



24 June 2020

PRESS RELEASE

Equality law covers children with special educational needs without a place for new term

The Equality Commission is concerned that a significant number of children with special educational needs are reported to be still waiting for a school place for September.

“Even in the present situation and with the pressures and challenges caused by the COVID-19 pandemic, it is vital that children with disabilities and special educational needs have the same access to a full range of educational facilities and opportunities as children without a disability,” says Geraldine McGahey, Chief Commissioner of the Equality Commission.

“Government needs to ensure the quality of educational experiences received by children with special educational needs enables them to meet their full potential. These children face enough barriers in life, they do not need additional barriers placed in their way.

“The Education Authority has a duty under the law not to discriminate with regard to particular pieces of education legislation which cover admissions to schools and under the Special Educational Needs provision has a duty to place a child in a suitable school through the statement of educational needs process. The schools have duties not to discriminate in the arrangements they make to admit pupils.

“I appreciate that this is a difficult and busy time for the education sector generally but these children really need certainty about next term.”

Note

The SENDO (Special Educational Needs and Disability Order) legislation extends protection from disability discrimination to people being educated in Northern Ireland. Amongst other things, it protects disabled people from discrimination by schools, and strengthens the rights of children with special educational needs to be educated in mainstream education. The legal responsibility for ensuring that discrimination in education does not take place lies with the ‘responsible body’. In the school sector, these include Boards of Governors/Trustees or the owner of the school and the Education Authority.