

NORTHERN IRELAND TEACHERS' COUNCIL

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11 January 2021

First and Deputy First Minister
Office of the First Minister and Deputy First Minister (OFMDFM)
SD03 Stormont Castle
Stormont Estate
Belfast
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RE: Special School Provision

Dear First and Deputy First Minister,

The Northern Ireland Teachers Council [NITC], the negotiating body for the five recognised teachers' unions, has been and wishes to continue working constructively and creatively with the Executive and Departments of Education and Health as we strive to manage this further necessary partial closure of schools. The impact on the education of the most vulnerable pupils specifically those with complex needs, their families and the staff who support them is an issue that requires further urgent attention.

It is imperative that the focus is on creating and maintaining sustainable and safe provision for special schools and settings as they support our most vulnerable children and young people. Regardless of the intent of policy to keep special schools open, without taking purposeful steps at this stage, the reality is COVID will continue to impact on the open special schools. The risk of significant health issues up to and including the potential of fatalities remains for these school communities, especially for the unprotected pupils.

The announcement that special schools would remain open at a time of increased community transmission, public health restrictions and stark case numbers in schools has been met with shock, widespread anxiety and a feeling of being undervalued on the part of the teaching workforce. The teaching workforce appreciate the impact that the closure of schools has had on the families of children with complex needs. The valid concerns of the parents/carers have no doubt influenced the decision to deliver a directive for special schools to remain open. Already, within the first week of reopening, special schools are managing symptomatic and positive cases, leading to the exact scenario which should have been avoided, or at least minimised, creating an unpredictability in terms of provision and an increased risk to health.

NITC have sought advice from its members, working in special schools, as to how improvements in the safety and sustainability of special schools can be provided. It is clear to us the current open school provision without additional mitigation is failing the whole special school community. The message of 'limit your contacts' and

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'maintain social distance of 2m' are unable to be implemented in these facilities. While class sizes may be perceived as small the complexity of needs of the pupils requires a higher number of adults than in mainstream schools.

Decisive action is needed now to reassure the workforce and parents that safe access to necessary pupil and school support is being considered by the Executive, and to this end, NITC request a review of the current policy on opening special schools.

There are three options available:

- i. Retain the current policy of open schools leading to reactive and unscheduled class/school closures with the current mitigations
- ii. Implement the policy of school provision for the most vulnerable children (identified at level 3 of the Contingency Framework) and those of key workers, in line with the outworkings of the decision of the Executive to put the country into lock down
- iii. Implement a blended learning approach in special schools thus enabling parity for all pupils to attend special schools

The key points that NITC suggest are prioritised for consideration in such a review are:

- Context

The previous lockdown impacted many families of children and young people with complex needs in ways, physically and emotionally, that are impossible for those of us not in that situation to comprehend. They have fought for their children and families to not have to experience a lockdown and subsequent school closure again. Judicial reviews have agreed that previous lockdowns and fully withdrawn access to the support of school has had a detrimental impact. However, the courts have fallen short of seeking to ensure that, where schools remained open, they would be safe for the staff and pupils.

The current policy of the Executive and Department of Education has been written in response to legal and parental pressure. NITC is of the view that the policy needs to more completely reflect the inherent risks of educational provision during a pandemic for children and young people with complex needs.

The mitigations within DE guidance cannot be implemented: social distancing, face coverings and respiratory hygiene are all areas of concern rather than mitigation. The responsibility to identify workable mitigations lies with the governors, principal and staff in the schools. In the absence of a policy which acknowledges that numbers of pupils in schools must be reduced, it is imperative that principals have the operational discretion to implement the measures they identify.

Decisions around provision must be informed by the public health context within the wider community. Special needs communities do not live in isolated bubbles. The current crisis we find ourselves in has exhausted the mitigations that schools have available to them and is seeing increasing levels of staff shortages. Special schools have all been impacted by COVID since returning in August and have seen many

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partial or whole school closures to date. Without additional mitigations this will continue.

It is well known that the special schools' estate across Northern Ireland, particularly in Belfast, is dangerously overcrowded. The person to space ratio is wholly inadequate. Social distancing is not possible with whole school populations. Compounding this situation, a huge proportion of pupils have significant underlying health conditions.

The mental health and wellbeing the children and young people in our special schools as well as the workforce is paramount. Teachers supporting pupils with complex needs know the ramifications of uncertainty; to move forward there must be a holistic approach delivered with urgency.

Reducing the numbers of children and young people in these schools on a daily basis (for example through a policy of blended learning) will mitigate risks to health for the children and young people, staff and families:

1. Protect the predictable and consistent provision that children with complex needs and their families need
2. Improve the opportunity for social distancing in school and on transport reducing risk of transmission
3. Maximise the opportunity for schools to manage COVID's impact of fluctuating staffing levels without reducing provision
4. Enable special school communities to comply with the safety message from the Executive to reduce interactions outside of the home

- Vulnerability of staff

While the provision of PPE to staff has provided limited protection, it is not the save-all solution. PPE limits the interaction that those with complex needs rely on and is an issue that teachers report as having a significant impact on the learning that is happening within class. DE's focus on the continued education of children must be as much a priority for those with complex needs.

Reference to medical procedures carried out in school should not be used as a reason to maintain an open school policy. For clarity there are no medical procedures being carried out in school that cannot be carried out elsewhere, including home. While carrying out intimate procedures, staff are at increased risk, highlighted by the AGP preparation that was needed. Health staff on site in special schools are currently or have recently received the vaccine. Until the protection of vaccination is offered to all staff in special schools those providing intimate care do so at increased risk compared to their health colleagues on site.

The Education Restart – Guidance for Schools & Educational Settings in Northern Ireland January 2021 states “the Minister has sought the agreement of the Executive in order to prioritise vaccinations for education staff who are in face-to-face engagement with children. He has suggested that priority be given to staff within special schools given the physical contact required there, followed by any other education staff engaging with children (such as key workers and vulnerable

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children)". NITC call for vaccination to be offered to the workforce immediately and calls on the Executive to recognise the urgency with which it is required to move to a more normal provision. Vaccination programmes are already run within schools for pupils. Providing the protection for staff could ensure the sustainable opening of schools supporting complex needs and provide increased reassurance to staff. This in turn supports not just the staff but the pupils and their families with immediate effect.

- Vulnerability of the pupils

The extension of face coverings for post primary pupils including in the classroom was taken as an essential step to protect young people and reduce spread of the virus. There have been mixed reports about the impact of the new variant on young people and while numbers may currently be low in Northern Ireland, as reported by Adrian Murphy (DE COVID Response Team), we are seeing increasing numbers in the Republic of Ireland and England. To put it simply, the new variant if it comes into schools without additional mitigations could have a devastating impact. It must not be forgotten that though the blanket term special school is used the pupils are primary and post primary age. DE guidance recognises that pupils with complex needs do not have the capacity to follow basic mitigations – social distancing, for some hand washing, for some respiratory hygiene. Knowing this risk to the health of our children and young people with complex needs, additional mitigations are not only an option, but they are also a legal obligation.

The vaccination of pupils with complex needs would go far to reassure parents as well as improve the safety of the school environment, protect the NHS and enable schools supporting them to be open safely and long term.

- Guidance

DE Special School guidance has not been updated since 24th August 2020. Society was reopening and it was felt that the levels of infection and the R-rate were low. We find ourselves now facing significant increases in infections and a rising R-rates combined with a crisis in our NHS.

DE Education Restart Guidance is to be implemented fully in line with letter received 9th December from the chairperson of the education Management Side, Ms Sara Long. The mitigations for primary and post primary pupils are accepted by DE as not being applicable in a special school setting.

Principals, teachers and support staff are experiencing increased risks as outlined in DE documents. It is not acceptable for this to continue. A key example is transport. Has the ventilation on EA buses been assessed and approved to meet the safety needs for passengers who will not be wearing face coverings, some of whom have respiratory issues, where there is no social distancing, and where someone may be COVID positive? The pupils on these buses may attend one of two or three different schools and subsequently may go into 16+ different classrooms. The 'bubble' protection is a key mitigation and yet is undermined by current school transport arrangements. Swift action to reduce numbers coordinated between EA and individual schools can reduce this risk.

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As we enter this phase of lockdown and rumours abound about how long it will last, decisive action now by the Minister Education, with the support of the Department of Health and supported by the Executive, could ensure the highly trained staff that support our most vulnerable pupils are able to provide a safe, sustainable educational environment and an essential lifeline to the families that care for them.

We trust you will give these matters your fullest consideration as a matter of priority and we remain available as always to support you in this work.

Yours Sincerely,

Gerry Murphy, Chairperson NITC (INTO)
Justin McCamphill, Secretary NITC (NASUWT)
Jacqui White, General Secretary UTU
Mark Langhammer, Regional Official NEU
Graham Gault, President NAHT NI