



Response of the Ulster Teachers' Union on the Consultation on Draft Special Educational Needs (SEN) Regulations

The Ulster Teachers' Union (UTU) welcomes the opportunity to respond to the Consultation on Draft Special Educational Needs (Sen) Regulations. The UTU represents approximately 6,500 members of the teaching profession including Principals, Vice-Principals, Teachers and Trainee Teachers. UTU members are employed across all the sectors in nursery, primary, post-primary and special schools and educational support service.

1. What is your name?

Ulster Teachers' Union.

2. Are you responding:

on behalf of an organisation

office@utu.edu

94 Malone Road, Belfast, BT9 5HP

Ulster Teachers' Union

Experience Requirements of the Learning Support Co-ordinator (LSC) – (regulations 5 to 8 refer)

3. Do you agree that the proposed experience requirements for LSCs are sufficient for them to fulfil their role?

The Ulster Teachers' Union have concerns regarding the responsibilities of being eligible for the role of Learning Support Co-ordinators as defined in the draft. It is noted that

- 2.47 The LSC must have at least three years' full time equivalent experience of teaching children with SEN (in the case of a LSC working in a special school this would include one year's full time equivalent experience of working in a special school).

It is our view that by citing experience by time is inappropriate. Rather the experience should be defined by the level of expertise and ability to fulfil the duties. In many schools there is already a reluctance to undertake this burdensome role due to lack of training and lack of time to fulfil the necessary duties. By citing just three years this is in an attempt to make more staff eligible for the role rather than considering the suitability to undertake the role. Expertise, interest and experience are the criteria that are essential for this role. We also note that many small schools have staff holding this role with no remuneration or time. Also some teaching principals have this duty on top of leadership, management and curricular development. Way forward – resources for the small schools Time budget. Implementation money – recurrence needed of funding / need to specific about how the money is being used, especially in small schools. Need to think about the LSC “missing” their normal class. Money for Sub cover / clear guidance in how the money should be used.

It is noted that

- 2.48 The Board of Governors of both mainstream and special schools must ensure that the teacher designated as the school's LSC receives the necessary ongoing training and sufficient time to conduct the role effectively.

The necessary, adequate, and timely training must be guaranteed and embedded across all schools. Likewise, time must be set aside for both training, upskilling and allowing the Learning Support Co-ordinator to fulfil their duties. The Ulster Teachers' Union would suggest that newly appointed LSCs receive training delivered from EA Level within 8 weeks of appointment.

There are also periods of the academic year where LSCs would need a substantial amount of time to enable paperwork to be completed and to meet psychologists and parents. Setting out their responsibilities must be met by a commitment from all involved to allow the LSC to fulfil their obligations. psychologists and parents.

It should be noted that Board of Governors will also need training to ensure they can oversee their role in supporting the LSC and staff in school.

New Upper Time Limits for the EA to Issue a Completed Statement (regulations 14 & 15 refer)

4. Do you agree with the proposal to introduce a maximum upper time limit for the EA to issue a completed Statement?

The Ulster Teachers' Union in principle agree with the proposal and timeframes that have been suggested. However, we would have concerns that these will be unable to be met, due to a lack of funding over many years. Although an exception to the upper time limits is suggested we hope these will not be used to delay a completed statement.

Annual Review of a SEN Statement (regulation 18 refers)

5. Where an annual review of a Statement is taking place in any year a meeting is not required, do you agree that the parent or young person over compulsory school age can ask for a meeting?

The Ulster Teachers' Union welcome and agree with the proposal that a parent or young person over compulsory school age asking for a meeting.

6. Do you agree with the introduction of time limits for the EA to inform the parent or young person over compulsory school age of the outcome of the annual review of a Statement?

The Ulster Teachers' Union welcome the time limits for the EA to inform of the outcome of annual reviews. However, we would have concerns that without investment the EA will be unable to meet these and it would be better to focus on immediate and timely delivery for the young person.

Children over Compulsory School Age – assistance and support, and who can raise a question about a young person's lack of capacity (regulations 23 and 24)

7. Do you agree with the proposed list of people who can assist and support a young person (child over compulsory school age) to exercise their rights within the SEN Framework?

It is important and indeed realistic that the many people involved in supporting a young person with SEN should be able to have input, subject to GDPR and sensitivities around the child.

8. Do you agree with the proposed list of people who can raise a question about a young person's lack of capacity to exercise their rights within the SEN Framework?

The UTU unsure with regard to the proposed list about who with parental responsibility / guardianship are able to raise questions about the young person. We would ask that this should be clarified.

9. Do you agree with the timescales regarding the mediation process?

The UTU would have concerns that although we agree with the timescales the EA do not have the capacity to maintain and sustain these. Will this mediation be quality assured and prompt?

General Comments

10. Do you have any other comments you wish to make on the draft regulations?

The Ulster Teachers' Union are realistic with regard to the pressures on the teaching profession at this time. In reality the profession have nothing more to give and are crippled due to the administration tasks around SEN and ensuring pupils needs are met in school. The EA, lack of support and lack of capacity to support the young person are causing many pupils to go without statements or their needs to be met. Unless major and sustained funding goes into SEN nothing will change.

Response from Ulster Teachers' Union via office@utu.edu

94 Malone Road, Belfast, BT9 5HP

028 90662216



Ulster Teachers' Union, 94 Malone Road,
Belfast BT9 5HP

028 90662216 office@utu.edu