Northern Ireland re-opening guidance - Special Schools

29th June 2020

This document summarises the views of the Northern Ireland Commissioner for Children and Young People on the Department of Education’s guidance for the re-opening of special schools. It reflects on the content and nature of the guidance, identifies where further information is required, and considers some of the more practical arrangements that need to be in place for schools re-opening.

The guidance on re-opening special schools has been developed under work-stream 3 of the DE’s Restart Programme. This work-stream focuses on “Vulnerable Children and SEN (Special Educational Needs) Services”, and on ensuring that ‘services to vulnerable children and young people including those with SEN are re-instated in a safe and effective manner when schools return to operation’. Whilst the guidance produced to date under this work-stream is solely focused on the re-opening of special schools, future guidance must consider:

* Reinstatement of supports and services for children with SEN in mainstream settings, including the additional provisions that may be required to facilitate an enhanced transition for these pupils. This should consider the additional supports and services that newcomer pupils and children with SEN in Irish Medium settings may require.
* The arrangements that will be made to facilitate school placements for children with SEN in the case of restricted school opening / part-time returns. This should include information on the continued operation and function of the multi-disciplinary panels.
* The impact of the Temporary Modification of Education Duties on statutory SEN operations, supports and services; how the negative consequences will be addressed e.g. backlog for statutory assessment and statements; clarity on ‘best endeavours’; and plans for the revocation of the Notice.

**General Comments**

Whilst providing a framework and establishing expectations, the guidance recognises that each school will have to tailor arrangements to meet their unique situation. NICCY recognises that flexibility is helpful to enable schools to plan, nonetheless, **DE must also be prepared to provide additional supports to schools to support implementation of the guidelines**. We have repeatedly voiced concern that a number of special schools have been unable to open during the pandemic, and that little to no provision has been available for many children and young people with SEN and disability. This has undoubtedly had profoundly detrimental effects on children’s education, health and well-being, as well as on their families. We cannot under-estimate the importance of reopening of schools for the safety of children. However, this must be balanced with ensuring that the risk of the virus for children and staff is minimised and measures taken are based on sound scientific evidence.

We recognise thatschools in NI have not been ready to re-open for all children safely and with confidence before the first term of the 2020/21 school year. Our focus must be on ensuring that our schools open on 24th August, for the maximum number of children, as safely as possible. Therefore, we have concerns about the lack of detail in the guidance regarding the number of children that special schools should aim to accommodate, as per the following extracts from the guidance:

* ‘Special schools will have the flexibility to develop their own starting models but should *aim* to have *some* children returning to school on 24 August 2020’ **(page 3)**
* ‘Special schools should work towards welcoming back as many children and young people as can be safely catered for in their school’ **(page 4)**

We are also greatly concerned about the suggestion that, where special schools can, that they should follow the same proposed attendance pattern as primary schools (ensuring a minimum provision of 40% in school teaching contact time for all children with a maximum of 60% remote learning) and post-primary schools (ensuring the minimum provision of 50% in school teaching contact time for all children with the balance by remote learning), with the provision of remote learning to support young people not attending, including those shielding and advised not to attend **(page 5).**

NICCY does not believe that the proposed attendance pattern is acceptable for pupils with special needs, nor are remote learning approaches a sufficient or appropriate supplement. Special schools are just that; they not only provide a safe learning environment but a place to access medical and therapeutic interventions, provide routine and social interaction for children, and respite for parents, carers and siblings; many of whom have informed us that they at breaking point. **Continuity of provision is critical for these children and this can only be fully delivered in the school setting.**

As noted in NICCY’s recent advice paper, 'A Child’s Right to Education and Covid-19 - Next Steps, A Child Rights Approach'[[1]](#footnote-1), **DE must continue to outline the minimum requirements to which each school should be expected to adhere. This should include more detailed advice on ensuring that all children and young people with SEN have their needs facilitated in their special school setting and in the provision of any tailored supports/services. Future guidance should address levels of support and education as well as safety measures.**

NICCY notes that some special schools have been able to remain open during the pandemic and that this number has increased in recent weeks. **Guidance should reflect on the learning from this experience and identify the factors that enabled the opening and re-opening of these schools**. We note, and welcome, that the guidance **(page 4**) indicates that EA will ensure that good practice risk assessments are shared across education settings via existing communication channels. **These, and other examples of good practice, should be shared as a matter of priority.**

**Supporting children and young people to return to school**

NICCY fully agrees with the assertion in the guidance that a safe return to school can only be undertaken with careful planning and clear communication to pupils, parents, carers and staff. NICCY also welcomes reflection of the importance of two-way communication with parents/carers and children and young people. As the guidance notes, the gathering of questions, issues or concerns from parents and carers will be just as important as clear communication to parents and carers about how things will work. **Parents/carers and children and young people must be given the opportunity to inform the plans on re-opening schools and be confident that their needs and concerns are factored into decision making.**

In preparing for re-opening, each school must be confident that they are aware of how the children returning to school have experienced the pandemic and the disruption to their education. This must be taken into account before welcoming them back into the classroom. Many children’s education and emotional well-being has suffered during the lockdown; this is all the more apparent in the case of children with SEN.  **It is vital that future guidance advises on how schools can effectively support children and young people in the ‘transition to education readiness’ during the first term back, drawing on the experience, expertise and wisdom of teachers and parents.**

**Furthermore, schools should communicate regularly and effectively with children, young people and their parents and carers during the summer months in order to ensure that pupils and families are prepared and confident in returning to school in the autumn term.**

**Practical considerations**

There are other aspects of the guidance that NICCY believes require further examination from a practical perspective.

1. **Social distancing and PPE**

We note that the guidance stipulates that the current social distancing guidance should be followed between all adults where possible in Special Schools, but that a distance of 1m is safe and appropriate between children and young people, as far as practical **(page 5).** However, it is practically impossible for staff to adhere to such social distancing measures in Special Schools, particularly when dispensing medicine and providing personal and pastoral care.

Further consideration of the challenges to social distancing for special school settings, and appropriate mitigations, must be reflected in the guidance. It is critical that appropriate levels of personal protective equipment (PPE) are available for schools re-opening and training with regard to their use. We note that ‘the EA is leading on procurement of suitable quantities of PPE for educational settings and further advice will be provided directly by the EA’ **(page 8);** we cannot overstate the importance of ensuring that this is available for schools reopening, and that schools and parents are assured of same.

Further guidance must also be given on the implementation of protective bubbles in special school settings.

1. **Provision of school transport**

The guidance highlights that transport to and from special schools will be challenging due to differing start/finishing times, types of transport used i.e. shared buses or taxis and the social distancing requirements. NICCY appreciates these logistical difficulties, yet is alarmed at the lack of guidance on appropriate mitigation. We note that ‘each school is encouraged to speak to their EA transport representative to agree a plan suitable for your school’ **(page 7).**  **It is essential that schools and parents are confident that appropriate transport arrangements are in place, and, should these not be available, that EA communicates this to parents and schools as early as possible. EA must proactively engage schools in the planning of transport arrangements**. We recognise that further guidance on transport to and from a special school for the new academic year is being developed. It is important that this addresses the concerns above.

1. **Services**

We note that ‘planning is underway within the Public Health Agency (PHA) to deliver the necessary services to special schools such as nursing, speech and language and occupational therapy for school restart’ **(page 7). It is imperative that the appropriate services are planned for and put in place over the summer months**. We note that each school is encouraged to work individually with PHA so that the different needs of each special school can be factored into their planning process. **Schools must be supported to identify the services required, with input from parents, and must have their needs accommodated, and services established, by the PHA as expediently as possible.**

We are greatly concerned that the guidance states that the full range of service provision may not be offered as set out in an individual’s statement of SEN but will be delivered on a best endeavour duty. It is unacceptable that the full range of vital services may not be available. **It is imperative that PHA/DE provide further clarity on this and detail the alternative provisions that will be made to support every child’s needs.**

1. **Guidance if a child displays symptoms of Covid-19 whilst in school**

Previous guidance issued by DE[[2]](#footnote-2) has suggested that, if a child is symptomatic, then they should be isolated. **It is not acceptable for a child or young person to be isolated or placed on their own; clarity must be provided and alternative measures considered to ensure the protection and wellbeing of children, young people, and staff should a child display symptoms in school.**

**Conclusion**

This document is intended to enhance and strengthen the DE guidance to special schools, and to ensure that children and young people’s rights are protected in the planning and preparation for a safe return to school. NICCY welcomes the opportunity to advise DE on any further guidance to be developed as part of the Restart Programme.

1. <https://www.niccy.org/publications/2020/june/22/a-child-s-right-to-education-and-covid-19/> [↑](#footnote-ref-1)
2. <https://www.educationni.gov.uk/sites/default/files/publications/education/Guidance%20on%20Vulnerable%20Children%20and%20Young%20People.pdf> [↑](#footnote-ref-2)