



An introduction to Special Educational Needs System in Northern Ireland



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The Assessment and Statementing of Special Educational Needs in Northern Ireland

A Guide for Parents.

This guide is designed to provide information for parents on aspects of the Assessment and Statementing of special educational needs in Northern Ireland.

It is intended to be a brief easy read guide providing only summarized information.

Sources for further information and guidance regarding the special educational needs framework within Northern Ireland are included in this pack. It is recommended that parents should contact the school, the Education Authority or other relevant agencies for advice and information.

This guide is free of charge to parents.

Terms used in this pack.

For the purposes of this information 'parents' refers to any person with parental responsibility.

Special Educational Needs. (special educational needs legislation)

An Introduction.

What does special educational needs mean?

If a child is having more difficulty than most children of their age with eg.learning, school work, behaviour or communication they may need help from specialists, teachers or other educational professionals.

The term 'special educational needs' has a legal definition referring to children who have a learning difficulty or disability that means they have more difficulty in learning than most children of their own age.

The term 'special educational provision' refers to the help and education provision additional or different to that usually provided for children of the same age.

If a child is having difficulty learning and progressing they may need extra help in some areas.

If a child is of school age and a parent is worried about their child's progress they should speak to the class teacher.

Ask the school eg:

- Does the class teacher think the child is having any difficulties with their learning or progress.
- What help has already been given
- Is the child able to work at the same level as the other children their age.

If the school agrees or if a parent is told by the school that their child is having difficulties in some areas and may have special educational needs the school will follow a five-stage approach as set out in the Code of Practice on the Identification and Assessment of Special Educational Needs, to identify, assess and provide for a child's educational needs.

Special Educational Needs Legislation

The law dealing with Special Education in N.Ireland is the Education (N. Ireland) Order 1996 as amended by the Special Educational Needs and Disability (N.Ireland) Order 2005 (SENDO).

The Code of Practice

The Department of Education issued a Code of Practice on the Identification and Assessment of Special Educational Needs operative from 1st Sept 1998 and also a Supplement to the Code of Practice operative from 1st Sept 2005 as a result of SENDO. The Code of Practice its status, procedures and practices remained unchanged by the Supplement.

The purpose of the Code of Practice is to address the identification, assessment and provision for children with special educational needs. The Education Authority are required to have regard for the Code of practice.

The Code of Practice and the Supplement to the Code of Practice should be read as a whole to provide a full understanding of the procedures, principles and practices and how they relate to a child's needs and situation.

Copies of the Code of Practice and the Supplement to the Code of Practice can be downloaded from the Department of Education's website www.deni.gov.uk or requested from the Department of Education.

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If a child has special educational needs the school will take account of the Code of Practice Five-stage approach to assessing, providing for, and reviewing those needs.

Stages 1-3 are referred to as the School-based stages as the school provides for the special educational needs and at Stage 3 can receive support from external specialists.

Stages 4 and 5 focus on Statutory assessment and a Statement of Special Educational Needs.

Stage 1

The class teacher will assess the child's needs and talk to any other relevant teachers, collecting and recording information. The teacher will also talk to the parents, asking their views and explaining the action to be taken at this stage. Within the curriculum the teacher will look at how different ways of teaching, changes to class work or classroom organisation may help meet the child's needs. The Special Educational Needs Co-Ordinator (SENCO) will give advice as needed to the class teacher and include the child on the school's special educational needs register.

Stage 2

If after review of the action taken at stage 1 there is still concern about the child's progress the child may be moved to Stage 2. The SENCO will assess the child's needs and with the teacher, will draw up an Education Plan. The SENCO will also monitor and review the progress and make sure the parents are informed and involved in reviewing progress.

What is an Individual Education Plan (IEP)?

This is a detailed plan that sets out the targets for the child, how they will be achieved and a date to review progress. It should include:

- The child's learning difficulties
- Specific and achievable targets within a given time
- What the staff will do to help the child meet the targets.
- What staff, resources or other support and arrangements that are needed to help achieve the targets and encourage progress.
- How progress and success will be measured and monitored.
- When the plan will be reviewed.

The Class teacher and the SENCO will write the Education Plan and if possible take into account the child's views. Parents will be told of the action being taken and how they can support their child at home.

Stage 3

A decision will have been taken that a child needs more intensive support including support from external specialists. A revised education plan will be drawn up. The specialists may give advice to the school or might work directly with the child, they may include eg. therapists, educational psychologists, specialist teachers or advisors. A review meeting will be arranged normally within a term. Parents will be kept informed and invited to the stage 3 review.

If you are worried about your child's progress and unsure of what action the school is taking: First step is always to talk to your child's teacher or teachers and the school SENCO or Principal.

- Find out what help has already been given
- What stage is your child at?
- Ask about anything you are unsure of eg. if you need test results explained.
- Who is involved with your child, what is their role?
- Make sure you receive a copy of the Individual education plan and if you have any questions about the plan talk to the SENCO.
- If you can, attend the review meetings.

This is the focus of Stage 4, the decision on the need for Statutory assessment and the conduct of that assessment. Statutory assessment however may not lead to a Statement.

Who can request Statutory assessment?

- A school
- Another agency (eg. health services)
- Parents

The Education Authority will first determine whether or not to carry out an assessment taking account of the action already taken by the school and evidence from the school and the parents. If the Education Authority decide it is not necessary to carry out an assessment the reasons for this decision will be explained. A parent can appeal this decision.

If the Education Authority decide to undertake a Statutory assessment they will:

- Explain the procedures of Statutory assessment including requesting advices from the school, medical and educational psychology service and any other relevant professionals or therapists.
- Give the name of an Officer who will be the parent's contact.
- Explain parent's rights to make representations within a period specified which must not be less than 22 days.

Parental Advice.

As part of the process the Education Authority will ask you to complete a parental advice. There are guidelines on how to complete your advice in the Code of Practice (Part III). The named Officer can also provide guidance. Include all the information that you feel will be relevant.

Requesting a Statutory Assessment.

A parent can make a formal request in writing to the Education Authority. If the school has done everything it can to support your child and you still believe your child needs more help or if your child is under school age and you believe he/she may need extra help or provision when starting school then you could consider statutory assessment.

If you make the request you will know exactly when it was made but speak to your child's school about your concerns and your decision to request an assessment.

Write to the Education Officer (Special Education) at your Education Authority regional office. Include any relevant information on your child's special educational needs.

Keep a copy of the letter and a note of the date it was sent. The Education Authority are required to respond to your request within six weeks.

After Statutory Assessment the Education Authority will decide if it needs to issue a Statement of Special Educational Needs.

A Statement of Special Educational Needs sets out a child's needs and the help they should have to meet those needs and is reviewed annually.

A proposed (Draft) Statement will be issued first along with a copy of all the advices received as part of the statutory assessment.

There are six Parts to a Statement.

In summary:

Part 1 Introduction.

This contains the child's name, address, date of birth, and the names and addresses of the child's parents or guardians.

Part 2 Special Educational Needs (Learning Difficulties)

The description of the child's needs as identified during the Statutory Assessment and the advices received.

Part 3 Special Educational Provision other than placement.

There are 3 sub-sections in this part of the Statement outlining the objectives that the special educational provision aims to meet, the provision that the Education Authority considers is required to meet the needs as described in Part 2 of the Statement and any arrangements made for setting short term educational targets and to monitor and review the child's progress.

Part 4 Special Provision Placement.

This section will be left blank on the proposed statement so that the parent may express their preference. On the final statement this section will contain the type and name of the school that the Education Authority considers appropriate or provision for education otherwise than at school.

Part 5 Non-Educational Needs.

Describes any non-educational needs as agreed with the Health Services, or other agencies and the Education Authority.

Part 6 Non-Educational Provision.

Describes how the child will get help to meet any non-educational needs through the arrangements agreed between the Education Authority and the Health services.

All the Advices received during the Statutory Assessment are attached as appendices.

Understanding the proposed statement (some questions you may find useful to ask yourself)

- Does the Statement give an accurate and detailed description of all the child's special educational needs as identified in the advices. Are there any needs that have been omitted or in your opinion the description included is vague and not described in detail?
- For each special educational need described is there corresponding provision?
- Do you understand the nature of the provision being proposed? Is the special educational needs provision specified? When you read part 3 do you know exactly the type and level of support your child will receive and from whom?
- Have you received copies of all advices received by the Education Authority requested as part of the statutory assessment process?

What happens next?

When a proposed statement is issued full instructions on what you should do next will be included. You can make written comments (representations) regarding the content of the statement and request a meeting with a representative from the Education Authority to discuss the statement within 15 days of receiving the proposed statement.

After the meeting you have a further 15 days within which to make further representations or request further meetings.

Deciding if the proposed statement adequately meets your child's needs is an important decision for a parent. If you are unhappy with the Statement or have difficulty understanding what it means, hopefully discussions with the Education Authority Officer will address any concerns and issues raised.

If however agreement can't be reached and the Education Authority proceed with issuing the final statement they will explain your right to appeal.

Choosing a school

You can express your preference for a school. It might be useful to visit various schools and talk to the Education Authority Officer. The Education Authority will talk to the Board of Governors of the school to be named on the final statement. If the Education Authority decides not to name a parents choice of school on the statement they will talk to you about other schools available. If you wish your child to be placed in a school that is not a grant-aided school in N.Ireland (an independent school or a school outside Northern Ireland) you can make representations for that school within 15 days of the proposed statement being issued.

For further information on Statements and fuller information on choosing a school refer to the Code of Practice and the Supplement to the Code of Practice.

Below are brief explanations of some of the words, phrases and references used in special education.

Annual Review: the review of a statement of special educational needs which the Education and Library Boards must undertake annually.

DARS: The Dispute, Avoidance and Resolution Service. An independent organisation set up in each education authority area to help resolve issues and disputes between parents, schools or the Education and Library Boards.

Differentiation: The ways in which a teacher may make changes to their teaching methods, classroom organisation or changes to their classroom practice, use of resources etc within the curriculum in response to a child's special educational needs.

Disapplication: removing any subject areas, attainment targets or programmes of study from the curriculum.

Education Authority (EA): established in April 2015 and replaces the five Education and Library Boards. The EA has responsibility for education, youth and library services.

Individual Education Plan (IEP): An IEP is a plan drawn up by the Special Educational Needs Coordinator. It sets out the child's difficulties; the provision required; who is involved, and arrangements for monitoring and review.

Intervention: action to help a child progress.

Modification: the alteration of programmes of study, attainment targets or any area or component of the curriculum to enable a child to have access to the curriculum.

Named Officer: The person identified at the Education Authority who can provide the parents with information regarding their child's special educational needs and provision.

Note in lieu of a Statement: The Board may issue this, if after Statutory assessment a decision is made not to issue a Statement of Special Educational Needs. This will describe the child's special educational needs, outline the reasons for not issuing a Statement and give guidance on provision. All advice received during Statutory Assessment will be included.

Outreach: There are various outreach services specialising in different aspects of special educational needs available in each of the Board areas providing advice and support to schools and teachers or working directly with children.

SENCO: This is the Special Educational Needs Coordinator who will be a teacher within the school with responsibility for coordinating special educational needs provision.

Transition Plan: The first annual review after a young person turns 14 includes a transition plan which sets out information from all those involved in the transition years when a young person is moving from school into adult life to help provide support for the young person through this period.

Other professionals associated with Special Educational Needs.

Community Paediatrician

This is a specialist doctor working within the Health and Social Services Trusts who's role is to assess a child's needs. After consultation with the parents the Community Paediatrician can provide the Education Authority with information about any concerns identified. Often the Community Paediatrician is also the Designated Medical Officer who has the responsibility for collecting statutory medical advices.

Educational Psychologist

An Educational Psychologist is a qualified and experienced teacher as well as being a psychology graduate with a post-graduate qualification in developmental and educational psychology. They provide a range of services which also include the assessment of a child's special educational needs and advice on how those needs can be addressed. They provide statutory psychological advice to the Education Authority on children undergoing Statutory assessment and provide support to schools on developing Education and Behaviour Plans.

Health Visitor

A health visitor who is also a qualified nurse can refer pre-school children with special educational needs to the Community Paediatrician and may also be required to provide advice for Statutory Assessment.

Navigating the complexities of special education provision can be stressful, emotional and confusing. As a parent advocating for your child, there is much that you can do to overcome the fears and challenges involved and gain confidence in your ability to speak on behalf of your child. Hopefully you will have a good relationship with the school and will feel supported and your views listened to and respected. Whether or not this has been your experience you have a right to be involved and informed.

Get Informed

Lack of information can be one of the greatest obstacles facing parents. Do not assume that you will be provided with all the information you need. It is important to find out as much information as you can:

- Read the Code of Practice and the Supplement to the Code.
- Find out about special educational needs legislation and regulations.
- Seek advice and information from the school, the Education Authority, other agencies or voluntary organisations.
- If required, ask to see any relevant school policies including the school's special educational needs policy.
- Talk to those involved with your child.
- Keep a file of all letters you have sent and received, reports and minutes from meetings and any other relevant documents about your child.
- Keep a note of dates of decisions, deadlines for actions or responses, review meetings, meetings with the school etc.

Preparing for Meetings.

If you are anxious about a meeting or want to get the most out of the opportunities a meeting gives, getting prepared will help. Whether the meeting is with the school, the Education Authority or any other agency or professional involved with your child, being prepared is essential. Everyone else who will attend the meeting will be informed and prepared, so you can be too.

- If you do not know who will be attending the meeting, ask who will be involved and what their role is.
- If you did not request the meeting be sure you know the purpose of the meeting.
- Make sure you read over all the reports, letters, documents relevant to the meeting. If you are missing a copy of something you know you might need, ask for another copy before the meeting.
- Prepare all the questions you wish to ask before the meeting.
- Do not be afraid to ask if there is something during the meeting you do not understand.
- Take someone along with you. As well as having their support they can take notes for you or if they have a copy of your questions they can remind you if you have forgotten to ask something.
- It is easy to become emotional or overwhelmed in a meeting so have notes with you to keep you focused, including the questions you wish to ask. Take a few minutes during or near the end of the meeting to check that you have asked everything you planned to.
- Decide on your goals before the meeting, what you would like to see achieved from the meeting.
- If there is something you feel strongly about make sure your concerns are recorded in the report or minutes of the meeting.
- Try to get your views across clearly and calmly.
- Discuss what might be possible, make proposals and point out your concerns and be prepared to also consider and discuss the solutions offered by the others involved.
- Make sure you receive a copy of the notes/minutes from the meetings.
- If you are unsure of the recommendations or any decisions taken at the meeting ask for them to be stated again or explained.

If you feel you need more support there are many organisations and groups who can offer support in many different ways. Your school may even have a parent support group. Talking with others who have had similar experiences can help. There is information in this pack on how to contact some of those organisations.

Making a Complaint

There may be times when a parent is concerned about the provision their child is getting or an aspect of their child's education that they are unhappy about. There are several things a parent can do.

- Talk to the school first, ask to meet with the Senco and/or the School Principal
- Put your concerns in writing to the School Principal.
- Request to meet with the School Principal.
- If appropriate ask for a copy of the School's complaints procedure.

Hopefully discussions with the school can resolve the concerns if however this is not the case a parent can put their concerns in writing to the Board of Governors.

If a child has a Statement of Special Educational Needs and the parent believes that the provision on the Statement is not being provided or has been reduced without any amendments to the Statement then put those concerns in writing to the Education Authority (Special Education).

Dispute Avoidance and Resolution Service (DARS)

This is an independent organisation set up to help parents resolve disagreements and disputes with the school or the Education Authority. DARS will act as an impartial facilitator and using this service does not affect a parent's rights to appeal to the Special Educational Needs and Disability Tribunal.

Parents can contact DARS directly to find out more information on this service.

Contact details available at www.education-support.org.uk

Special Educational Needs and Disability Tribunal (SENDIST)

The Tribunal is an independent body to which parents can appeal in certain situations.

- If the Education Authority decide not to carry out an assessment of the child's special educational needs after a request was made or having made an assessment decide not to issue a Statement.
- The educational contents of a statement or amends an existing Statement.
- If the Education Authority decide that the child no longer needs a Statement.
- In certain circumstances if the Education Authority turns down a parent's request for a different school.

An appeal must be made within two months of a parent receiving the decision they are appealing against. This is only a brief description of the circumstances for appeals. To find out if and how an appeal can be made parents should contact SENDIST. The Education Authority should also have informed you of your right to appeal.

SENDIST Contact 028 9032 2894.

Further contact details are included in this pack.

What is an Annual Review?

All Statements of Special Educational Needs are reviewed at least once a year to ensure that the child or young person's needs are still being met and that the placement is still appropriate.

Who carries out the Annual Review?

If your child is at school the Education Authority will have informed the school of those children for whom an Annual Review is needed. The school (usually the School Principal) will carry out the review on the Education Authority's behalf.

What is a parent's role in the Annual Review?

It is important for a parent to attend and contribute to an Annual Review. It is quite distinct from a parent/teacher meeting as it is the Statement that provides for your child's needs and special educational provision that is under review and important decisions could be made about that provision.

- Parents will be asked to give a written contribution usually called an 'advice' and also receive copies of all other 'advices' from those involved in the review usually at least two weeks in advance of the review date.
- If a parent does not attend or provide an advice, this will be recorded on the review report form with any reasons given.
- The review meeting will usually take place in the child's school and parents may wish to bring a friend, relative or advisor.
- This is a parent's opportunity to give their views on their child's progress and expectations for future learning.
- It is an opportunity for everyone to hear the child's and the school's views.
- If there have been any major changes in the child's life which may affect progress these should be discussed.
- As the appropriateness and the provision on the Statement will be discussed this is a parents opportunity to raise any concerns or questions.
- A parent has the chance at the review to respond to any future action which may be recommended.

After an Annual Review, a report summarising the review and the educational targets will be issued. Any recommendations the Education Authority makes will be forwarded to the parents, the school and all those who attended the review.

NB: This is only a brief overview of the Annual Review process.

For further information:

- Refer to the Code of Practice on the Identification and Assessment of Special Educational Needs as issued by the Department of Education.
- Talk to your School Principal if you have any concerns or questions about the Annual Review, its purpose and a parent's role in it.

At age 14+ annual reviews concentrate on the transition process which is the term used to refer to the time when a young person is preparing to move from school into adult life. This time is the opportunity to ensure plans are made for the future.

Transition Planning

The first annual review after the age of 14 should include all those who will be involved in the post school years.

Who might be involved:

- Parents and the young person involved
- School Principal
- Any relevant members of staff
- A representative of the careers service
- A representative of Health and Social Services
- Any one else who the Education Authority considers relevant
- Education Transition Co-Ordinator
- Relevant voluntary organisations

Transition Plan

A Transition Plan will be put in place after the first 14+ annual review and at all subsequent reviews. It should incorporate all the information provided from all relevant agencies and individuals involved and be translated into a plan that will ensure a positive transition relevant for the young person's needs.

Areas addressed by the plan may include:

- Support needs
- Work skills, strengths, needs opportunities etc
- Health issues or considerations
- Areas of strength and need
- Young persons goals, hopes, aspirations etc
- Development of independence skills etc
- Curriculum needs during the Transition period
- Identifying any new professionals or services that may now need to be involved
- Relevant education provision after the age of 16

There should be close working relationships between the professionals and agencies involved to ensure an effective plan.

For further information on Transition Reviews:

Chat to your school Principal who can answer any questions or concerns you may have.

Contact the Education Authority's Advice and Information service for parents and the Education Authority's Transitions Service.

Go to www.education-support.org.uk follow links to 'parents' then to 'special education' and 'transitions'.

Refer to the Code of Practice on the Identification and assessment of Special Educational Needs Section VI Annual Reviews.

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www.education-ni.gov.uk

Copies of the Code of Practice on the Identification and Assessment of Special Educational Needs and the Supplement to the Code of Practice are available from the Special Education Branch at the Department.

Education Authority

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North-Eastern - Antrim office

County Hall
182 Galgorm Road
Ballymena, BT42 1HN
Tel: 028 2565 3333

www.neelb.org.uk

South-Eastern - Dundonald office

Grahamsbridge Road
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Belfast, BT16 0HS
Tel: 028 9056 6200
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Southern - Armagh office

3 Charlemont Place
The Mall
Armagh, BT61 9AX
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Email: selb.hq@selb.org

www.selb.org.uk

Western - Omagh office

Campsie House
1 Hospital Road
Omagh, BT79 0AW
Tel: 028 8241 1411
Email: info@welbni.org

www.welbni.org

Information Service - Education Authority Regions.

An Advice and Information Service for parents is available in each of the Education Authority Regions.

Details of this service are available on the Education Support website www.education-support.org.uk

Dispute Avoidance and Resolution Service (DARS)

DARS Regional Office
3 Charlemont Place
The Mall
Armagh
BT61 9AX
Tel: 028 3751 2383

Special Educational Needs and Disability Tribunal (SENDIST)

2nd Floor
Royal Courts of Justice
Chichester Street
Belfast
BT1 3JF
Tel: 028 9072 4887

A brief Guide for parents on the what is SENDIST and how to appeal is available from www.courtsni.gov.uk see Tribunals

Advice Line
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