

EDUCATION AND TRAINING
INSPECTORATE

The Statutory Assessment (Statementing) Process

November 2024

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Introduction

We want to unite families, communities and educators around a shared vision to nurture healthy, confident children and young people, supported to learn and equipped to lead fulfilling lives.

Department of Education's Corporate Plan (2023, p12)

The Department of Education's (DE) [Corporate Plan 2023-28](#) sets out its vision to nurture healthy, confident children and young people who are supported to learn and equipped with the skills, knowledge and understanding they need to lead happy and fulfilling lives. This includes ensuring that every child and young person with special educational needs (SEN) is supported to learn by having their needs identified and assessed as early as possible and are provided with support which is timely and appropriate. DE's vision is that every child, including those with SEN is, 'happy, learning and succeeding.'

Families, communities and educators share this view and are committed to doing their very best for all of our children and young people. However, currently the services for children and young people with SEN in Northern Ireland are facing significant challenges to meet the needs of the increasing number of children and young people with SEN, set within the context of financial constraints and the rising costs. The current demand for special school places cannot be met within the existing special schools' estate. There has been a huge rise in the number of specialist provision in mainstream schools (SPiMS) classes set up at pace by the Education Authority (EA). The identification and support for learners with SEN is not operating well and, if projected figures are to come to bear, will be financially unsustainable. As a result, it is widely agreed that SEN provision is not working as effectively or efficiently as it should and needs to be overhauled.

In this context, the transformation of SEN services is a key priority for DE, that acknowledges that systemic reform is crucial to ensuring that all learners benefit from high quality, child-centred and cost-effective services. In response to the challenges within the system, DE is currently driving forward an extensive transformation programme through an end-to-end review of SEN.

One element of this review focuses on the statutory assessment (statementing) process and will examine current practice and how professional advice is translated into statements and support for learners with SEN. It will also look at the advice and support offered to those who are making the referral on behalf of the learners to see if improvements can be made.

As part of the end-to-end review of SEN to support the transformation of SEN services, DE commissioned the Education and Training Inspectorate (ETI) to carry out an evaluation of the statutory assessment (statementing) process in schools to explore whether the current process is meeting the needs of all learners with SEN. This evaluation focuses on the practicalities of the statutory assessment (statementing) and review process and on issues relating to the implementation of educational statements. The evaluation also identifies examples of effective practice, key challenges to be addressed and areas for consideration to inform policy development and practice. All the evaluation visits were conducted by district inspectors, who have detailed knowledge of the context within which schools and other organisations are working. The terms of reference for the evaluation are provided in [Appendix A](#).

This report on the statutory assessment (statementing) process builds on the learning from policy implementation and a series of evaluative reports on SEN provision; see [Appendix B](#). It is also one of a suite of ETI evaluations on various elements of SEN. [An evaluation of teacher professional learning in meeting the special educational needs of learners](#) was published in December 2023. It highlights examples of effective practice and details the challenges facing schools and teachers in accessing professional learning, identifying areas for consideration to inform policy development and practice. ETI is also undertaking a longitudinal evaluation of the quality of provision in Specialist Provision in Mainstream Schools classes.

Throughout this report, where text is accompanied by an asterisk, this indicates that additional information can be found in Appendix C: Notes.

Executive Summary

Methodology

ETI inspectors carried out visits to a representative sample of 54 pre-schools (voluntary/private pre-schools and nursery schools*), primary and post-primary schools across all sectors and geographical areas, two work-based learning establishments and two further education colleges.

During the visits ETI gathered views on whether the current statementing process was meeting the needs of all learners with SEN in the settings/schools, with a particular focus on the practicalities of the statementing process and the implementation and review of educational statements. The visits included meetings with 125 members of staff (including principals/leaders, special educational needs coordinators (SENCOs), teachers and classroom assistants). Discussions were held with 54 parents (the term parent is used to denote anyone with parental

responsibility), and over 150 learners in primary and post primary schools, work-based learning provision and further education colleges. Unfortunately, the observation of classroom practice by inspectors was not able to take place due to the industrial action of the teaching unions. This has impacted adversely on the scope and robustness of the evidence base available and, subsequently, on the nature of the findings.

In addition, online meetings were conducted with principals from four special schools. A representational sample of statements of educational need across all school phases were reviewed.

Further information was gathered as part of ongoing district inspector visits, pilot inspections and follow-up inspections and from engagement with staff and parents from four newly established early years specialist provision settings.

Engagement also took place with stakeholders from the Education Authority (EA), Northern Health and Social Care Trust, the Children's Law Centre (CLC) and the Northern Ireland Commissioner for Children and Young People (NICCY).

All elements of the practice and procedures in the [Code of Practice on the Identification and Assessment of Special Educational Needs](#) (Code) were considered.

Summary of key findings

There are many positive examples of learners accessing relevant support. However, the current statutory assessment (statementing) process does not meet effectively enough the needs of all learners with SEN and is not fit for purpose.

This evaluation has identified some creative approaches adopted by settings to help learners access the necessary supports in a timely way.

Creative approaches

- There are examples of successful collaborative working across and between schools and other agencies resulting in the learners' needs being met at an earlier stage without the need to progress to statutory assessment.
- In some settings the SENCOs have gained a Certificate of Competence in Educational Testing (CCET) qualification enabling them to assess and interpret a range of psychometric tests which can assist them with the early identification of need.

- A small number of settings are using the funding associated with the provision of additional adult support to recruit a learning support teacher, rather than a number of classroom assistants.

These creative approaches should be fully evaluated and shared more widely, as appropriate, to support all schools.

There are three main issues impacting adversely the effectiveness of the process.

Systemic pressures

- The statutory assessment and statementing process is complex and slow and published timescales (26 weeks) are not being met, which is delaying crucial interventions for learners.
- There are too many learners being put forward for statutory assessment as it is perceived to be the only way additional support will be provided.
- Almost one-half of all principals/leaders who participated in this evaluation reported being dissatisfied with the communication from the EA to both schools and parents throughout the statutory assessment (statementing) process.
- Schools have insufficient access to diagnostic assessment.
- The impact of classroom assistance support and the allocated hours has not been monitored or evaluated sufficiently, despite the high expenditure costs on this resource.
- School leaders report that greater autonomy and flexibility in using the available funding for classroom assistance hours would enable them to meet better the needs of their learners.
- Education and Health services are not providing adequate and timely support for learners with social, behavioural and emotional wellbeing (SBEW) needs at Stage 1 and 2 (within the three Stages) which has resulted in a large increase of referrals for statutory assessment in this area.
- The significant increase in referrals for learners with SBEW needs is causing immense pressure on the system, with 27% of all statements having a primary need linked to SBEW; the appropriateness of the statement needs to be considered in cases where Stage 2 provisions have not yet been accessed.

Early Intervention and access to external support

- Schools and parents have insufficient access to advice and external support; this is adding to the difficulties experienced by learners at Stages 1 and 2 of the Code.
- The allocation of time and resource for the Educational Psychology Service to support schools - in both assessment and support - is insufficient which means that not all learners who may require additional support can be assessed.
- The lack of sufficient educational psychology advice and support at Stage 2 contributes significantly to the increased number of learners being referred for statutory assessment which is an ongoing and growing issue which urgently needs to be addressed.
- There is no access to support from EA at stage 2 for the private/voluntary pre-school sector while there is support for statutory nursery schools, in addition, they do not have access to the support of the Education Psychology Service, consequently, there is inequitable access to services within the pre-school sector.

Statutory Assessment and Statement

- The process for assessment to statementing is overly bureaucratic and slow which causes delays in learners accessing support.
- Many parents, and some principals/leaders, seek statutory assessment for a learner in order to access the support of a one-to-one classroom assistant which is not always the most educationally sound option, particularly when it can currently reduce access to Stage 2 pupil support services.
- The removal of access to Stage 2 services on allocation of a statement of SEN needs to be reviewed as a matter of urgency.
- A key driver for parents in seeking a statutory assessment is the desire for the allocation of a classroom assistant to support their child.
- There are significant challenges in recruiting and retaining suitably experienced and qualified classroom assistants to assume the role of additional adult support allocated in a statement.
- Currently, statements are heavily influenced by the Educational Psychologist's input; clarity needs to be provided on issue of the statement on how the inputs

from the school, parent and learner have been taken account of in the content of the final statement.

- Statements as currently written are more effective at meeting the aim of enabling the learner to be placed in a specific type of setting, rather than informing the setting's staff as to how provision should be adapted to meet the educational needs of the learner and/or ensuring the learner has access to the relevant supports.
- The statements are often text dense and use technical language which does not identify clearly enough for teachers and parents the specific needs of the learner and the appropriate support strategies.
- Only 23% of the SEN statements reviewed as part of this evaluation were amended following the annual review process; some statements contained objectives which were outdated and no longer appropriate. It is important that the annual review process works to the benefit of the learner, particularly at key transition points.

Conclusion

The evidence from this evaluation highlights critical deficiencies in the Statutory Assessment (Statementing) process for learners with SEN. The current arrangements are not identifying and assessing the needs of all learners with SEN in a timely way. The process is overly bureaucratic and is not focused sufficiently on getting to the specifics of how education can be adapted to meet the educational needs of the learners. In short, the current process is not working effectively enough in meeting the needs of learners with SEN.

Main findings

Systematic pressures

Almost all the principals/leaders report that the current statutory assessment (statementing) process does not meet effectively enough the needs of all of the learners presenting with SEN in their schools/settings.

Almost 27% of all learners with a statement of SEN have been identified as having a primary need linked to social, behavioural and emotional wellbeing (SBEW) needs. This reflects the findings of the ETI's Preventative Curriculum in Schools and EOTAS Centres report in 2023, which found that mental health and wellbeing was the top issue that schools were addressing in schools. The growth in the number of requests for statutory assessment (statementing) in relation to SBEW is

unsustainable, and statements are being provided without the learner having adequate access to Stage 2 pupil support services to enable a robust assessment to be made. More appropriate resources and support mechanisms should be made available at an early stage to address early the SBEW needs of a learner. There are, of course, clear cases where SBEW needs are so severe that a statement of SEN is appropriate. However, the learner's needs may be able to be supported at Stage 2, without the need to progress to the statutory assessment (statementing) route. Where the needs are more temporary in nature, they should be identified and addressed at an early stage, through for example, funded Nurture Provision* or timely access to counselling services. Neither health or education have the capacity to support the learners with SBEW in a timely way and there are long waiting lists for services such as the Child and Adolescent Mental Health Services (CAHMS). At the time of publication of this evaluation, CAHMS is not accepting any further referrals.

Schools report that where learners cannot access the necessary educational support, there can be a serious impact on the learner's emotional wellbeing. This may then present as a behavioural issue which has the potential to impact further on the educational experiences of their peers. This in turn, results in leader's prioritisation of learners with SBEW for statutory assessment (statementing). The failure of both education and health services to provide adequate and timely support for learners with SBEW at Stage 2 has resulted in the increase of statements for learners with SBEW need.

Principals* report that their working relationships with educational psychologists are good; however, 96% reported the 'assigned hours' from the Educational Psychology Service do not meet their needs and do not support sufficiently the growing numbers of learners who require consideration for Educational Psychology support at Stage 2 or for statutory assessment. Across all 54 schools visited, principals/leaders had 210 learners currently prioritised for statutory assessment. This figure almost trebled when principals/leaders indicated a total of almost 592 who they believed should be considered for statutory assessment. In many schools this demand exceeded by 4 or 5 times their allocation of Educational Psychology Service time and in one school there were 17 times more learners to be considered than the service could support. As a result, and together with the increased number of learners presenting with complex needs, SENCOs and leaders report that they are having to make difficult decisions on who to prioritise for consideration of statutory assessment.

Post-primary school principals report there are learners entering year 8 with SEN and for whom no referrals were progressed by the primary school. During the visits to the work-based learning providers and the further education colleges, there were learners who were being assessed for SEN for the first time.

The EA reports that there has been a 25% reduction in the number of education psychologists working within the service, with a current total of 85. The EA are currently considering how the allocation of educational psychology service time for schools is assigned, with consideration given to the school’s assessment of the current level of need of the learners within a school to ensure a commensurate allocation of educational psychology hours.

Leaders in Irish Medium (IM) schools report that it would be beneficial to the learner for all IM schools to be supported by an educational psychologist fluent in Irish. This would allow the educational psychologist to assess a learner’s cognitive development, including their acquisition of language and overall well-being within the context of the immersive Irish-medium education.

The current process includes an option for a parent to make a direct referral for statutory assessment to the EA rather than referral through the school. The parental referrals are considered within the school’s allocated educational psychology time and, as a result, can quickly exhaust the already limited time for consultation or progression of other learners to the statutory assessment process. These may not be the same learners that the leader and SENCOs would have prioritised for Educational Psychology time. Currently, the proportion of referrals from parents is similar to the proportion of referrals to statutory assessment by schools; see Chart 1.

CHART 1: Percentage of referrals for statutory assessment by source:

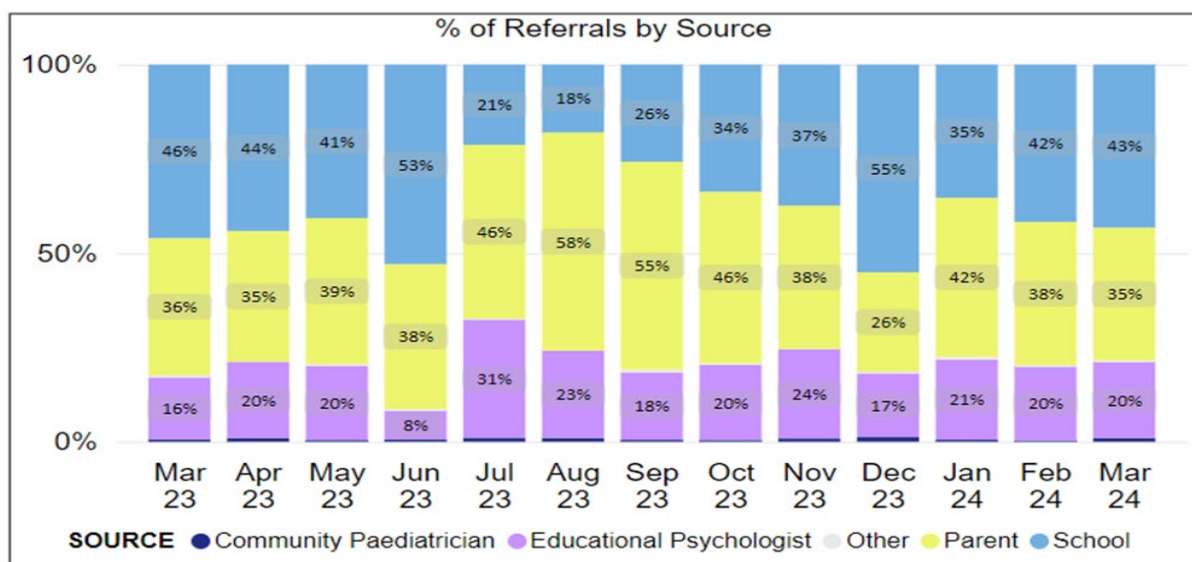


Chart 1 illustrates that during March 2024, 43.3% of referrals were submitted by schools, 35.3% by parents, 20.1% by educational psychologists, 0.9% by community paediatricians and 0.4% were submitted by ‘other’ sources.

A key role of the Educational Psychology Service is to provide schools with advice and support for learners at Stage 2, as well as statutory assessment and associated tasks. The Education Psychology Service reports that the increase in the number of requests for statutory assessment, coupled with the reduction in the number of educational psychologists, means that the service does not have the capacity to provide support at the earlier stage. The lack of sufficient educational psychology support and advice at Stage 2 contributes significantly to the increased number of learners being referred for statutory assessment which is an ongoing and growing issue which urgently needs to be addressed.

Early identification and access to external support

Schools report challenges in accessing necessary and timely external interventions for learners at Stages 2 and 3.

It is widely accepted that appropriate early intervention and support can help to reduce the need for learners to be progressed to statutory assessment and can lead to better outcomes and educational experiences for the learner. Collaborative working and the sharing of relevant information are key to the early identification of a learner's need. School principals and leaders of early years settings report that they value the engagement with external organisations, such as Sure Start providers, with whom families have existing links. The sharing of information from these organisations allows early intervention and appropriate support mechanisms to be put in place in a timely fashion, prior to the learner commencing their early years' education. Principals of nursery schools raised concerns about how the lack of available parental support, parental awareness of key milestones and the negative impact the removal of the 18-month assessment completed by the health visitor have had in supporting early identification of need.

The private/voluntary pre-school sector currently do not have access to support from EA at Stage 2 or support from the Educational Psychology Service. Referrals and support for statutory assessment and statementing for learners attending voluntary/private pre-schools must be initiated by the parent through their Health and Social Care Trust (usually the learner's General Practitioner).

Principals/leaders report positively on the support provided by the EA's Autism Advisory and Intervention Service (AAIS). The AAIS is quick to respond to school queries and provides good advice and support, however there are long waiting lists for other EA services and support and EA is not able to meet the current demand.

The EA support services provide ten separate programmes for learners at Stage 2 which include support for: behavioural needs in primary and post primary schools; language and communications needs; and support for learners with severe and moderate learning difficulties. These services currently operate independently of each other which EA has reported means that each service finds it challenging to plan and support the learners' needs. The EA data indicates that 6,700 learners were able to access these support services in 2022/23; however, 2,500 remained on waitlists. Through their own evidence the EA suggest up to a further 10,000 learners may have required the support from the services, but the Educational Psychology service does not have the capacity to assess learners, identify an educational need and progress to the statementing process.

The EA acknowledges that the time taken to access support services at Stage 2 is too long and they are not meeting learner's needs early enough. The EA also recognises that this is one of the factors contributing to the rise in referrals for statutory assessment and that is creating additional stress for schools, parents and learners. Evidence from this evaluation concurs with this finding.

To try to address the difficulties with the current system, the EA is working to introduce a more streamlined referral route for Stage 2 support which could be managed without the need for a school to apply to each service individually or await the outcome of an educational psychology assessment. The EA is currently proposing a 'team around the learner and school' model which aims to:

- provide flexible support for learners and schools;
- allow schools to make referral to the services without waiting the outcome of an educational psychology assessment; and
- allow learners earlier access to interventions.

The EA plans to establish teams, currently being referred to as Local Integrated Teams (LITs), with expertise from across the individual services within EA to provide a more holistic, joined up approach. It is the intention that schools will be able to refer learners directly to the service via a digital system drawing information from the Personal Learning Plan* (PLP), without input from the Educational Psychology service. Through these LITs, it is the EA's intention that there will also be school level training and the option to avail of the school's Educational Psychology Service time for support and advice.

This plan is yet to be enacted and there is no planned inclusion of representation from health which would be in line with the requirements of the [Children's Services Co-operation Act \(NI\) 2015](#) and which would enable a much-needed multidisciplinary approach to meeting learners' health and educational needs. It is not clear how those schools who have not yet transitioned to using digital PLPs will refer a learner for the service. There is the potential that this approach could helpfully remove the role of the Education Psychology Service as the 'gatekeeper' to other Stage 2 services. Ultimately, the Stage 2 services could be inundated with requests that it cannot meet within its current staffing resource. The solution to meeting learners' currently unmet need will lie in transformed service delivery models, alongside adequate staffing resource.

The private/voluntary pre-school sector do not currently have access to C2K*/EdIS* online system in order to register a learner for the support which may cause a further delay to them accessing support; consequently, there is inequitable access to services across the pre-school sector.

The statement

The statementing process involves assessing and providing support for learners with SEN. The essential practices and procedures that the Code embodies include:

- learners with SEN being identified as quickly as possible with a clear and focused programme of special educational provision;
- the EA producing clear and thorough statements which identifies the learner's needs, and the objectives to be secured;
- the requirement of the EA to review the statement annually; and
- for schools to create a transition plan for young people in Year 10 of post-primary study with a statement of SEN, to support them into adulthood.

As reported by schools, the Statutory Assessment (Statementing) process is overly bureaucratic and slow; this causes delays in providing support and at times, the delay can compound the educational difficulties experienced by the learner.

As a result of a statement being granted, the learner may be given additional adult support through a classroom assistant, but any external support provided at Stage 2 will cease. When a statement is granted, the learner subsequently loses access to any Stage 2 external support which is already in place. This impacts negatively on the continuity of education for the learner, as the school or parent will have to re-apply for the necessary support which can be a lengthy, bureaucratic process.

This can result in the learner being placed on a waiting list for support, given the limited capacity in the system, and is an unnecessary interruption to the learner’s support. While the statement may signpost the requirement for external support from education or health, the statement itself should, but currently does not, guarantee that the learner will be able to access it.

The statutory assessment and statementing process is complex and slow, and published timescales (26 weeks) are not being met, which is delaying crucial interventions for learners. Feedback from almost one-half of all principals/leaders indicated a dissatisfaction with the communication from the EA throughout the statutory assessment (statementing) process to both schools and parents. Significant improvement is required in: communication at all levels; the timeliness of the communication; and clarity of timelines and the process. Parents and schools require access to and liaison with a designated contact person in the EA.

CHART 2: Number and percentage of completed statements within the statutory timeframe:

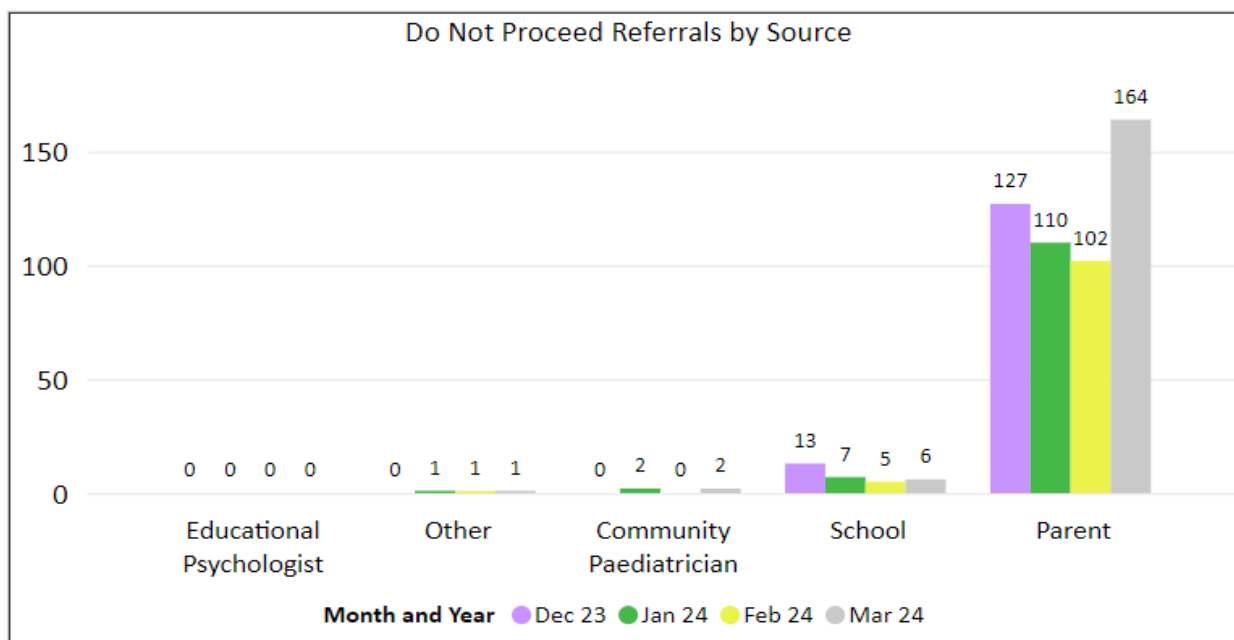
Year	No of Statements Completed	No Of Statements < 26 Weeks	% Statements completed < 26 Weeks
2019	2,486	303	12%
2020	3,726	954	26%
2021	3,652	2,790	76%
2022	4,097	2,584	63%
2023	4,522	2,076	46%
2024	617	254	41%
Total	19100	8958	47%

Note – data for 2024 is based on information for the first quarter.

Over the past four/five years, almost one-half of all completed statements fell outside the published timescales. The unacceptable delay in processing statements was highlighted by all stakeholders.

Not all referrals will or should proceed to a statutory assessment and in March 2024, 26% (173) of all referrals received did not proceed to assessment. Of those that did not proceed 95% (164 out of 173) were referrals submitted by parents, 3% (6) by schools, 1% (2) by Community Paediatricians and 1% (1) by ‘other’, as illustrated in Chart 3.

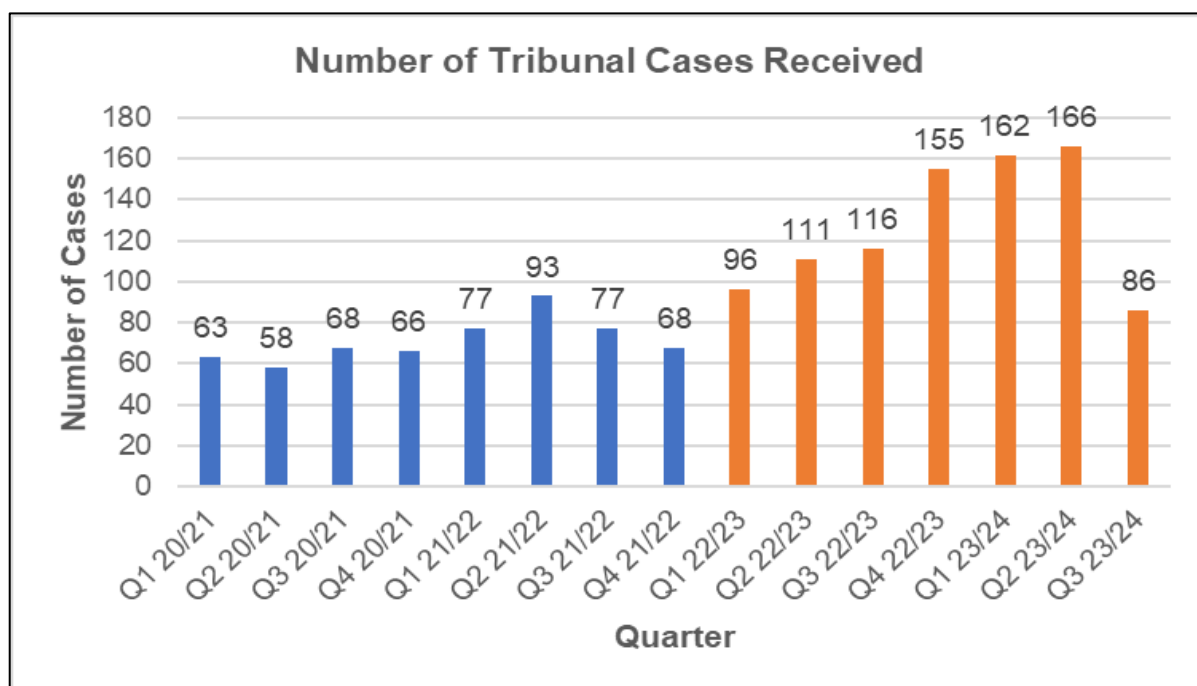
CHART 3: Number and % of referrals that do not proceed to assessment by source:



Parents have a right to appeal when a referral has been declined. The Special Educational Needs and Disability Tribunal (SENDIST) considers parents' appeals against the decisions of the EA about a learner's SEN, where the parents cannot reach agreement with the Education Authority.

Chart 4 illustrates a total of 255 tribunal cases were received during 2020-21, 315 cases received during 2021-22 and 478 cases in 2022-23. A full set of data was not available for 2023-24, however there was a continued upward rise in the number of cases in the first two quarters.

CHART* 4: Number of tribunal cases received:



For the full year of 2022-23, there were 478 cases received. Of the 478 cases received, 321 (67%) were appeals for refusal of access to statutory assessment and 120 appeals (25%) were in connection with the content of the statement.

The number of appeals taken by parents continues to rise and an increasing number of the tribunal cases are successful at appeal, or the EA approves the statutory assessment just before the appeal is due to be heard. Of the 86 cases received in Q3 2023-24, 45 cases (52%) proceeded to hearing and 6 cases (7%) were withdrawn prior to the hearing. The remaining 35 cases (41%) were conceded by EA prior to the hearing; 15 (43%) of which were reconsidered by the EA whilst the remaining 20 (57%) were conceded as a result of more information being provided.

In the data for Q3 2023-2024 most appeals (46/86 cases / 53%) were in connection with SBEW referrals. Speech Language and Communication (SLC) needs referrals were the second highest (18/86 cases / 21%), followed by Cognitive Learning (CL) needs (17/86 cases / 20%).

In discussions with ETI, representatives from the Children’s Law Centre (CLC) and the Northern Ireland Commissioner for Children and Young People (NICCY) raised concerns about the high numbers of referrals to SENDIST, in particular, the numbers conceded by EA just before a tribunal hearing or are overturned at tribunal. They question why such a high percentage of referrals are failing to proceed to assessment in the first instance, particularly those coming through the parental referrals route, and why so many appeals are being brought and subsequently granted.

The fact that so many parents had not provided all the necessary information for the initial referral to be granted was highlighted by a number of the parents who spoke with ETI. The parents reported that the guidance provided by the EA is unclear about what information should be included. The number of cases conceded by the EA remains high, with a great number of these linked to a SBEW need. The efficacy of this process – in terms of the emotional cost to parents, the educational cost to learners and the financial cost to the public – needs to be better.

As noted previously, one of the essential procedures that the Code embodies is the requirement for the EA to produce clear and thorough statements setting out the learner's educational and non-educational needs, and the objectives to be secured. While the statementing process aims to ensure individualised support, concerns have been raised about the access to and level of customised support noted within the statement.

Of the 47 primary and post-primary schools visited, almost one-half (48%) commented specifically on the extensive length of the statements and the difficulty teachers and parents have in understanding the terminology used within them. All of the special school principals report they find the content of statements to be less than helpful, with the educational needs of the learner not being identified clearly enough. As part of the evaluation, a small sample of statements were examined in detail. In the 35 statements reviewed, 66% of the statements had educational objectives which were generic in nature, and 91% of them were not specific in outlining the nature of the educational provision required to meet the learner's needs and objectives. The content of those reviewed statements was text dense and 63% use technical terms (e.g. 'esterase deficiency' and 'range of executive functioning deficits') which can be difficult for parents and staff to understand. This places a further onus on the school to mediate and support the parents' understanding of the statement and decipher the contents in order that they too can best support their child's needs.

Currently, statements are heavily influenced by the Educational Psychologist's input; clarity needs to be provided on issue of the statement on how the inputs from the school, parent and learner have been taken account of in the content of the final statement.

One nursery principal reported that the content of the learners' statements can be bland and/or contain unhelpful information and unrealistic suggestions. For example, one statement reviewed stated "X does not recognise or respond to his name." Yet, the recommendations stated that "X should make connections between learning in different contexts" and "develop basic problem solving and reasoning skills through activities that are led by the child's interests." During the ETI visit to this nursery, two statements were compared and the provision sections within both were identical statements, despite the two learners presenting very differently.

Following the statutory assessment of the learner, the educational psychologist identifies and includes within the statement of need, the appropriate support. However, access to this support is often caveated with 'as deemed appropriate by EA' which indicates that accessing the support will be at the discretion of the EA.

In discussions with principals/leaders, classroom assistants and parents, while a small number indicated that they did find the statements objectives helpful overall, most report they would welcome statements that are more succinct and contain relevant information with clear and realistic targets and recommendations for appropriate and available support from allied health professionals and/or external agencies.

The annual review process is not resulting in an amendment to learners' statements. Just 8/35 (23%) of the statements reviewed have been or are in the process of being amended. There is no requirement for the educational psychologist to attend the annual review and the EA reports that there is not the capacity for them to do so. Leaders report a reluctance to amend a statement where it may result in the removal or reduction of classroom assistance hours. The annual review of statements does not include the requirement for schools to make a formal evaluation of the impact of a classroom assistant's support.

Post-primary school principals report that the statements they receive on the learners' transition from primary to post-primary school tend to be out of date. In one reviewed statement, a reference to play-based learning was still retained on the statement. A more comprehensive review and update of a statement is required at key transition points.

"There should be more rigour around the annual review process, with input from health. There needs to be 'a team around the child'."

A Primary School Principal.

"The annual review is a tick box exercise, unless you need an increase in classroom assistance hours."

A Classroom Assistant.

"Schools are reluctant to highlight a child's progress as it can work against the child and can result in reduced hours for the classroom assistant."

A Primary School Principal.

The transition of information at key points, for example from year 7 to year 8, is reported to be slow. Principals report a lack of understanding of this delay when year 7 annual reviews are completed in December of year 7. A quicker exchange of this information would improve the transition of these learners to the next stage of their education. In many cases the statements do not arrive until May or June or over the summer holidays resulting in a delayed response from the post-primary schools.

The information from annual reviews is not being used effectively enough by EA to identify strategically where and what type of provision will be needed for learners; particularly those transitioning from year 7 to year 8. This is resulting in significant stress on learners and their families when these year 7 learners are granted their year 8 school place at a later date than their peers.

With the cessation of the action short of strike by the teaching unions in April 2024, inspectors are importantly now able to evaluate the outworking and the appropriateness of the statement for children at Stage 3 of the Code through the first-hand observation of classroom practice.

Staff from Further Education (FE) colleges and Work-based Learning (WBL) providers spoke positively of specific transition programmes funded by the Health and Social Care Trusts which assist effectively the learner's transition from post-primary to FE or WBL. The staff from both types of setting report that there are challenges in obtaining relevant information at the point of transition, either from the learner's post-primary school or the EA link officer. Very often this information is delayed or not received at all. The statements can be out of date and not reflective of the learner's needs. When a learner commences their education in either a WBL setting or FE college, the responsibility for their education provision then moves from the Department of Education to the Department for the Economy. As such, consideration by the relevant departments needs to be given to the continuation and review of a learner's support post-16.

Parental views of the process

All of the parents who met with inspectors spoke positively about the support provided to them by their child's school in order to navigate and understand the statutory assessment process, including understanding the final statement. Parents welcome the support principal/leaders and SENCOs provide during the period when their child is being considered for statutory assessment and throughout the

statementing process. They report challenges in the availability of the EA Link person to support them with the process. They stated that this results in them being passed from one person to another within the EA, with their questions remaining unanswered. They would welcome more clarity about the whole process and on how best to contact the EA staff directly involved with their child's case, and the use of parent-friendly language within the statement.

The parents shared openly their frustration with: the statutory assessment process as it currently stands; the negative impact the process has had and continues to have on their own health and wellbeing; the anxiety caused by sending their child to school each day knowing their child does not have access to the support required; and the extent to which they have to 'fight' for their child to get a statutory assessment. They report they have to navigate many issues, including understanding and accepting their child's diagnosis and ensuring that their child can access the necessary support.

The parents reported that, while there is some centralised and accessible EA documentation/guidance to support them through the process, it is not sufficient to allow them to navigate the process. They report there is no joined up communication or thinking between the EA and medical professionals and that there is currently no medical representation on the statementing panel. One parent reported a 'vacuum' of support from the EA, with many reporting that they have eventually threatened or begun legal action regarding the process, or any subsequent changes required to the statement. In discussions with representatives from the CLC and NICCY, they confirmed an increase in the number of parents seeking their advice, guidance and support in aspects relating to the Statutory Assessment (Statementing) Process.

The majority of parents report that they have required assistance from principals/leaders both at the stage a proposed statement is issued and when the final statement is granted in order to decipher and understand the key support that will be provided. They would welcome a one-page summary statement which provides an overview of the information using language that is clear and less jargonistic.

"It is a lonely road, always having to fight for whatever your child needs, including the initial allocation of hours. Full-time hours were eventually granted but that involved stress that nobody needed - it was a long frustrating process."

A mum.

"SEN children and families are suffering unnecessarily. Once support is in place, your life, the child's life, speech, eating, behaviour, sleep all improved."

A mum.

"I just wanted my child to feel happy and supported."
A dad.

"Frustration."
A mum.

"Getting a statement was like participating in the Hunger Games...and you shouldn't have to fight that hard to get the help you need for your child."
A mum.

The parents of young people attending the FE colleges and WBL providers report they had experienced a range of challenges throughout their child's education journey. Delayed identification of their child's SEN and a lack of tailored interventions to support them were among the issues within this phase. They report that their child faced additional stresses and difficulties prior to and during the transition to their post-16 stage of education. Access to any support their child had been granted in their previous setting ceased and the learner had to self-manage, work independently, meet deadlines and navigate social interactions. Despite the range of challenges these learners experienced, the parents spoke positively of the support provided by staff from the WBL settings and FE colleges which assisted their child's effective transition to their next stage of education.

Further Education: A parent's experience of the statutory assessment process

The parent recognised that her daughter had a SEN when she was around six years old; in Year 3 she could not read or write. The parent approached her daughter's primary school to ask for an assessment. The diagnosis was that she had difficulty with sensory processing, although the parent felt that she had more significant special needs. The individual education plan (IEP) recommended extra mathematics and English withdrawal support, but she did not get the necessary mathematics support and left primary school only able to count to 10.

In post-primary, the parent continued to press for a further assessment and when her daughter was 13 years old, she was diagnosed as having Autistic Spectrum Disorder. An IEP was provided consistently as the school SENCO changed quite often. The learner did achieve pass grades in assignment-based qualifications such as the Prince's Trust qualifications but did not take GCSE mathematics.

The learner moved to a Further Education college post-16. At the FE college, a meeting with the Education Support Coordinator (ESC) took place and support was provided immediately. The support was primarily for socialization. A support worker was assigned to the child along with one-to-one supervision for tests. She became increasingly independent, eating her meals in college and was able to remain in

class for tests. There were “blips”, but the ESC was always approachable and organised meetings with the lecturers, parent and learner to resolve any issues. She has progressed from level 2 to the level 3 programme and has a number of part-time volunteering jobs. She is studying for an Essential Skills qualification in application of number and can now use mathematics in everyday life, for example, she can give change in her part-time job and organise her own money.

Further Education: A parent’s experience of the statutory assessment process

The child was never diagnosed with a special educational need, but the parents believe their son has autism. An individual education plan (IEP) was put in place when the child was in year 7. Additional support for English and mathematics was provided.

The child and parent attended the induction day at the FE college on the GCSE results day. The Education Support Coordinator (ESC) met with the parent and the learner and recognised that the learner needed support. This support was put in place immediately. The parent reports that the ESC and the lecturers have been brilliant. The learner is very happy in the FE college and will return to continue his education in the next academic year.

Creative approaches to supporting learners’ needs

The ETI is aware that a small number of schools operate a multi-disciplinary team approach to: support the early identification and assessment of the needs of each learner; access support from available services; and provide carefully considered and regularly monitored interventions and support programmes. Contributions from education and health professionals assigned to support the learner, together with input from the parent and learner, feed into this team approach which supports effectively the learner on their educational journey.

In the examples provided, the principals are using their in-school expertise and the available educational and pastoral information about the learners to support the early identification of a learner’s need at Stages 1 and 2. In one example, the SENCO has extensive SEN knowledge and additional qualifications which enabled them to administer a range of diagnostic assessments and build a comprehensive picture of each learner’s strengths and needs. The SENCO is then able to identify the most appropriate support through the school’s Nurture provision, school counsellor, in-class and withdrawal support, additional adult support or external support that is needed. A regular review of each learner’s progress, involving all those providing support, is conducted to consider the impact of the support. Then, where necessary, the school’s SEN Team, in consultation with the educational psychologist, will consider if statutory assessment should proceed. A result of this approach is that

there are no parental referrals from the school as the parents know that if additional support is needed, including additional adult support, it will be provided at Stage 2. The educational psychologist is involved from Stage 2 and their time is used effectively to identify strategies and support at an earlier stage.

In another primary school, staff built on the 'Engage' DE-funded Programme model and continued to employ a full-time learning support teacher who is responsible for the design, delivery, monitoring and evaluation of early intervention programmes for small groups of learners with specific needs. The success of this approach has meant that there are fewer learners being referred for statutory assessment as children are accessing effective additional support at Stage 2.

Both of these approaches have the potential to be replicated in other schools.

There is an opportunity to make more effective use of the evidence gathered from in-school assessments, including testing conducted by appropriately accredited SENCOs, to inform the statutory assessment and statementing process. The use of such information from SENCOs could help to expedite the process given the reduced number of education psychologists, thus enabling a timely identification of learners' needs and the most appropriate support. In due course this could reduce the pressures on the Educational Psychology Service, enabling them to use their expertise to support school staff at Stage 2, rather than focus almost exclusively on statutory assessments.

All schools should be able to avail of a SENCO with the expertise and enhanced accredited qualifications. Where necessary this expertise could be shared by a full-time SENCO working across area learning communities (ALCs) and across sectors. This approach was a recommendation previously in the [ETI Evaluation of the Certificate of Competence in Educational Testing Pilot, 2012-2014](#). The recommendations of that evaluation were clear and still relevant:

- a need for further ongoing capacity building work in special education linking assessment more purposefully to intervention and tracking of progress;
- opportunity for networking on a local basis to enable SENCOs to focus on assessment and intervention, discuss practice and promote the development of best practice across all schools; and
- training for accreditation in educational assessment should be a requirement for all SENCOs.

One primary school has introduced alternative arrangements for the deployment of classroom assistants. The school established an 'Early Education Support Unit' (EESU) for eight children with a statement which included additional adult support. The school deploys one teacher and two classroom assistants in a single class for eight children, all of whom have statements of educational need. This is an alternative to the requirement of eight classroom assistants, one for each of the eight children. The class composition is fluid, with children moving back into their mainstream class when they have made sufficient progress against pre-determined targets and with new children being given access to short-term small group support in the EESU class.

In a post-primary school, the traditional model of classroom assistance was not meeting the wide range of needs of the pupils. The principal negotiated with the EA a type of 'conversion/cash-in' package, i.e. instead of employing three classroom assistants (which were in short supply) the school employed a qualified SEN specialist teacher. One 'access' class and one 'progress' class have been established in each year group across years 8 to 12. The 'access' class allows provision for those pupils who are most in need of support to access the curriculum. The 'progress' class has more flexible criteria of need for entry to the class, with pupils moving in and out dependent on need and rate of progress.

Another post-primary school appointed six newly qualified teachers to work as classroom assistants (assigned the title CA-NQT) to support each of the six year 8 classes. Along with the other pupils in the class, one or two pupils with statements of educational need were specifically allocated to each newly qualified teacher. The newly qualified teacher works in the class with the classroom teacher and liaises with the school's pastoral team to support the pupils through a range of approaches including nurture, one-to-one literacy and numeracy support, co-teaching and group work. This model has permitted the school to focus on the nature and quality of the support, rather than the number of hours of classroom assistance.

Post-primary School Example – Flexible use of additional adult support

The school's enrolment sits at 1766. 382 (21.6%) of the pupils have been identified as having SEN. The number of pupils with a statement of educational need is 185. The staffing complement is 122.8 FTE teaching staff and 69 classroom assistants. The classroom assistant/teacher ratio is 0.57.

Since 2015, the school have operated an alternative model of staffing and deploy a full-time teacher in place of two classroom assistant posts. Due to the size of the school, and the number of pupils with SEN, the school was keen to explore alternative models of support and was able to recruit an experienced teacher (professionally qualified as an English teacher) to this role.

While the school values highly the work of the assistants, the senior leaders and governors were keen to try a model which would encourage pupils to become less dependent on classroom assistance and to become more independent and resilient through acquiring and developing greater self-management skills. The experienced teacher provides a bespoke support programme to meet the learning needs of individual pupils; it includes focused interventions of literacy, numeracy and pastoral support.

The model is highly effective in supporting the learning, development and outcomes of the pupils who access this provision and there is a positive impact on pupils' learning and progress. The pupils' ability/attainment is assessed (through standardised tests) at the beginning of the programme and tracked throughout to monitor the added value of this approach. School evidence indicates that pupils make significant progress, not only in their academic learning but also in their wider skills and dispositions.

While there were some initial concerns expressed by parents, this model continues to receive the support of parents, pupils, staff and governors.

The alternative model for pupils' learning and development contributes to the school's culture of inclusion, aspiration and achievement and the nurturing and supportive approach is helping pupils overcome their barriers to learning. The pupils accessing this model of support have very positive attitudes to learning, are confident in listening to and responding to one another, and are clear about potential curriculum and career pathways they could pursue after leaving school. They talk positively about the impact of the provision on developing their confidence, raising their aspirations, and supporting their learning and achievement.

The school reports that parents and carers generally appreciate the positive impact of individual classroom assistance hours on their child's learning in primary school and want a straightforward transfer of the arrangements to post-primary. However, this is not always appropriate, given the more complex curriculum in post-primary and the need to enable young people to develop their independence and resilience and to prepare for adulthood. Parents and carers have become more aware of the benefits of the alternative model as the programme is implemented and the outcomes for their child improve.

Nursery School Example – Working with external agencies approach

The nursery school is situated in an urban area with an enrolment of 55 children across two classes. There are a small number of children with severe learning difficulties, those presenting with moderate learning difficulties and a small number with statements of special educational need.

Staff have accessed all of the training available to support the particular needs of the children attending. The principal attended a one-day course delivered by the severe learning difficulty department of EA SEN Early Years Intervention Service. The principal spoke positively about the benefits of attending the course. In addition, all staff are trained in 'Makaton', they share effective practice via the area learning community and, as professional learning opportunities are limited, rely on and access support from contemporaries.

The principal's experience and expertise in SEN means she can support individual parents through the statementing process and gather the relevant evidence within the nursery, including photographs, videos and annotated notes, in relation to the child's strengths and needs. The principal is a management board member of a local Sure Start provider and within this position she promotes early support and identification of the child's needs. Her engagement with the Sure Start staff and regular contact with the parents of the children who attend Sure Start provision enables her to highlight and refer them to the relevant services in order to begin to meet the needs of their child or consider progressing to the statutory assessment stage.

The establishment of positive child-centred relationships with the parents has created an environment of trust which, together with the early engagement with Sure Start staff, has expedited the statementing process and results in meeting children's needs sooner. In one recent case this early action resulted in additional adult hours being granted for a child from October of their pre-school year. This has supported the child to stay for the full day in the nursery environment which would not have been possible without additional one-to-one support. The child was then able to engage more actively in their learning and begin to socialise with their peers.

Primary School Example – A Multi-disciplinary Approach

A medium-sized primary school and nursery unit in an urban area with an enrolment of 465 children, including 52 children in the nursery classes. Sixty-three percent of the children in the school and nursery unit have free school meals entitlement and 24% of the children have been identified as having special educational needs (SEN). There are 32 children with a statement of educational need. One quarter of the enrolment is made up of newcomer children including 28 who have been granted refugee status and nine with asylum seeker status. The school has a Department of

Education funded nurture class to support children with a range of emotional needs and has one Specialist Provision in Mainstream class for children in key stage 1 with social and communication needs.

In order to consider the needs of every child, and the provision needed to meet their needs effectively, the senior leaders set up a 'Multi-disciplinary Team'. The team includes the vice-principal (responsible for pastoral care and safeguarding), the Special Educational Needs Co-ordinator and, as relevant to each child's case, external professionals from education and health. This can include the involvement of the educational welfare service, school counselling service, RISE (NI), the Occupational Health service and the school's educational psychologist. The purpose of the team is to ensure the early identification and assessment of each child's needs and to identify and implement carefully considered and regularly monitored intervention and support programmes. This includes pastoral information, where relevant, including attendance and access to the school counsellor.

The school uses its special needs support in an efficient and flexible way and support is targeted at the appropriate phase on a child's learning journey. The SENCO has CCET accreditation to use diagnostic assessment providing detailed and comprehensive information to the Educational Psychologist. As a result, the psychologist sees only the children with the most complex needs and is confident of the impact to date of previous interventions.

Contrary to the trend of growing numbers of parental referrals for statutory assessment, the school generally has no parental referrals. This is attributed to the confidence of the parents that their child's needs are being met without the need for a statement and, importantly, because the school does not wait on reaching Stage 3 of the Code to assign additional adult support.

Equipping the system to meet the needs of all learners

Every teacher must be equipped to be a teacher of special educational needs. All staff in the settings visited for this evaluation reported that continuous professional learning is essential to meet the growing and complex needs of learners presenting in our education system. This mirrors the views reported in the ETI report on [Teacher Professional Learning \(TPL\) to support pupils with SEN](#).

The in-depth SEN knowledge and understanding of principals/leaders, SENCOs and teachers is vital to the successful identification of each learner's need and to the provision of appropriately targeted early intervention and support. External intervention should have the dual purpose of providing necessary support for the learner and also capacity building for teachers and support staff to ensure that the interventions can continue when the period of external intervention ceases.

Almost 40% of the principals/leaders indicate that they require further professional learning in order to meet the needs of the learners. A small number of them are accessing proactively the available opportunities to enhance their knowledge and skills of SEN. Principals/leaders report the opportunities for professional learning and sharing of effective practice have been limited in recent years and have been impacted adversely by the pandemic and the action short of strike action. They would welcome the re-establishment of local clusters by the EA to facilitate professional dialogue and sharing of effective practice.

There is no mandatory requirement for teachers to engage in SEN professional development from initial teacher education (ITE) stage and throughout a teacher's career. ITE courses and providers are due to be re-accredited. This would therefore be an appropriate time for discussions to take place between the ITE providers* and DE regarding the academic programme and how students are prepared to start their journey as a teacher of all learners including those with SEN.

Additional adult support

The most common form of support outlined in educational statements is that of additional adult assistance. This is normally provided in the form of classroom assistance hours. Of the 26,964 statements in place during 2023/2024, 64% have been allocated classroom assistance hours. Principals/leaders and external organisations report that the allocation of classroom assistance hours is not always the most effective and efficient means of support for the learner.

The allocation of a classroom assistant is seen by many parents and some schools as the ultimate purpose, the 'gold standard' for a learner is gaining a statement of educational need. Principals/leaders report that there are significant challenges in recruiting and retaining suitably experienced and qualified classroom assistants, given the current conditions of employment. One nursery principal reported the great difficulty they had trying to recruit two classroom assistants due to both the number of hours provided, and the level of proficiency outlined in the statements. "Staff with the skills and experience of addressing the needs of pupils with a profile of difficulties like XXX's." In some cases, it is not financially viable for an individual to take on a classroom assistant role for a limited number of hours. These appointments often have to be completed at pace once a statement is granted, which can happen at any stage of the calendar year (as opposed to the academic year).

Principals/leaders report that managing an increasing number of classroom assistants in a school and within individual classrooms is both challenging and complex. At primary and pre-school level, where multiple learners have one-to-one classroom assistance, the increased number of adults in the classroom can

compromise the already limited space for learning. Many schools within the school estate pre-date and therefore do not always fulfil [DE's Building Handbook](#) specifications and, as learners with SEN were regarded as supernumerary, the space is further compromised by the presence of the additional number of children and their classroom assistant(s).

An example of this was a school where four learners in a year 7 class had individual classroom assistants and a fifth learner had just been granted a statement which included access to a classroom assistant. Twenty-six learners with four classroom assistants and the teacher already occupied a room which did not meet the [DE's Building Handbook](#) specifications. The principal spoke of the challenges recruiting another classroom assistant on a very short temporary contract, and the challenges for the teacher in meeting the needs of all the learners and overseeing the effective deployment of the large number of classroom assistants, in a room not physically able to accommodate the group.

The majority of principals* would welcome autonomy to use the funding associated with providing additional adult support in a more flexible way to meet the needs of the learners within the context of their own school. One such approach would entail 'cashing-in' the funding for classroom assistants in exchange for an additional qualified teacher to support the learners in smaller groups. In some cases, the classroom assistant was used to provide one-to-one withdrawal support for the child; this means that the child has less engagement with the qualified teacher. The 'cashing-in' approach is being piloted formally in a small number of schools and is being evaluated by the EA. The wording of statements will have to be carefully considered to allow schools the flexibility to adopt this approach where they deem it most appropriate to meet the needs of learners. The success of providing principals/leaders with more autonomy in how funding is used was evident in the recent DE funded [Engage Programme](#) (September 2020 - March 2023) and [Happy Health Minds Programme](#) (November 2021 - June 2022). During both programmes, principals/leaders were afforded autonomy and flexibility to decide how best to utilise and direct the associated funding to support the learners.

In post-primary schools the management of classroom assistants was also reported as a challenge, particularly at key stage (KS) 4 where learners are in different subject groups. In addition, the principals report that the support from classroom assistants can, at times, have a negative impact on a learner's independence and resilience. Across settings, principals and leaders (42%) report that greater value needs to be placed on the effective deployment of classroom assistant support. The key difficulties in attracting and retaining classroom assistant staff are the temporary nature of many of the classroom assistant posts and the current level of remuneration. In order to fill classroom assistant vacancies, principals/leaders are having to appoint classroom assistants without the skills and experience to support those learners with complex needs. The principal of one primary school reported

that classroom assistants in the school were asking her to redeploy them to support a foundation stage learner when the learner they are assigned reaches KS2 for reasons of job security. Twenty (37%) of the schools visited commented specifically on the need to review the classroom assistant role and their terms and conditions of service to ensure that the most suitably qualified people are recruited and retained.

The classroom assistants who engaged with inspectors commented very positively upon the helpful support they receive from the SENCO to enable them to undertake their role. Many of the classroom assistants have a longstanding connection to the school community, having either been a past pupil themselves or have a child who attends or has attended the school. Their loyalty and dedication to the school and the learners they support were clearly evident.

They spoke of the challenges of their role, the current conditions of employment and concerns around their job security. Most of the classroom assistant contracts do not include any non-contact time in which to complete administrative duties, including planning with the teacher or recording observations and assessments of the learner's progress. This results in the classroom assistant completing these duties in their own time. Many of the classroom assistants reported that they had been able to access helpful professional learning organised by the school or facilitated by the SENCO. Where this was part of the school's strategic development for the professional learning of staff, principals/leaders ensured the inclusion of classroom assistants and paid them from the school's budget for the extra hours required for them to undertake the necessary professional learning. Many classroom assistants reported that they had engaged in much of their professional learning online and during their own time. They reported they would welcome more opportunity to both share and extend their learning through face-to-face discussions both internally and via external clusters.

Lived experience: A Learner's journey

The learner does not remember when she had an educational diagnosis but knows the primary school had raised concerns as she was not able to work in class after 12pm. She was referred to CAMHS and put on medication. The learner felt they did okay in primary school. She was in post-primary education when she was diagnosed with Autism and Attention Deficit Hyperactivity Disorder (ADHD). She received support for undertaking examinations, in the form of extra time and the use of a small room when sitting examinations. While the school acknowledged that she needed a classroom assistant (CA) she did not get one, although a CA for another pupil would often help her as well.

She did not sit any GCSE examinations as she experienced mental health issues and was in a secure unit. It was only then that she received one-to-one tuition and passed Essential Skills qualifications at level 1 and level 2 in communication and level 1 in numeracy and a range of sport and art qualifications.

When she began in an FE college, the Education Support Coordinator (ESC), the head of student services and her lecturer met with her within the first couple of weeks and identified her support needs. She had initially applied for level 2 or 3 Health and Social Care, but it was felt that a period on the College 'Connect' programme would be a good starting point; the classes were small and were taught on an almost one-to-one basis.

She found it very helpful and progressed to the level 2 Health and Social Care programme which she achieved and is now working on the level 3 programme and hopes to have a career in social work. She was able to go to the ESC anytime she needed time out and worked in her office. The learner felt the College did all they could to help her.

Conclusion and next steps

The evidence from this evaluation highlights critical deficiencies in the Statutory Assessment (Statementing) process for learners with SEN. The current arrangements are not identifying and assessing the needs of all learners with SEN in a timely way. The process is overly bureaucratic and is not focused sufficiently on getting to the specifics of how education can be adapted to meet the educational needs of the learners. In short, the current process is not working effectively enough in meeting the needs of learners with SEN.

It is vital that there is a co-ordinated response to the current systematic pressure and consideration given to ensure:

1. Early identification and timely access to the most appropriate support.

Consideration should be given to:

- moving the focus to identifying and supporting learners at Stage 1;
- developing and directing more of the available support to learners at Stage 2;
- reviewing the appropriateness of SBEW as one of the overarching SEN categories;
- considering the removal of the allocation of additional adult support as a stipulation of the statement and developing an alternative process through which this aspect of support can be allocated in a range of ways at Stage 2 if necessary;
- enabling principals/leaders to direct appropriately the funding for a learner with a statement to best meet their needs, while ensuring that there is sufficient accountability and assurance for the system;
- enabling the professional judgement of school/setting staff and the views of parents and learners to inform more fully the most appropriate supports/interventions provided for learners; and
- increasing and formalising the access of mainstream schools to the outreach support provided by special school staff.

2. A multidisciplinary approach complemented by bespoke support.

Consideration should be given to:

- monitoring and evaluating, at the earliest opportunity, the EA's new arrangements for the Local Integrated Teams (LIT) and their effectiveness and efficiency in identifying and meeting the needs of learners with SEN;
- involving healthcare professionals in identifying developmental concerns at an early stage, including as part of the EA's LITs; and
- fostering closer collaboration between schools, families and support services to create a holistic support network that addresses the learners' multifaceted needs and considering the existing examples where multi-disciplinary teams are already operating successfully in schools.

3. Staff access to appropriate professional learning opportunities.

Consideration should be given to:

- ensuring all schools have access to a SENCO (within their school or a local support cluster for smaller schools/settings) who holds an accredited qualification enabling them to conduct assessment tests at Stage 2 and which are quality assured by educational psychologists or psychology assistants, as appropriate;
- developing a strategic, coherent SEN TPL programme which will deepen all teachers' understanding of and enhance their ability to support all learners at their point of need;
- EA using more thoroughly all the available data (at Stage 1 & 2 and the statements at Stage 3) to create a strategic plan for providing professional development for staff, based on analysis of the current needs of learners and to provide and evaluate the support where and when required;
- reviewing the role and conditions of employment of classroom assistants, including the development of a progression pathways which will reflect the importance of this role; and

- restoring and/or creating local clusters for SENCOs and classroom assistants to facilitate professional dialogue and the dissemination of effective practice.

4. A more appropriate, efficient and manageable statementing process.

Consideration should be given to:

- reducing the length of the statements or producing an overarching summary statement to include only the appropriate detail on the statement of need and the level and nature of the specific supports or interventions required;
- reviewing the language and terminology used in statements, so that it is clear and accessible to all stakeholders, particularly the learners and their parents;
- making the annual review process more robust, particularly at key transition points and amending, updating and/or removing the statement, as appropriate, as the learner progresses through the key stages; and
- EA using the information from the annual review process at year 5 and year 6 to identify the geographical need for placements well in advance of children entering in year 8.

The current statutory assessment and statementing process is in crisis. The urgent need for change is evident; the existing processes are not fit-for-purpose or financially sustainable. There are many creative solutions possible, some suggested within this report, to result in a more timely, inclusive and responsive process, but action needs to be taken to consider and try feasible alternatives and approaches to ensure that every learner with SEN has their needs met more effectively.

Appendix A: Terms of reference

The purpose of the evaluation is to consider whether the current statementing process meets the needs of children and young people with special educational needs (SEN) in schools*, with particular reference to the:

- practicalities of the statementing process; and
- implementation and review of the statement.

*For the purposes of this evaluation the term 'schools' includes pre-schools, primary schools, post-primary schools, special schools and EOTAS centres.

Key considerations during the evaluation include:

The practicalities of the assessment of need and statementing process for schools

- How, why and when children and young people are identified? [e.g early intervention/diagnosis, constraints, access to support]
- Who initiates the process? [the parent/guardian, staff, child/young person or others]
- How are the schools supported through the assessment of need and statementing process by the Education Authority (EA)?
- How are parents/children/young people supported during the assessment of need and statementing process?
- What is known in relation to level of need within the school, to include availability of educational psychologists' assessments/statements issued?
- What professional, and where appropriate, multidisciplinary advice goes into statements?
- Timescale and waiting time for child/young person to be assessed.
- Timescale for the statutory assessment and statement issuing or otherwise.

The implementation of the statement in schools

- Does the statement clearly identify the needs of the child/young person?
- Are specific hours mentioned in the statement when a classroom assistant is proposed?
- Does the statement propose support that may meet sufficiently the needs of the child/young person?
- How do the schools respond to the statement and support the needs of the child/young person?
- What available professional learning can be accessed to support staff to implement the statement and meet the needs of the child/young person?
- How do the schools secure, maintain and manage relevant support?
- Do schools/EA continue with the support that was being provided as part of Stage 2 when a statement is issued?
- How is the annual review process undertaken, who is involved? what are the advantages/disadvantages of the move by the EA to online reviews?
- How is the transition planning process undertaken, and to what extent does the statement relate to this plan as pupils prepare for adulthood; who is involved in this process?
- When and how is a statement changed/amended to reflect progress? does this include measuring the impact of any interventions and support provided? If yes, how?
- How often are statements discontinued following the annual review; or children/young people de-escalated on the SEN register if a statement is no longer required?
- Average timescale for parents being advised of outcome of annual review & provided with an amended statement, if appropriate?

The practicalities of the statementing process for schools, parents/guardians and learners and their experiences of the implementation of the statement.

A number of case studies that follow a child/ren through a few years of the annual review process and if possible, transition process.

Discussions will take place with practitioners and young people in FE/WBL provisions to help inform the evaluation.

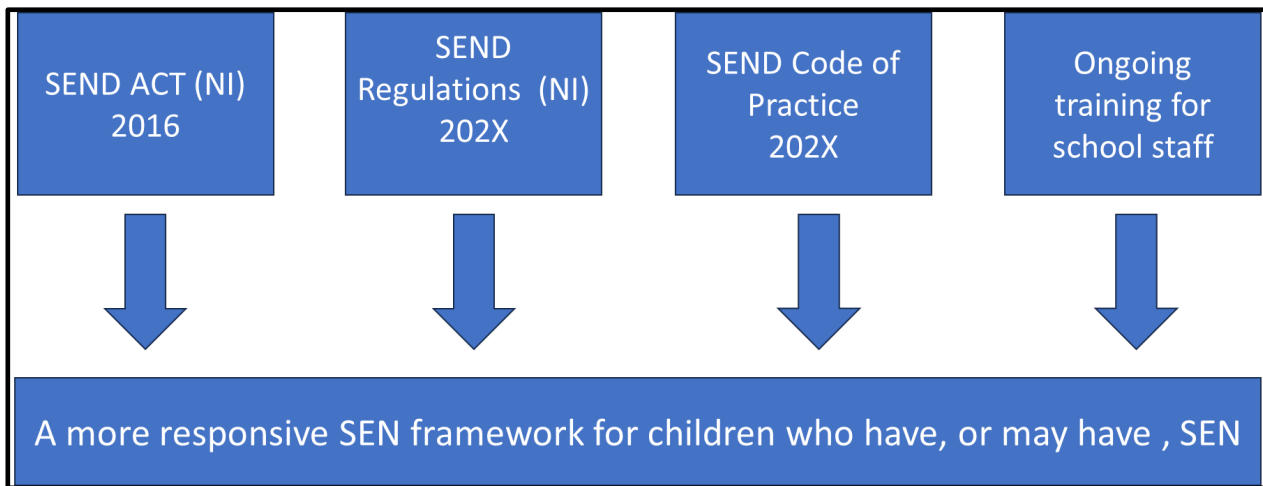
Appendix B: Building on previous publications

The first [Code of Practice on the Identification and Assessment of Special Educational Needs](#) (Code) became operational in September 1998. The term 'special educational needs' is defined as 'a learning difficulty which calls for special educational provision to be made'. Having a 'learning difficulty means that the learner has significantly greater difficulty in learning than the majority of learners of a similar age, and/or has a disability which hinders their use of everyday educational facilities (or, where the learner is below school age, would hinder such use if the learner were of school age). 'Special educational provision' entails support, which is different from, or additional to, the provision made generally for learners of comparable age.

In 2005, as a consequence of the Special Educational Needs and Disability (NI) Order 2005 (the 2005 Order), DE issued a [Supplement to the Code of Practice on the Identification and Assessment of Special Educational Needs](#) to provide further guidance to schools, the EA and others (including the Special Educational Needs and Disability Tribunal (SENDIST)). The Supplement to the Code includes providing for greater inclusion for learners with SENI and indicates that a learner with SEN has a right to be educated in a mainstream school. Furthermore, if a learner has a 'Statement of Special Educational Needs' (a Statement), the learner will be educated in a mainstream school unless it is incompatible with the wishes of their parent(s) or the provision of efficient education for other learners.

The absence of a functioning Northern Ireland Assembly and the COVID-19 pandemic have delayed the full implementation and passing of the new [Special Educational Needs and Disability Act \(Northern Ireland\) 2016 \(SEND Act\)](#). The new regulations were consulted on widely by DE and set out the legal duties of the EA and schools in relation to the SEND Act; including those duties which apply to statutory assessment and statementing.

Currently, DE is bringing together the legislation and guidance to put in place a responsive and effective SEN Framework. The SEN Framework places the learner firmly at the centre of a graduated response to meeting their needs. It aims to help learners with SEN to achieve improved outcomes and fulfil their potential and is made up of three building blocks supported by capacity building for school staff.



(Source- The Key Building Blocks of the SEN Framework ([DE Draft Code](#))

The SEN Framework aims to help schools and the EA to obtain the best value from the resources and expertise they invest to help learners with SEN make progress and achieve better outcomes.

The principles of the draft SEND Code of Practice (referred to hereafter as the Code) include the early identification of the learner’s need and access to intervention support from the EA as well as, where appropriate, the relevant Health and Social Care Trust. Learners who have, or may have, SEN should have access to a broad and balanced curriculum and there should be high expectations and improved outcomes for all. Wherever appropriate, learners with SEN, including those with statements of educational need, should, have a right to be educated alongside their peers in mainstream schools. Effective assessment and provision will be best secured where there are meaningful relationships involving all relevant stakeholders.

In 2021 the five-stage approach to identification, assessment and provision of SEN was replaced with three stages of special educational provision. All schools and pre-schools now operate the Code using the three stages. At Stage 1 of the Code (referred to hereafter as ‘Stage 1’), any special educational provision will be delivered by the school. At Stage 2 of the Code (referred to hereafter as ‘Stage 2’), the special educational provision provided and delivered by the school will also be supplemented by external provision from EA SEN services and/or, where appropriate, a Health and Social Care Trust.

If a learner is still having difficulty accessing learning, despite assistance being provided by the school or other professionals at Stages 1 and 2, a request for referral for a statutory assessment can be made at Stage 3. A statutory assessment is a formal and detailed process to identify the learner’s specific educational needs and outline the additional support they may require in school. A request for consideration of statutory assessment does not automatically lead to a statutory assessment being initiated or a statement of special educational needs being granted.

Statutory nursery, primary and post-primary schools have been working through a challenging period over the past number of years. A protracted period of industrial Action Short of Strike (ASoS) ended in March 2024 and the effects of the COVID pandemic are still impacting on learners and schools.

Since 2020 there has been a significant body of research and commentary on the experiences of learners with SEN, all of which suggest that their needs are not being met effectively.

In March, 2023, the [Independent Review of SEN](#) noted significant failings in the system, including those in relation to the timely identification of need and resourcing of support for learners with SEN. The [Independent Review of Education](#) (Dec 2023) stated that,

‘the current policies, practices, and legislation are failing to deliver support for children and young people with SEN. At the same time, expenditure is out of control in a way that threatens the quality of service for all learners. Thorough reform is urgently required. The use of resources should be based on equitable treatment of all pupils.’
(2023, p36)

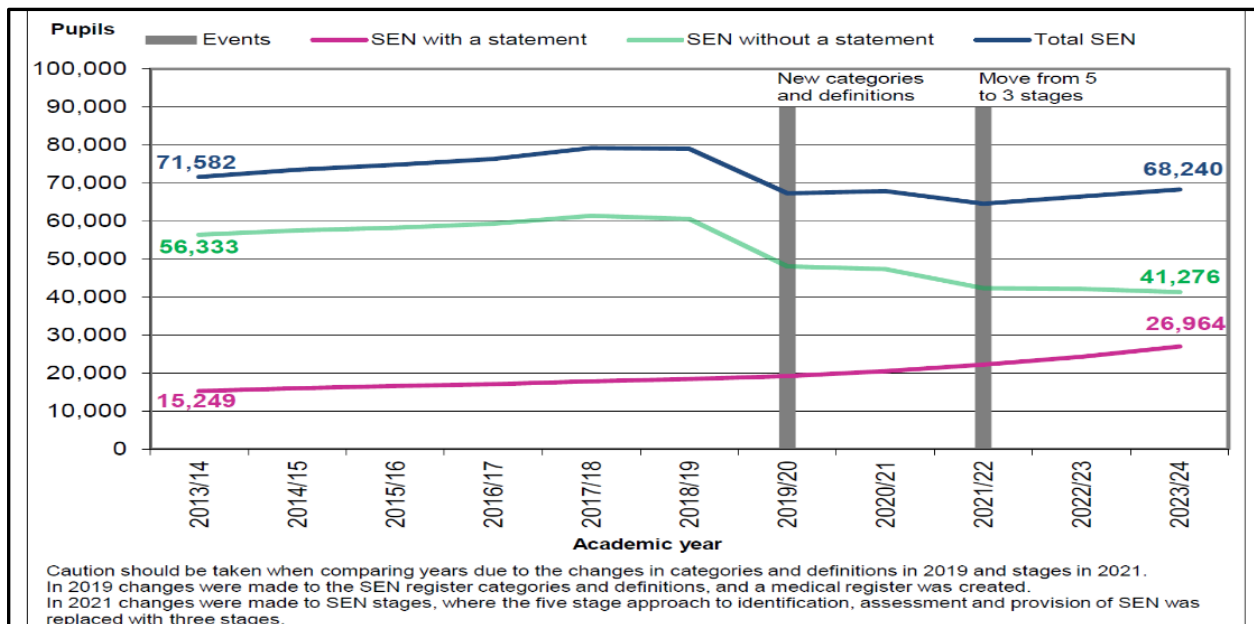
Other reports such as [A Fair Start](#), May 2021, the NI Assembly [PAC Report](#), February 2021 and the [NIAO SEN report, September 2020](#) all commented on the current challenges in meeting needs, highlighting difficulties around early intervention, the assessment and statementing process and the delivery of services within the context of financial constraints.

In 2020, the [Too Little Too Late](#) report of the Northern Ireland Commissioner for Children and Young People (NICCY) outlined a range of concerns in relation to services and provision for children and young people with SEN, including insufficient resourcing, early identification of need, delays in the statutory assessment and statementing process and poor communication with children and young people and their families and between education and health. NICCY’s most recent [monitoring report](#) (2024) indicated that insufficient progress has been made in addressing key SEN issues.

The research to date clearly indicates that the services for children and young people with SEN in Northern Ireland are not working as effectively as families, communities and educators would wish. This is compounded by the increasing number of children and young people with a statement, together with the rising costs of supporting their needs within a climate of financial constraint.

Based on the current data* available from the Northern Ireland Statistical Research Agency (NISRA) and obtained from the EA, over 68,200 learners in schools have some form of SEN which represents 19.2% of the entire school population. Nearly 27,000 (7.6%) of learners, have a statement of SEN. The proportion of learners at Stages 1-2 of the SEN Code is 11.6%.

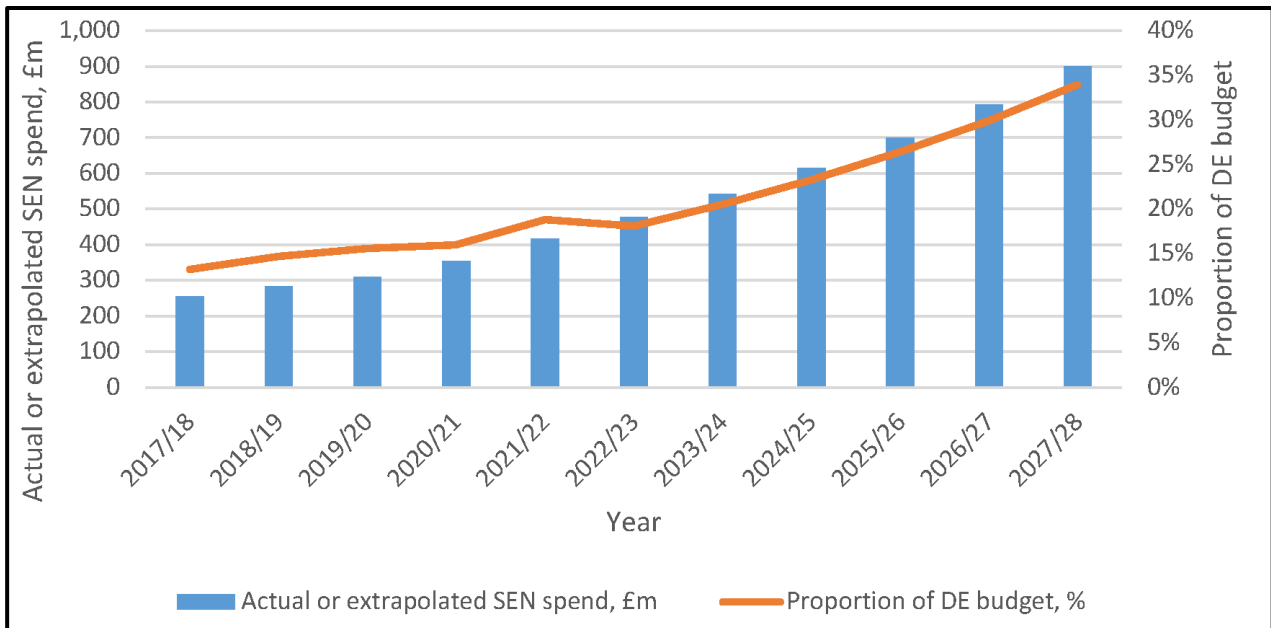
Pupils with special educational needs, 2013/14 to 2023/24



(Source- NISRA Annual enrolments at schools and in funded pre-school education in Northern Ireland 23/24)

The number of children and young people with a statement increased by 36% from 2017 to 2023. As a result, the costs associated with SEN provision have risen and the proportion of the overall education budget allocated to SEN is steadily growing. In 2022-23 the total SEN spend was £479m representing 18.1% of the total education budget. However, if the trajectory remains the SEN spend is predicted to increase to 33% of the total DE budget by 2027/2028.

Northern Ireland SEN costs (£m) as a percentage of DE budget (2017/18–2022/23 actuals and 2023/24–2027/28 projections)



(Source- Investing in A Better Future: The Independent Review of Education in Northern Ireland Vol2)

The research and current data leave no doubt that the services for children and young people with SEN in Northern Ireland are facing significant and increasing challenges within the context of financial constraints and the increasing number of children and young people with a statement.

Appendix C: Notes

- Page 3 **Voluntary/private pre-schools and nursery schools***
Throughout the report the term **schools** will be used to reflect this composition, unless otherwise stated.
- Page 8 **Nurture Provision***
Nurture groups are a short-term, focused intervention strategy to support young people (Primary school years 1-3) who have attachment related social, behavioural, emotional and wellbeing needs which could otherwise become long-term barriers to learning and attainment. The Department of Education currently provides funding for 62 Nurture Groups in primary schools in Northern Ireland.
- Page 8 **Principals***
Pertains to statutory nursery, primary and post-primary schools who have access to an assigned educational psychologist.
- Pages 9, 14, 15 **Charts**

This data is based on information provided by the EA from their Performance Report statistics for Statutory Assessments for 12 rolling months, for the period 1 April 2023 - 31 March 2024, where data is available. The data was accurate as of 11 April 2024. The EA produces quarterly update reports on performance associated with the SEN statutory assessment process and the metrics associated with the Statutory Assessment and Review Service.
- Page 11 **Personal Learning Plan (PLP)***
The new Code of Practice, yet to be enacted, will replace the 1998 Code of Practice. Within this revised Code all schools will be expected to produce and record within SIMs/EdIS a clear and focused programme of special educational provision, a Personal Learning Plan (PLP) for any learner with SEN (previously known as an Individual Education Plan (IEP)). Not all schools have moved to the digitised version of the PLP but record the relevant information within an individual education plan (IEP).

Page 12	C2K/EdIS* C2K (The new service incorporates innovative technologies, tools, services and practices and is accessed by all schools in Northern Ireland, including statutory nursery schools (however this does not include voluntary and private pre-schools).
Page 16	Certificate of Competence in Educational Testing (CCET)* The Certificate of Competence in Educational Testing (CCET) helps teachers understand how assessments using psychometric tests are developed, how to use them effectively, and how to interpret the results.
Page 17, 19, 23	Principals Pertains to primary and post-primary schools only.
Page 27	ITE providers* Four Higher Education Institutions in Northern Ireland deliver ITE programmes which are accredited by GTCNI: <ul style="list-style-type: none"> • Queens University Belfast; • Ulster University; • St Mary's University College; • Stranmillis University College.
Page 40	Data* This data source is from Northern Ireland Statistical Research (NISRA) Annual enrolments at schools and in funded pre-school education in Northern Ireland 2023-24, page 10, first published in March 2024 and revised in June 2024.

Appendix D: Reporting terms used by ETI

Quantitative terms


In this report, proportions may be described as percentages, common fractions and in more general quantitative terms. Where more general terms are used, they should be interpreted as follows:

Almost/nearly all	-	more than 90%
Most	-	75% - 90%
A majority	-	50% - 74%
A significant minority	-	30% - 49%
A minority	-	10% - 29%
Very few/a small number	-	less than 10%

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