



Enhanced Support Model: A Response to the Public Consultation from the Special Educational Needs Advice Centre (SENAC)

SENAC is a charitable organization providing independent advice, information and advocacy for parents on the statutory SEN system. We welcome the opportunity to respond to the Education Authority's consultation on the proposed Enhanced Support Model (ESM).

This submission reflects the experiences of our services, and the families SENAC supports, to help inform the EA's consideration of views on the Enhanced Support Model (ESM). The online consultation survey frames several questions as positive statements with which few would disagree; however, it offers limited scope for comments that qualify a positive response. SENAC would not be properly representing the families we support if we did not set out additional concerns from our perspective on the proposed ESM.

Overall Position

With over 20 years' experience supporting families of children with special educational needs, SENAC understands the pressures within education and the need for SEN reform to remove barriers to learning and ensure all children with SEN can access an inclusive, appropriate, high-quality education.

SENAC can affirm our support for the underlying principles of the proposed ESM in relation to the multi-disciplinary approach, access to specialists, quality training, and professional development for teaching and support staff. SENAC, however, cannot agree to the implementation of the Enhanced Support Model as currently proposed, due to significant concerns that schools are unprepared, the model may be undeliverable in practice and be misaligned with existing legal duties.

Legal Responsibilities and Compatibility with the Legal Framework

SENAC cannot agree to the implementation of an enhanced support model which risks any potential diminishing of the legislative basis and rights for children and young people within a Statement of SEN. The Enhanced Support Model appears to move towards a system in which schools assume a significantly greater role in identifying need and SEN provision for children with Statements. There is significant concern that this intention demonstrates a delegation of EA's legal duties to schools. There is no legislative duty under which EA can delegate their duty under the Education (NI) Order 1996 to identify need, specify and quantify SEN provision and arrange provision as set out within the

Statement. The legal enforceability within Part 3 of a Statement is a robust statutory protection for a child's right to access the SEN provision required to meet their individual needs and should not be compromised by any ambiguity on where legal responsibility lies within the implementation of the ESM.

The language used relevant to the ESM adds to this concern. The ESM is described as a needs-based, school-led, multidisciplinary model for children with Statements. This is not reflective of where primary responsibility for children with Statements at Stage 3 exists. Stage 3 is EA-led, not school-led. The operational output of the ESM must not allow any drift of EA legal responsibilities.

EA have reiterated that they will continue to specify and quantify provision within Statements of SEN. This is an important confirmation of the current legal duty. Within many of the draft and final Statements parents share with SENAC as part of our casework, EA fail to specify and quantify provision in Part 3 of the Statement. This is only resolved when specification is requested by the parent or challenged at the SEND Tribunal. To give schools flexibility on SEN provision as part of the ESM implies that SEN provision cannot be specified and quantified within a Statement to allow for school-led flexibility. The provision within Part 3 is required to be specific and quantified to enable the legal enforceability of the provision under the primary legislation. Flexibility for schools as proposed under the Enhanced Support Model must not be used to justify vague or non-specific provision in a Statement of SEN. Flexibility should arise through the review of the Statement, not through weakening the Statement itself.

The challenge for this model is to satisfactorily demonstrate how flexibility for a school led model is compatible with the Education Authority's legal duties under the Education (NI) Order 1996. The fundamental basis and description of the ESM does not satisfactorily demonstrate such compatibility.

This concern and uncertainty regarding legal responsibilities has also been recently expressed by members of teaching unions at the NI Assembly Education Committee. It is of huge concern that those representing the educational workforce are unclear and concerned regarding a potential delegation of responsibilities and legal duties to schools from EA.

Accountability

The Enhanced Support Model creates a risk of unclear accountability for parents and schools. If SEN provision is inadequate or breaks down, families may be left uncertain whether responsibility lies with the school or the Education Authority. Such ambiguity would mark a significant departure from a rights-based system founded on the legal enforceability of provision within Statements.

Guidance for parents and schools must clearly reiterate that the legal duties under the Education (NI) Order 1996 relating to Statements and SEN provision within Statements remains with the Education Authority and it will be EA's responsibility to address any failure or issues relating to delivery of the SEN provision within schools.

Reassurances from the EA that they will remain responsible and accountable for the SEN provision and a school's implementation of the ESM does not alleviate SENAC's concern that EA may not engage effectively where an issue with a school and Statement implementation may occur under the ESM. It has been our experience that EA have not always engaged with a school where a parent has approached the EA with a concern that the provision in a Statement is not being implemented by the school. To build trust and confidence particularly for parents regarding EA's role within the ESM, EA must exercise their duty to arrange provision and engage with schools on behalf of the parent and child where failure or issues arise with SEN provision.

School and Workforce Readiness

From contact with parents and schools it is concerning that uncertainty and anxiety is expressed on schools' readiness to undertake this significant change and it's practical outworking. SENAC shares these concerns including:

- Commencing implementation of a support model reliant on specialism and a multi-disciplinary approach without the adequate availability of specialists or a multidisciplinary team in place.
- Lack of capacity within the current Local Impact Teams and Educational Psychology Service to meet demand.
- Challenge of recruiting specialists and support staff.
- SENAC welcomes the recognition of the vital role of classroom assistants and the plans for the creation of career pathways and professional development. However, like the current SEN support system, the ESM will depend heavily on this workforce for successful delivery. Given existing recruitment difficulties and the planned long-term reform of this staff group, there are significant challenges ahead to achieving these ambitions. This again indicates that implementation of the ESM is occurring ahead of sufficient workforce readiness.
- Lack of consideration on the current workload within schools, and particularly the expectations on SENCos.
- Lack of meaningful time within the phased roll-out for review and monitoring of the ESM and outcomes for the children.
- Most significant is the lack of information on enabling co-operation between Health and Education and access to Allied Health Professionals and Health's role and participation within the multi-disciplinary approach of the ESM.

Timeline and Pace of Reform

The ESM represents a significant change within SEN support and as a significant reform should not be rushed. The pace of the current reform presents challenge to all stakeholders to understand fully the processes and the impact for children, schools and children's rights. SENAC do not agree that the Enhanced Support Model needs to be

implemented as a 'matter of urgency' and our view is the proposed timeline is not appropriate. The anxiety and concern expressed publicly and recently within the Education Committee by school staff and teaching unions that they are overwhelmed with reforms, not just the SEND reform and little consideration has been given to their workloads and ability to deliver the ESM, even with the proposed phased roll-out, should be sufficient evidence that the timeline is not appropriate. It should be of huge concern to EA as it is to SENAC, that those within education required to begin to deliver the ESM within a matter of weeks are stating they are unprepared to do so. Pushing forward without the necessary criteria in place for effective delivery of the ESM risks destabilizing current support children are benefitting from and creating unnecessary stress and uncertainty within schools. Additionally, the current pace does not provide adequate scope or time for scrutiny or effective delivery of the reforms.

SENAC are also concerned regarding the intention that new Statements from September 2026 will adopt the Enhanced Support Model. Given the public consultation only concludes in May yet the intention is to apply the model to new Statements just weeks later, suggests the views within the consultation will not be considered given this timeline which makes public consultation meaningless. It is also from SENAC's perspective difficult to accept the logic of drafting Statements which adopt a model of support that relies on specialism, capacity and a multi-disciplinary approach that is not yet in place.

SENAC would urge EA and DE to listen to the concerns of their workforce and the issues highlighted within the open letter recently published by the Children's Law Centre which SENAC endorsed and consider slowing the pace of reform to allow for review of the reforms so far, learning from the pilot schools and address fully the concerns from the public consultation.

Additional Comment

Ensuring consistency and equality across schools within this model is a significant concern. The Enhanced Support Model emphasises school-led identification and intervention which assumes a level of capacity, expertise, and consistency that does not currently exist across our schools. There is a risk that implementation of the ESM will vary widely between schools due to differences in staffing, experience, and resources. This could increase inconsistency and inequality in relation to children and young people's access to support. The quality of support may depend on individual school capacity rather than the needs of the child.

SENAC have significant concerns regarding the impact of the application of the ESM for children currently relying on the 1-1 support model. There has been little recognition of the value and transformative impact for a child accessing this support. Despite assurances from the Minister of Education that children who require 1-1 support will continue to receive this, SENAC are concerned this has not been adequately addressed in relation to the implementation of the ESM and direction or guidance has not been adequately provided to schools to ensure loss of critical classroom support for individual children does not occur. There should be no reduction or change to SEN support that a

child is currently benefitting from without proper review and consultation with the child and parents.

Thank you for consideration of our response.