enrolment</i>	19,789		13,100									
Fermanagh & Omagh	5	80	0	19	4	1	0	0	0	0	0	0
<i>Total Approved Enrolment</i>	14,177		11,260									
Lisburn & Castlereagh	4	38	2	9	3	1	0	0	1	1	0	0
<i>Total Approved Enrolment</i>	13,198		7,858									
Mid & East Antrim	1	56	1	13	1	0	0	0	1	0	0	0
<i>Total Approved Enrolment</i>	13,915		11,075									
Mid Ulster	6	96	5	20	2	4	0	0	2	3	0	0
<i>Total Approved Enrolment</i>	17,762		14,562									
Newry, Mourne & Down	9	99	9	25	4	5	0	0	1	7	0	1
<i>Total Approved Enrolment</i>	20,524		16,844									

Source: EA and DE

Appendix 2 – The Legislative Context

The Education Order (Northern Ireland) 1996, is a key piece of legislation in regard to children and young people with learning difficulties and special educational needs. The 1996 Order placed responsibility for securing provision for learners with special educational needs with the EA and schools.

The provisions in the ***Education (Northern Ireland) 1996 Order*** also introduced significant **new rights for parents**, including extended rights of appeal against EA decisions. The 1996 Order also provided for:

- the formal introduction of a statutory **Code of Practice** on the identification and assessment of special educational needs, to which schools and EAs are required to have regard in dealing with all learners with special educational needs; and
- the setting of **statutory time limits** on EAs for completing special educational needs assessments and issuing proposed statements to parents.

Under **Article 3(5) of the Education Order 1996** a special school is defined as a 'controlled or voluntary school which is specially organized to make special educational provision for pupils with special educational needs and is recognised by the Department as a special school'

The Code of Practice (1998) provides statutory guidance on how the legislation regarding the identification and assessment of special educational needs is to be delivered in schools and sets out the practical steps for implementing the legislative framework.

The Special Educational Needs and Disability Order (SENDO) 2005 increases the rights of children and young people with special educational needs and/or disabilities to be educated and have their special educational needs met in mainstream schools. Importantly, it also ensures that children with disabilities are not disadvantaged compared to their peers in school.

The Supplement to the Code of Practice (2005) updated The Code of Practice (1998) so that it reflected the changes introduced by SENDO in 2005 in identifying and supporting pupils with special educational needs and/or disabilities.

The Children's Services Co-operation Act (Northern Ireland) 2015 required improved co-operation amongst Departments and Agencies and places a duty on children's Authorities, as defined by the Act, to co-operate where appropriate, in order to deliver services which will improve the well-being of children and young people.

The Special Educational Needs and Disability Act (Northern Ireland) 2016 will have a phased implementation. This legislation broadens special educational needs to include disabilities. The SEND Act further strengthens the **rights of children and young people with SEND to be educated in mainstream schools** and is therefore a key strategic priority for the EA. The Act is set in the context of the raising standards agenda and includes ensuring the child is placed firmly at the centre of the processes of early identification, assessment, provision and review; the special educational

needs provision for all children is met by the school and, as appropriate, the EA; the capacity of all schools to address special educational needs; and a clear focus on learning and outcomes for pupils with special educational needs.

There are a number of associated actions with the SEND Act currently in progress. The period for consideration in relation to the commencement of statutory assessment has been reduced. A newly established independent ***Dispute Avoidance and Resolution Service*** has been operational since September 2019. The EA has a duty to publish and consult on a SEND Plan outlining the provision, support and training available across the EA for children with SEND, in preparation for September 2020.

This legislation also places a requirement on schools and the EA to support children and **young people as active participants** in making decisions about managing their special educational needs within the education system. This strengthens the importance of listening to the voice of the child. However, further actions remain to be progressed including consultation on the associated Regulations and a new Code of Practice.

Appendix 3 – Extract from the Review of Special School Provision in Northern Ireland - Recommendations

- "1 DE funded special schools across the north of Ireland, should be developed with a common structure and remit to support learners with significant and/or complex needs.
- 2 Pre-school provision should be accessed at all DE funded special schools.
- 3 Each Board (now EA) reviews the locations of their special schools in their future area plans and collaborates with other boards as part of a regional planning framework to ensure that pupils travel the least distance necessary.
- 4 Special schools should provide for pupils aged 3-19 as common practice and that the current statutory annual review is conducted for all pupils to ensure that the placement at a special school remains appropriate.
- 5 Under the revised model of delivery, pupils should attend their closest suitable special school
- 6 A consistent information management framework is established across the ELBs to monitor enrolment trends and the needs of those pupils who attend special schools. Although not part of the detailed analysis of this review, it is deemed appropriate that enrolment trends in Learning Support Centres (LSCs) are also monitored as part of the continuum of special needs support.
- 7 Managing Authorities review enrolment trends of special schools to ensure that the size and location of these schools is reviewed from an area planning perspective to meet the education and developmental needs of pupils.
- 8 A separate review of Learning Support Centres (LSC) provision is carried out to ensure equity of provision across each ELB (now EA) to supplement the findings of this report.
- 9 A separate review of outreach provision is carried out to ensure equity of provision across each ELB (now EA) to supplement the findings of this report.
- 10 Each ELB (now EA) reviews the provision in those special schools which historically have had a regional dimension, in line with DE policies and in compliance with legislation to ensure that provision is developed in a consistent manner, while ensuring that the needs of all pupils continue to be met and that the expertise of the staff at these special schools is not lost.
- 11 The participation and contribution of special schools within Area Learning Communities (ALCs) continues to be developed and enhanced.
- 12 Under the revised model of delivery the ELBs (now EA), should implement a phased and managed process in terms of placement of pupils within the revised arrangements ensuring that all training needs of staff are addressed as part of the planning process."

Annex A – Criteria and Indicators

The information that will be used to measure the indicators will be obtained from a variety of sources including the school, the Education Authority, the DE and the Education and Training Inspectorate.

Criterion	Indicator
A Quality Educational Experience	1.1 The standards and the quality of learning and teaching at the school demonstrate the capacity for self-improvement.
	1.2 There is a breadth to the curriculum to meet the diverse needs, including individual assessed needs of all pupils.
	1.3 Attainment of accredited outcomes where possible through appropriate educational opportunities and pathways including linkages with other schools, the FE sector or other providers.
	1.4 The range of curricular and extra-curricular activities available for children including vocational/career guidance, life skills and personal development and creative opportunities demonstrates breadth and is reflective of the interests and strengths of pupils.
	1.5 The quality of the physical environment for learning and teaching i.e. the condition, energy and water efficiency and suitability of the buildings.
	1.6 The quality of, and arrangements for, pastoral care including the active promotion of the principles of social justice in all areas of the formal and informal curriculum.
	1.7 There is a positive ethos in relation to supporting and promoting the inclusion of pupils with special educational needs and be responsive to making reasonable adjustments to meet needs.
B Strong Leadership and Management by Board of Governors and Principal	2.1 Governors' views on the school based on quantitative and qualitative evidence.
	2.2 Composition of Board of Governors – skills and experience of Board members and number of vacancies.
	2.3 Management of staff attendance and absenteeism.
	2.4 Levels and nature of staff turnover and unfilled staff vacancies.
	2.5 Teacher morale
	2.6 Management of curricular and organisational demands on the principal and staff.
	2.7 Leadership and management roles are given adequate time and consideration
	2.8 There is a school development plan in place and progress is being made to achieve plan's aims and objectives.
	2.9 Professional development of staff reflected in the school development plan to reflect the changing special educational needs of pupils.

Criterion	Indicator
C Accessibility and Accommodation	3.1 Distance to closest equivalent specialist provision in mainstream schools of the same management type
	3.2 Capacity in closest equivalent specialist provision in mainstream schools of the same management type
D Clear Commitment to Inclusion	4.1 Commitment to work within a developed common framework of training for teaching and non-teaching staff in the provision so that the learning outcomes of pupils can be maximised.
	4.2 Inclusion in mainstream activities and learning is both promoted and supported.
E Strong links with the community	5.1 The school is part of a network of specialist provisions that offer cross phase options within the local area.
	5.2 The school prioritises strong links and relationships with parents and the local community including, where appropriate, links with Further Education, Area Learning Communities, and other mainstream schools.
	5.3 The school regularly engages with SEN clusters and local networks of specialist provision in mainstream schools where they exist.
F Stable enrolment trends	6.1 Ideally a primary school seeking to establish a specialist provision in mainstream schools should have a minimum of seven class bases.
	6.2 Ideally a post primary school seeking to establish a specialist provision in mainstream schools should have 500 pupils for an 11-16 school.