

Education Directorate, Area Planning  
Education Authority

By email only [draftSESAP2@eani.org.uk](mailto:draftSESAP2@eani.org.uk)

11 April 2022

Dear Sir or Madam,

**Consultation response - Planning for Special Education Provision: Draft Strategic Area Plan 2022-27**

We welcome the opportunity to provide feedback on the Education Authority's consultation on its Draft Strategic Area Plan 2022-27 for Special Education Provision. A separate response will be provided to the Planning for Sustainable Provision Area Plan consultation.

**Specific comments**

- 1. We recommend adequate provision made in an effective manner to ensure that children with SEN are able to meet their full potential.** We welcome the aim of the Area Plan in Special Schools and Specialist Provision in Mainstream Schools to 'ensure pupils have access to a placement that best meets the needs of children and young people with a Statement of Special Educational Needs.
2. We note that the mission states that EA 'will provide for inclusivity, providing opportunities for education alongside mainstream peers'. In this regard we highlight that between 2008 and 2018 the number of pupils enrolled in special schools has risen by 30%<sup>1</sup>. The UK Independent Mechanism of the UN Convention on the Rights of Persons with Disabilities (UNCRPD)<sup>2</sup>, which includes the Equality Commission, has recommended that Government should:
  - 'Remove the reservation and interpretive declaration on Article 24, and take concrete steps to progressively realise disabled children's right to inclusive education.
  - Renew the commitment to developing 'an inclusive system where parents of disabled children have increasing access to mainstream schools and staff, which have the capacity to meet the needs of disabled children'.

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<sup>1</sup> DfC (December 2020) [Disability Strategy Expert Advisory Panel report and recommendations](#), page 89

<sup>2</sup> United Kingdom Independent Mechanism (2017) [Disability Rights in the UK](#)

We also draw to your attention the UNCRPD Committee's concerns<sup>3</sup> at:

- '(a) The persistence of a dual education system that segregates children with disabilities in special schools, including based on parental choice;
- (b) The increasing number of children with disabilities in segregated education environments;
- (c) The fact that the education system is not equipped to respond to the requirements for high-quality inclusive education, particularly reports of school authorities refusing to enrol a student with disabilities who is deemed to be "disruptive to other classmates";
- (d) The fact that the education and training of teachers in inclusion competences does not reflect the requirements of inclusive education'.

3. **We recommend a clear commitment within the Area Plan, underpinned by robust, outcome-focused action measures, to addressing and monitoring the relevant inequalities experienced by the Section 75 equality groups, as well as to promoting good relations.** Children and young people with special educational needs are not a homogenous group and have the full range of S75 equality characteristics. We note however the lack of reference to the needs of children with particular Section 75 equality characteristics.
4. **We have recommended the promotion of collaborative approaches involving engagement with parents, families, carers and the wider communities of key equality groups.** We therefore welcome the emphasis given to community involvement and participation and suggest reference to the need to ensure all voices are heard, particularly those who may experience barrier to engaging in such involvement and participation.

#### **General comments**

5. The measures at page 20 under the heading 'how will we know we have been successful' are statements of what will be measured but do not assist the reader in understanding how EA will know whether it has been successful.

I trust that this response is useful, and is discussion would be helpful, please let me know. Further information on the Commission's recommendations on Equality in Education can be found here: [www.equalityni.org/education/policy](http://www.equalityni.org/education/policy).

Yours faithfully



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<sup>3</sup> UN Committee on the Rights of Persons with Disabilities (2017) [Concluding observations on the initial report of the United Kingdom of Great Britain and Northern Ireland](#), at paragraph 52