

Northern Ireland Affairs Committee

Oral evidence: The funding and delivery of public services in Northern Ireland, HC 46

Wednesday 8 November 2023

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[Watch the meeting](#)

Members present: Simon Hoare (Chair); Stephen Farry; Mary Kelly Foy; Sir Robert Goodwill; Claire Hanna; Carla Lockhart; Jim Shannon.

Questions 266 - 299

Witnesses

[II](#): Paul Kavanagh, Committee Member, SEN Reform NI; Emma Morgan, Committee Member, SEN Reform NI.

Written evidence from witnesses:

– [\[FCP0034\]](#) – SEN Reform NI

Examination of witnesses

Witnesses: Paul Kavanagh and Emma Morgan.

Q266 **Chair:** Thank you very much indeed for joining us this morning. We have Paul Kavanagh and Emma Morgan, who are both committee members of SEN Reform NI. I believe you want to make a very short opening statement. I am not sure which of you is going to do that, but the floor temporarily is yours.

Paul Kavanagh: First of all, thank you to the Chair and the Committee for inviting us here today to present an overview of what special educational needs is like from a parent's point of view in Northern Ireland. I hope we will do a good job representing other parents also. It is not just about me and Emma; it is about countless parents who are facing the same barriers.

This morning, when I was walking to Westminster, I was thinking about how I would frame this opening statement and essentially why we are here today. I could not shake off the feeling that we should not be here today. Emma and I should be at home, getting our children ready for school this morning. Why am I in Westminster advocating for my son's basic human right to an education? He is at home today because the school that he has been allocated does not have the necessary supports. I am here in Westminster. I should have been at home today, going to my day job, but I am here today advocating for my son and all the other children who are in his situation today.

It is a very emotive topic. I do not enjoy this at all. We are very private people, most parents. We do not want to be airing our personal business in public, but we have come to the point that we cannot accept the desperate level of educational standards for our children. I am only here today because my child has a disability. If my child did not have a learning disability, I would not be here today. He was born with Down's syndrome. He has a severe learning disability. He has physical needs that cannot be met today and we do not accept that. We do not accept that nothing can be done.

The Education Authority is failing our children. It is not accountable to anybody. Sara Long sat here back in May. Who is Sara Long accountable to? We do not know. We cannot get those answers. We have gone to our MLAs. We have gone to the EA. We have gone to the Department of Education. We have gone everywhere. We have exhausted all avenues. This is why we are in Westminster today.

Why are we here today? We have a number of key points we would like to make. There are three big issues for us. First, there is no equity of access for children with special educational needs to the education



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system in Northern Ireland. It is discriminatory. It is categorically discriminatory.

Secondly, there is a severe lack of early intervention services. That is going to accrue more costs down the line. In a purely financial sense, there is no logical reason not to be investing in early interventions. Early interventions are evidence-based. We can show the costs and the additional services that are going to be needed for those children. They are going to need more social care and healthcare. Everything is going to be impacted.

Lastly, where is the accountability at the moment? There is no accountability. Why are we sitting on about 10 different reviews of special education in Northern Ireland, dating back to 2000, and still talking about the reforms that need to be made? From a parent's point of view, it is just not good enough. The system is failing our children and that is why we are here today.

Again, I would like to thank the Committee, because this has given us a voice in Northern Ireland. Many parents are looking at us today, hoping that we will hear something that will help break this impasse, because all indicators say that this situation is not going to get any better. It is going to get worse. We are here today to give you an oversight of what it is like from a parent's point of view. We want to know what mechanisms are in place. What responsibilities do the UK Government have when international and regional law has been broken? Surely human rights are not a devolved matter.

This is serious and this is happening in the United Kingdom. Why should a child in Northern Ireland face more significant barriers than a child in Scotland, England or Wales? That is the context in which we are here today. Again, we thank the Committee. We are very grateful to be here.

Emma Morgan: Just to add very briefly, what we are doing today will be very different from the previous session, because we are a newly formed parent advocacy group that was really started in June. This is very much in its early days. The previous session heard large-level detail about financial systems. However, we are bringing our lived experiences as parents who are suffering the consequences.

Chair: That is understood.

Emma Morgan: We can hear the big picture and understand that. However, our experiences say something different. That is what we are hoping to present today. Thank you.

Chair: Let me just make a couple of points to almost manage expectations, if I may. Mr Kavanagh, I answer this not as a lawyer or, indeed, a human rights specialist, but if there is an alleged abuse of human rights under the Act—you are right; they are not devolved—then any citizen has a resort to the courts to explore and to establish that.



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That is something that is open to anybody.

As a Westminster Committee, we are looking at public finances in the round but are very conscious, as clearly you are, that these are devolved matters. We are the understudies, if you will. We are trying to fill in a scrutiny and accountability overview gap created by Stormont's not functioning. Quite properly, in normal circumstances you should be sitting in front of the relevant Stormont committee, making your case, because we cannot sign cheques and we cannot direct Ministers to do things. It is useful, not necessarily for the two of you, but for people outside who may be listening in, who have interests in this area, just to understand our remit.

I do not say this flippantly or, indeed, with any sense of pride. Do not take it personally, because all of us representing English constituencies, and ditto colleagues representing Welsh and Scottish constituencies, will have parents of children who have been statemented or have care plans, who make exactly the same case. I put it in very simplistic terms, but it usually boils down to this: "Why does everything that we have to secure and need have to be such a struggle and a battle? Why do we have to make our case three or four times to three or four different people to get something that we would determine to be a fairly basic public service?"

That does not alleviate your problem, but this is not a problem that is unique to parents of special educational needs children in Northern Ireland. This is across the piece. Hopefully that has been helpful as a bit of a scene setter, for want of a better term.

Q267 Mary Kelly Foy: Welcome and thank you for giving up your time, and for the sacrifice that you have made to be with us here today. I totally agree that you should not have to leave your children to be here. Obviously, it is about your lived experience. I am going to ask you what you feel or what the parents you represent feel are the current challenges facing children with SEN and what factors you think are exacerbating them.

You might find it useful to know that I had a child with a severe disability. She died a few years ago. She had severe cognitive and physical needs. I spent most of my life from the age of 21 struggling to find the right education, making sure that she had the right education, the hospital appointments and everything that goes with that. I have read the findings from the impact report, and all of the points there resonate with me in terms of the effect that it has on parents as well: the financial pressure, giving up a career, the guilt you feel towards the other siblings for not spending time with them—all of those things. I understand very much where you are coming from.

I would like the Committee to hear some of the challenges that children with SEN are facing in Northern Ireland.

Emma Morgan: What you have communicated there is that, unless you have been in this situation, you do not understand. That is the problem. Lots of politicians and educational leaders are very empathic. However,



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unless you have been in the position, it is very difficult to communicate the difficulties that are faced in trying to get supports.

I have a teaching background. My little boy is five. When we started the process to try to get supports for him, I felt fairly confident that I would be able to get the supports. I did all the right things, filled in all the forms, had double the amount of information needed, all the professional reports. However, we just met brick wall after brick wall. My experience is typical, if even not as bad as that of some parents in our group. What it came down to in the end for us was that my son's statement of educational need was so vague that it was meaningless. We were left in the position to not send him to school, because we would not get any support for him or therapies.

As Paul has said, we do not particularly like coming and having to present all this information, because it is very difficult, but we ended up having to go to a tribunal for our son, at a cost to us and the state, simply because the Education Authority would not put in the therapies that our son needed. Those were very simple things that cost a huge amount of money, which the taxpayers were paying.

We wanted speech and language therapy, which his statement said would be useful for Tom, but, as Tom's teacher said, air would also be useful for Tom. Tom could not speak functionally, so he could not communicate any of his needs. Speech and language therapy is essential for him to even go into a classroom. We asked for occupational therapy and that was not granted. That was deemed non-educational. The problems with the statementing process are seemingly accepted.

I take your point that this is across the devolved nations and England. However, Northern Ireland has a specific set of problems associated with the Education Authority. I am not familiar with the settings in the other areas. However, as has been presented to the Committee already, the amounts that are put into education for children in Northern Ireland are significantly lower. Those have already been quoted on record. What we are here to say, really, is that that has an impact on our children's lives and experiences. The rates of SEN are much higher in Northern Ireland. Again, that has been recorded in the Committee. All of the funding issues are exacerbating it. Today is about funding, but we really want to represent what is happening on the ground with it.

With regards to equity of access, that is the No. 1 thing that we are here for today. I know Paul mentioned the law. Again, we are not lawyers. We are not experts in the law or human rights conventions, but there are people in Northern Ireland who are, and they have said that they have serious concerns about these issues. We are here today to present that, not as experts but as representations of what parents have been told.

There is a statutory obligation to provide access to education for all children, regardless of disability. That is currently not happening in Northern Ireland. At the moment, it is seemingly acceptable for a child



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with a disability to not have a school space. That is happening across Northern Ireland. There is a solicitor in Northern Ireland who does this job for a living. He has said that he has never been as busy with these cases, specifically around access to education and getting an appropriate classroom. He has stated that this has actually been commented on by the judiciary. We are at the stage that it is being noted by the judiciary that this is such an excessive problem.

We are currently in the position where we have approached MLAs; we have spoken to every party in Northern Ireland; we have had a protest; we have met with the Department of Education, with Dr Mark Browne, the Permanent Secretary; we have met with two directors from the Education Authority; we have met with the Equality Commission. We are now at the stage of asking, "What else is there for us to do?"

I appreciate the Committee does not have powers to create new legislation. There are limited roles, but we are here to ask what can be done, because we have exhausted all avenues. It is at the point where the UN is stating that it is concerned about the state of funding for Northern Ireland children. That has been put on record. Again, as parents, we are here, trying to do our best to represent this.

Q268 **Mary Kelly Foy:** Thank you for that. Can I just ask one thing? Does the fact that there is no statutory childcare provision in Northern Ireland have a big impact on families?

Emma Morgan: Yes. I know Claire is involved with Melted Parents, which is another parent advocacy group in Northern Ireland that has been leading a very successful campaign. It has been working on the childcare difference between Northern Ireland and the rest of the UK. With regards to SEN children, the situation is diabolical. I am a professional female, as is Paul's wife. We are all impacted by the situation we are in. I have not been able to return to work as a teacher personally, because my son's school was 45 minutes away when he was three years old. I was his taxi. I had to pick him up and bring him home. We also did not have anyone to look after him, because his needs were complex.

You hear that story time and time again in Northern Ireland. Parents have given us testimony who have been in STEM roles and have had to leave them. Another family have two sons who have severe learning difficulty, among other needs, and the parents had to have the conversation about who was going to be the full-time carer for the boys, who were well into primary school age and had no placement. It is not a situation of just nursery and P1. This goes on throughout school ages and it is going into secondary schools as well. In terms of the impact that it is having on family income, the cost of that is huge.

Q269 **Mary Kelly Foy:** I guess that is one of the differences. Families in GB would have access to childcare provision whereas they do not in Northern Ireland.



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Paul Kavanagh: Could I give a little bit more context to that? I will give you an example of the situation that would typically face a parent. Yesterday, when I was in the airport coming over here, I got a notification from my son's school. This is at 3 pm or 4 pm. I will not read it out, but it essentially said, "We are unable to meet your child's needs tomorrow because of a lack of staffing resources. We have done our level best to facilitate that but we cannot create a safe environment for him." It said, "Dear parent", so it was not just me who was getting this letter; it could have been multiple classes.

It said, "We cannot cater for your child tomorrow", which is today, so he is at home today. My wife had to take a day off work. It said, "We will let you know today whether there will be a class tomorrow." Tomorrow, I may have to give up my working day, because my wife cannot do all the heavy lifting on this. This is the reality. He is not in school today. Will he be in school tomorrow? I do not know the answer to that. Will he be in school next week? I do not know the answer.

I take the Chair's point that families experience this across the UK. We are linked with other groups across the UK on this. This is not just an issue for Northern Ireland. There are instances, but it is an order of magnitude worse in Northern Ireland, and that is the key issue. It is not the exception now; it is the rule.

Emma Morgan: That has been acknowledged. Since coming together as a group of parents, we have tried to pull together to represent the voice as best we can with limited time. From my understanding, the EA has now acknowledged this on radio on BBC Ulster. The interim director said that the situation was not good enough and that transformation needed to happen, apologising for failures in communication. This has been nearly the strongest response from the Education Authority, so it is acknowledging the overwhelm.

Sara Long was sitting here telling you how much money she needed. However, I do not think that there is clarity or acknowledgement about the seriousness of this situation. It is not functioning as an education authority, and it is a public body that should be accountable. Obviously, Northern Ireland has a complexity to its politics, but our children should not suffer the consequences, in our view.

Q270 **Chair:** That is an important point. I just wondered whether you had a handle on this. If you have not, I am sure we can make inquiries as a Committee. Let us pretend that money is not the issue at the moment. It seems to me that there is a statement that flows from what you have just said, Ms Morgan, which is that the sector requires transformational change in Northern Ireland, and transformational change can only be delivered when Stormont is sitting, because civil servants, with the best will in the world, cannot instigate major political transformational change without the sign-off of Ministers. If there are no Ministers, you find yourselves going round, and it is those people who are most reliant upon



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the public services who get caught in that ever-decreasing circle.

Do you have a handle on whether, if money was not an option per se, there are enough trained, qualified and engaged professionals to provide, to the quantum, for the demand that exists in Northern Ireland?

Emma Morgan: With regards to teaching or therapies, or a bit of both?

Chair: Across the board, but particularly the in-school setting.

Emma Morgan: At the minute, schools in Northern Ireland are saying that they cannot provide the supports. That is, from my understanding, loud and clear.

Q271 **Chair:** Is that because they cannot fund it or because there are not the people to fill the roles?

Emma Morgan: It is a bit more complicated. With regards to specialist education, in Northern Ireland, general teacher training focuses on moderate learning difficulty at the highest. I am not sure if it is the same in England. Then teachers within specialist schools would gain more experience through those settings. Specialist schools are set up to deal with severe learning difficulty; mainstream schools are not.

The situation we are now in in Northern Ireland is that more children with severe learning difficulty, particularly around nursery and P1, are being suggested to go into mainstream classrooms until a space can be found. There are also units being set up that are attached to schools for children with severe learning difficulties. I think it was 240 or around 300 classrooms set up this year. They were thrown together this summer. I cannot talk about that, but, with regards to teaching, there would not be enough specialist teachers; there would not be enough therapies. The Department of Education has said that it will struggle to fulfil the therapies in line with health, so there is not enough. That is definite.

Q272 **Chair:** With regards to the non-mainstream, very specialist schools, even if we had the fabled blank cheque, the competent, trained and qualified personnel resource within Northern Ireland does not exist to fill the places that we need. Demand goes up, but those who are qualified to address that demand are not there.

Emma Morgan: Again, I can talk about what has been done from my limited understanding of it as a parent.

Chair: Yes, and if you do not know, say.

Emma Morgan: Just from examples of what has happened in some of the other units in Northern Ireland, they have taken more experienced teachers in that unit and maybe buddied them with somebody who is less experienced. From my understanding, that can work. If you have a level of experienced teachers with SEN experience, it can be done.

There can be creative solutions for this. The EA has redeployed people into certain areas. I am aware of that. It can be done, but the bigger



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issue is that in Belfast alone they are saying that they need three special schools built, and eight in Northern Ireland. The Department of Education is saying that that is going to take years to do, so for now the plan, seemingly, is to continue with attached units. However, our concern is that there does not seem to be any plan from the Education Authority at this stage to do that.

Q273 Chair: It is very interesting that you use the words “any plan”, because part of my understanding on this issue is that one thing that has fed into the very considerable increase in demand is, in essence, the improving rate of survival in premature births, and special educational needs are not physically visible, but become manifest as a child hits six, seven, eight or nine years of age. I think there has been a failure of planning on that. If you improve the outcomes at one end, you are likely to increase the demand at the other. Is that something you and fellow parents have a handle on?

Emma Morgan: I think a bigger issue would be that we have experience of parents who have children who are born with disabilities, and then—

Chair: Yes, which is the easiest bit to plan for.

Emma Morgan: But it is not planned. That is the thing.

Paul Kavanagh: That is the issue.

Q274 Chair: There is a failure of planning against the anticipated and the unanticipated—total failure.

Emma Morgan: Yes, overall. There is no plan in place. Children are known from birth, and they still do not get places in school. Then there are children like my son, who are diagnosed at two or three. Let us be fair: there can be a slower process with that. We have to be realistic. We are not asking for the world to be changed unrealistically.

Say a child is diagnosed from birth. We have one example of a mother who, during the summer, was 37 weeks pregnant. She was from the north of Northern Ireland; there is even less provision there. Her son was in a wheelchair, with other needs as well, cognitive and physical. They were told that that child had to go to a nursery school with stairs and no access to get up those stairs. He was going to be carried. She contacted our group and had to go on “The Nolan Show” on BBC Radio Ulster. She was told there were no spaces for that child and, when she went on the radio, she was offered a place the next day. How is that equity in accessing education?

Chair: That solution to a problem almost adds insult to injury, I agree.

Emma Morgan: It does.

Q275 Claire Hanna: Thank you very much for your evidence and for setting it out so clearly. You are right to say that every parent and every elected representative has no real understanding of the challenges. Many of us



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know the challenges of getting children without any additional needs out, and we certainly do not get text messages like that saying the school is not able to—

Paul Kavanagh: Just to clarify, it was not a text message; it was a letter.

Claire Hanna: Oh, a letter. Just generally, though, you have communicated those additional challenges very clearly, along with the fact that, while there are deficits for all parents, you are feeling them profoundly. As the Chair said, everybody starts with a fight and a battle, and every bit of progress in your educational services is secured after a battle. Thank you for that.

I want to focus particularly on the statementing process. Could you tell us briefly what that process is? I am also going to ask you how you think that could be improved, so, if you want to answer those two things together, please do.

Emma Morgan: I did all the statementing work, so I will start. I was the heavy lifter, as you called it, with the statementing work, and it was heavy lifting. As I mentioned previously, I have a teaching background. I thought it would be fairly straightforward: get the evidence and send it off. I was not naïve. I thought there would be a few phone calls to follow up because my son's needs are quite significant. He hurt himself. If he was in a situation where he was anxious, he would run and hit himself against the wall. He would bang his head on the floor and create significant injuries. Again, I do not love saying that today, but that is the situation that I was faced with as a mother.

I have a younger son who is three, and the situation in Northern Ireland is that you fill the form in and send it off in January, they are offered a place in April and they start school the following September. For Tom, however, I started paperwork in September, when he was nursery age, and that went on and on. The 26-week deadline was not met. It is a common occurrence within Northern Ireland that the Education Authority does not stick to its own deadlines.

There was a shortage of educational psychology, which led to me having to phone the psychology office every day to try to get an appointment, and I was told that Tom would be at the bottom of the pile at that point. That is how you get to the top of the pile, unfortunately, but that has an administration cost as well.

As I said before, on the statementing process, they seem to be vague to the point of meaninglessness, and that is an accepted occurrence. After speaking to the Children's Law Centre in Belfast and Nicholas Quinn, a private solicitor, it seems that that is just what happens. The statement is vague, the therapies are not specific, and parents have to go to great lengths in order to get specifics on the therapies for their child.



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The bigger issue is about the school placements. The word “crisis” gets banded about for every issue, but it is our view that this is a crisis. Last June there were hundreds of parents without placements, and it was a complete disaster, by the EA’s own admission. Every school in Northern Ireland was phoned to see if it could create another classroom for specialist education. They managed to get a large number of classrooms, but our question is how they are possibly going to extend on that, given that that was the extent last year. There is no planning for the growth again in specialist places needed for June and, at this point in the year, there should be work being done for that.

However, there is a firefighting approach being taken. There are children still awaiting placements this year. We have a mother in our group whose little girl has a severe learning difficulty. She is non-verbal and she is not toilet trained. She is now in a mainstream classroom with no staff trained to deal with severe learning difficulties. The mother works full time; the father works full time, but that mother has to make herself available to change nappies. There are no changing facilities in the school, so the nappy has to be changed on the ground.

With the statementing process, on paper, there are not huge problems with the system. It is the implementation and the running of the system that there are huge issues with. Because we have no sitting Stormont, there is no education committee and we have no one to go to. The MLAs are largely doing their best to support the families in need, but the EA is answerable to nobody.

Q276 Claire Hanna: On paper, you think that the statementing process is as it should be, but clearly you have to intervene and go back and forth to get that information.

Paul Kavanagh: I can only speak for my own experience. I do not want to speak for anyone else in terms of statementing, for ethical reasons, but the statementing is far from ideal. It starts in about January. Our little boy, as I said, has Down’s syndrome. His needs would have been known from birth. The statementing process starts in January.

Emma Morgan: It is the timing of it.

Paul Kavanagh: Even if it is finalised in 26 weeks—which it never is; it usually goes into 40 or 50 weeks—you will not know where your child will go to school until a week before the school term starts.

Another issue is the sections in the statements. There are certain sections that are legally enforceable. Section 3 is the only part of your statement that has any relevance. Your statement has five sections. At least in our case, and other children’s cases, the EA will put things like speech and language therapies or occupational therapies as a non-educational need. My son is non-verbal but, according to the EA, that is not its problem; him learning to speak is about health. You have to battle then to get that put into your section 3, and when you do get it put in, it says something



vague along the lines of, "Aaron"—who is my son—"should have access to speech and language therapy." That is it. There are no details whatsoever about how many hours and what that therapy should even look like.

It is my view, and the view of many other parents, that the statements are kept deliberately vague by the EA because it does not want to deliver the services. It is a cost-saving measure. Those statements are worked backwards. It looks at the costs and then applies whatever it can. Plus, the educational psychologists who are so integral in the statements are employed directly by the Education Authority. They are not independent.

Emma and I were talking about the statementing process earlier today. I am an academic. I work in Queen's University Belfast. I have worked in other universities. My job is so admin-focused. I am used to filling out forms and processing. I know this stuff backwards, as do Emma and other parents. This was the most convoluted, complex and frustrating process that I have ever faced. We had no communication. You are issued a link officer, who you never hear from, from start to finish. The Education Authority has told us that each link officer has a case load of over 1,000 cases. That is the level that each link officer has. I think Emma can confirm that.

Emma Morgan: An important thing to highlight is the cost. Paul has talked about the cost to the families. However, there is a cost to the public purse regarding all this as well. We talk about efficiencies, and there are definite inefficiencies within the statementing process. There was a quick poll this week of 100 parents. Nearly 70% of them said they had to get legal assistance with regards to the statementing process. The Education Authority could work with parents to try to solve these issues before it got to litigation, the High Court or tribunals such as SENDIST. Considering the fact that the EA has a budget for this, could that budget be better spent elsewhere?

Q277 **Claire Hanna:** Thank you. We could talk all day, but I am aware that colleagues have questions as well. You have set out very clearly the deficits in the process and the inefficiencies and additional costs that are being accrued to both parents and the system in the wrangling part of it, and, as you say, moving those into the educational points.

Can I briefly ask you about the numbers we hear of unplaced children or children whose needs are not being met? I presume that applies to those who have completed the statementing process. Are the delays in statementing meaning then that children are beginning or continuing in schools with needs that are in process but are not currently covered? Is it the case that that is adding lots of numbers to the children in school with unmet needs?

Emma Morgan: There are two things there. Your question is highlighting early intervention. The statementing process has a big issue associated with it, in that it does not help early intervention to get there early. You



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are waiting to get the statement and, even at that, the early intervention is intertwined within the vagueness.

The Department of Education is talking about its end-to-end review, which it hopes will show transformation within the Northern Ireland education system, particularly SEN. It is talking about trying to get early intervention before the statementing process so that it is early. That is not just for nursery age and P1 age; that is no matter what age, in secondary school or whatever age the child is. The statementing process has an implicit problem that it is not helpful with early intervention.

With regard to the run-over of weeks, and the statistics that you mentioned, over the summer there was a complete lack of transparency with regard to how many children were not placed, and there still is. The scale of the problem in Northern Ireland is huge, but I cannot tell you a number, politicians cannot tell you a number, and the media cannot tell you a number, because there is no number presented, and the numbers that were presented over the summer were skewed.

There was an example of the Education Authority saying that there were either three or 10 children who were not placed. We did a count over one night and there were 30 testimonies that we had, and we sent them all to the media, our politicians, the Education Authority and the Department of Education. The numbers that they were using were based on completed statements that had not a named school. Usually, it is not completed until the school is named, but it is not a fair reflection. For example, one parent had a statement at 44 weeks, and the school was not named, so she was not included in the numbers. There is a key problem there. We just do not know how big this problem is.

Q278 Stephen Farry: Good morning, Paul and Emma. I agree that it is so frustrating that you have to come here to articulate these ongoing problems. Just to build on the point around the advocacy, obviously both of you are very strong advocates for your children, but presumably there are a lot of parents out there who are really struggling with even basic advocacy. Looking at it in a different way, there will be parents out there who are single parents. There are people who are on benefits. There are parents who do not have access to a car or do not have the capacity to do journeys backwards and forwards to intervene in meeting what are often basic needs. How are they coping?

Emma Morgan: They are not coping. That is the answer. It has been mentioned already that parenting is hard anyway. Parenting is tough, and if you are in a disadvantaged community, in a minority potentially, the situation is even tougher.

The parents who are in our group are expressing huge difficulty. If they are single parents, their child has no access to education. They are being told that the child should be going to an unsuitable setting, and then that has an impact when the child comes home. The parents are the ones left



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to manage the behaviour, and there is very little support whenever the child is at home.

I know from my personal point of view that, whenever my son was in a school that knew how to support him, they were like family to me. They supported me, spoke to me at the end of the day and helped me with strategies at home, but we had to pay for that setting. That was £550 a month that we had to pay for three days a week. It was excellent, and without that my son would most definitely have needed a severe learning difficulty unit, but he is in a moderate unit now because he had that early intervention.

We were in a privileged position that we had him have that, and that is why we are here today, because we believe that children should have access to that. Children should be able to get speech and language, access the curriculum and learn, because all children can learn. All children have the ability to learn. They just need to be in the right environment.

Q279 Stephen Farry: Absolutely. Whenever we are talking about rights issues, I presume we are talking about the UN convention on the rights of the child. That is the basic document that we are referring to.

Emma Morgan: Yes.

Q280 Stephen Farry: In terms of the Education Authority itself, you have talked, Emma, about some of the issues around numbers and how that has been misrepresented as such. Albeit we do not have anyone in charge at this stage, what sort of steps would you like the Education Authority to take in the short, medium and long term in terms of some sort of action plan for advocacy of change? Obviously, there are things that will take a longer time, such as building new schools, but, in the short, medium and longer term, how would you see the different types of actions or changes in the system that are required?

Emma Morgan: The thing with it is that, as has been highlighted by Paul, there has been a huge amount of reports written over the last decade. There have been numerous reports by independent bodies making recommendations, from people who are much more experienced in this than we are. They are educators, legislators and politicians, and they have pointedly marked what needs to change, from early intervention and equity of access to systematic reform.

Systematic reform is obviously a long-term goal. Sara Long mentioned the SEN transformation programme. The Department of Education talks about the end-to-end review and the SEN transformation programme being a smaller part of that. However, that is not visible to parents. All we see now is that the children are not getting their school spaces and supports. The longer term needs to come into action, but the short term needs to be dealt with immediately; otherwise, the situation in June will be untenable.



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Q281 **Stephen Farry:** Obviously, money is an issue across the board. This should be a priority in that regard, but, short of an injection of cash, are there structural or organisational things that could be done today if the Education Authority did things differently?

Emma Morgan: It is an issue of accountability too, though, Stephen. If there are actions to be taken, who is going to lead that? Who is going to hold the public body responsible? I do not have the answers to those questions, but we are here to ask those today and to try to find answers from you, who are part of the UK Government.

Chair: I know it will sound like a pedantic correction, but we are not part of the UK Government. We are part of the United Kingdom Parliament, but we are not part of the Government.

Emma Morgan: Okay—corrected. We are here to bring our concerns to you as decision makers. I suppose that is the point I am trying to get across. There must be something that can be done. We are here to say that we know what the issues are, and our views are supported by the experts in the report. However, they are just sitting there. The reports are sitting on a table, and it does not seem that much is being done to improve the situation. Whenever we ask, it comes down to budget. That is everything that is being said. It is budget. It is that there is no Stormont, but there must be something that can be done.

Stephen Farry: And transparency is a subsection of accountability, in terms of what is happening.

Emma Morgan: Yes.

Q282 **Stephen Farry:** I do not want to get into personalities too much, but you mentioned at the beginning that you met with Mark Browne and with directors at the Education Authority. By implication, does that mean that you have not met with the chief executive of the Education Authority? That would seem to be a major deficit.

Emma Morgan: We have requested a meeting. After our protest in June, we formed our committee for SEN Reform NI, and we requested a meeting with Sara Long and Dr Mark Browne via email. We did have a meeting with Una Turbitt. We then had a meeting with Dr Mark Browne, the Permanent Secretary in Education, and also with Cynthia Currie, a director.

Q283 **Stephen Farry:** But you still feel that you need to meet the chief executive, ultimately.

Emma Morgan: It would be useful, yes.

Q284 **Chair:** We will take as an action point to see if there is anything my good offices can do to facilitate that.

You mentioned in your opening remarks that you have had discussions, as well as with officials, with the parties in Northern Ireland. We have to accept as an unfortunate given that there is no Executive and no



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functioning devolved Government in Northern Ireland.

Let me ask you two questions. If the meetings were held under the Chatham House rule, I am not asking you to break any confidences, but if they were not, and you feel able to answer this, we would be interested to hear. Did any political party in Northern Ireland that you have met fundamentally disagree with your assessment of both the issues and the scale of the problem? Instead of just saying, "We do not have Stormont, so thank you very much for raising it and do have another biscuit. I have another meeting to go to," did any of them indicate what they would be pressing for or might be advocating for within Stormont on the presumption that, at some point within my lifetime, it might be resurrected?

Emma Morgan: The discussions that we had with the political parties would have been informal. Every party has agreed that it is a huge issue.

Q285 **Chair:** Nobody has disagreed with you on that.

Emma Morgan: Nobody has disagreed about the scale of the issue or any of the issues that we are raising.

Q286 **Chair:** Just to clarify, nobody has disagreed with your assessment of the current position and nobody has disagreed with you on the need for urgent and pressing action for reform and change.

Emma Morgan: Yes.

Q287 **Chair:** You have referenced, perfectly properly, the quite numerous documents that have looked at this. There are reports, inquiries and so on and so forth. Has anybody given you any indication as to how they might wrestle with this issue?

Emma Morgan: Generally, from most of the political parties, the view has been that there needs to be an education committee. We spoke to Diane Dodds at the protest, and Diane was very helpful. She had given us the direction about meeting with the EA and with the Department of Education. That has been the limit of our interaction with Diane, but we hope to further that. Paul would have had more interaction with the Alliance and, to be honest, the Alliance party has been the most supportive with regards to helping us further our campaign.

Q288 **Chair:** I am not talking about advice on how to campaign, who to meet or brokering meetings. Has anybody given you an indication as to what their fix would be?

Emma Morgan: No.

Q289 **Chair:** Nobody has shown you a blueprint, almost ready for rubberstamping.

Emma Morgan: No, the only plan in place seems to be the end-to-end review by the Department of Education. That has been the clearest picture that we have, and that was by the Permanent Secretary, Dr Mark



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Browne. The Department of Education seem to be confident about a plan—

Q290 **Chair:** That the recommendations that he made would be adopted nem. con.—that they would be adopted and implemented.

Emma Morgan: That is what the plan is with the end-to-end review. It is to have systematic reform of the education system in Northern Ireland. However, there is no transparency of that plan to parents. I am not sure of the level to which our politicians are aware of it, so we cannot say that we are confident with it, to be completely honest. It seems to be a plan to move more children towards an education linked to mainstream, with different sized classes and different ratios of staffing. We do not know what that looks like in real-life terms, so we cannot say what our view on that is.

Q291 **Chair:** We will shortly be beginning a piece of work looking at education, with some degree of emphasis on provision of integrated education within Northern Ireland, but looking at other areas as well.

I am now going to ask you a question that may just expose me to the most enormous amount of ridicule, given the ignorance that it will show. You have referenced the specialist schools. Are they integrated?

Emma Morgan: Do you mean integrated as in people from different backgrounds?

Chair: Yes. There is not a Catholic special school and a Protestant special school.

Emma Morgan: No, we are not that bad. That would make it even more complicated.

Chair: I rather presumed, but sometimes one just has to ask.

Emma Morgan: Don't even suggest it!

Q292 **Chair:** I shan't. We may very well, if the rules allow—I look to my Clerk on this—use some of the evidence that you have given us to help inform that inquiry, and we may very well call upon you for further advice during it. On the pounds, shillings and pence side of it, has anything been said to you that might suggest that, if there were a faster process to integrated education within Northern Ireland, that would free up additional funds to meet this growing need?

Emma Morgan: There are numerous things happening on education. One thing that I think was mentioned in one of the previous sessions was rural schools. I know I am going off topic here, but, with rural schools that were not fully subscribed, one of the board of governors from a school around the Mid Ulster area had been on the radio and said that they had offered to create a specialist unit, but were refused by the Education Authority. I do not know what has come of that. There are options.



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Q293 **Chair:** On the premise that you go on the wireless and somehow you then get the positive answer, maybe something positive will come out of that.

Emma Morgan: With regards to integrated education, it is a complex situation, but I am sure that there are options.

Q294 **Sir Robert Goodwill:** In England we have seen a phenomenon where private equity companies have got into providing specialist residential schools, often many miles away from where the families live. From speaking to people in local authorities, I understand that these companies often give parents the hard sell, which does not necessarily mean that what they have there is what the child needs. There might be more provision nearer home. Is that a phenomenon that is happening in Northern Ireland?

Emma Morgan: No—as in private schools? And are these paid for or funded by—

Sir Robert Goodwill: Well, the parent goes to a tribunal, and the tribunal often finds in favour of the parent.

Emma Morgan: It is on a much smaller scale in Northern Ireland. My son would have attended a private school SEN because we did not get a placement for him, but it is very limited in size. The Education Authority, to my understanding, is paying for children to go to that school now, but, to my knowledge, that is the only one around the Belfast area. There is also a reliance on the voluntary and community sector. That is what has been going on for a while now.

Q295 **Sir Robert Goodwill:** Some of these schools start at £100,000 a year. These are very expensive schools and children with very profound needs.

Emma Morgan: Yes, it is not at that level in Northern Ireland. There would not be anything comparable. They are using the voluntary sector to try to get a few extra places, but there are problems with that. They are not schools; they are voluntary community organisations that are facilitating nursery facilities. A few of them are respite facilities, so they do not have teachers. There are issues ongoing with that, and I think they are calling out for more support with regards to funding for properly qualified staff.

Q296 **Carla Lockhart:** The Chair has made a very important point that there is a problem with SEN right across the United Kingdom. It is broken, be it in England, Wales, Scotland, Northern Ireland or other jurisdictions, I am sure. That is maybe a result of us still using very old systems. We have not looked at the demographics and the increasing need.

I do not know about other elected representatives, but this is probably one of the biggest issues that I get through my door, particularly around school times and allocation of places. There is a lot around transport, where a statement maybe says that they would benefit from transport, but not that they should get it. There are lots of things that cause



immense pressure on families.

Unfortunately, I have had to say to families—and this is awful—“You probably will spend the rest of your life fighting, which is just unacceptable.” For me, it is an area that I have taken an interest in trying to see some change in, and an area that I really want to see change in, so, if there is anything I can do, I offer you my services. I have not met with your group specifically, but I have met with numerous groups that are fighting in your corner.

In relation to your next steps, what would be helpful for us to do? Obviously, we are keen to see the reform and the money allocated that is needed. Is there merit, Chair, given that this is a UK-wide problem, in using that as leverage to put it on a wider footing? It is not just a Northern Ireland ask; it is very much a UK initiative that needs to be addressed and tackled. As a result, Northern Ireland would probably benefit from any Barnett consequential, as you have heard today. Is there something we can maybe do there around debating it more widely at a UK level?

Also, there was a slight improvement to the statementing process. I think Peter Weir put a real focus on timeframe.

Emma Morgan: That is with regards to compliance.

Carla Lockhart: Yes, with regards to compliance, but it is that wraparound after it that is the problem. Again, it is not the administration; it is the actual services on the ground, so I am keen to hear a little bit more on that. Do you think there needs to be more around those early years? Does Sure Start engage for children with disabilities, and do you think it would be beneficial to see that rolled right across Northern Ireland as opposed to just the top 25% of areas of deprivation? I am keen to know that.

More widely, do you find that there is an improved number of facilities for children and young people with disabilities? I am probably thinking more of physical disabilities. In the ABC Council area I was a big advocate for getting new facilities for changing, particularly for older children, because a children’s changing station is not sufficient for a child who is older. We have put a number of those in a number of our parks. We have been able to implement that, so I am keen to understand whether you have done an analysis of that. Is that improving on the ground?

Finally, regarding the move from primary to secondary, I know that in special schools it goes right through. We have two excellent special schools in my constituency, Donard and Ceara, and I would suggest a Committee visit to those at some stage. That would be great. Do you find that that transition, particularly in mainstream, is difficult?

Emma Morgan: The debate is an interesting idea. It would be great to have it on the national level, because issues with SEN education are going across all the areas in the UK. However, the issue is that there are



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such different processes in each of the areas, and what comes with that are specific issues.

With regards to the equity of access and the effectiveness of how that is happening in Northern Ireland, that is quite a specific issue. Also, the funding issue with regards to special educational needs is specific to Northern Ireland. Just from looking at the statistics that have been presented here and what you mentioned in the previous session, underfunding in Northern Ireland, with regards to education, has a specific impact on SEN children, so there are some specifics around the Northern Ireland issue that are making the experience for our children worse.

With regards to the early years and Sure Start, they do provide support for the younger children. Again, the voluntary sector is a big thing, is it not, Paul?

Paul Kavanagh: Yes. Outside of school, the voluntary sector has stepped in to help families. Without them, our little boy would not have had anywhere to go over the summer. He went to a place called SEN Space in Dunmurry, which is really well run, and in fact is now facilitating nursery places for children who could not be placed in EA nurseries.

As Emma pointed out, though, they will not fund a teacher in those nurseries. Again, although that may not be a statutory requirement, it seems discriminatory in the sense that, if your child does not have special educational needs, they go into a nursery with a teacher, but if your child does that is not a funded part. Logically, you would think that our children would need a little bit more support, or at least equal support, and they do not seem to be getting that.

The voluntary and community sector is doing a lot of the heavy lifting for gaps that are left in public services at the moment. Many of the organisations have been here before the Committee talking about how difficult the landscape is for them under current funding measures. The last budget decimated a lot of their funding, which is not good news for us on that front either.

Q297 **Carla Lockhart:** That is where we need to get smarter, because for the public sector to pick up a lot of this stuff costs a phenomenal amount of money, whereas, if we had a lot more service level agreements with the voluntary sector and pushed that service out to them, it would be better.

Emma Morgan: The devil is in the detail, though, because it seems that that is being pushed out, but is it right? There are examples where the settings are having to organise teachers themselves. Is that acceptable?

On your other points, it was interesting that you brought up facilities, Carla, because I know that a lot of parents are really happy with the facilities that are happening throughout Northern Ireland for the changing spaces, and that is something that is desperately needed. However, I



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would like to draw attention to the fact that that is not in schools. For the influx of children with moderate to severe learning difficulties into mainstream nurseries, the vast majority of whom are not toilet trained, there is nowhere to change those children. Some of them do not have a classroom assistant, so the parents are having to come in to do that, and the staff ratio is two adults to one child for that. It is about the facilities and the resources to help the mainstream schools.

If we are looking towards an inclusive education system that the Department of Education is trying to work towards, again, the devil is in the detail. Inclusive is not good enough if it is only a name. We need an inclusive education system that actually includes the children and gives them dignity in the classroom, rather than getting changed on the ground.

Chair: I am slightly conscious of time. I know colleagues have things to go on to. You will appreciate that we could sit and discuss this issue for many a long hour. Mr Habberley, our Clerk, has just dug out an Education Committee report on the provision of special educational needs, dated 2019, which we will circulate to colleagues. We will also ensure, Mr Kavanagh and Ms Morgan, that you have sight of that.

Q298 **Mary Kelly Foy:** I am interested to know what the situation is in the Republic of Ireland. What SEN provision is there, and is there any support from the Republic of Ireland, especially for those families in border areas? Are they able to go to the schools in Ireland?

Paul Kavanagh: Are you asking whether families who are resident in Northern Ireland can go across the border to the Republic? I would not be able to say. I know that one issue that has affected some communities along the border is the disparity in pay. A lot of teachers or educational psychologists can now live in Northern Ireland and then take jobs across the border, and that is also a big issue in terms of parity of pay. At the moment, the salaries of teachers and classroom assistants are not on an equal footing with their peers in England, for example, who get paid thousands of pounds more at the same grade.

It is hard to attract good-quality, trained professionals. Also, a big issue in Northern Ireland is that there is not a penny to increase salaries, given the level of inflation. Teachers and classroom assistants are essentially taking a pay cut every year because their salary has not increased in three or four years. That is also an issue. How do you attract and retain staff if you are selling it to them by saying, "It is a vocation and we are not going to pay you"? Again, that is another big issue for Northern Ireland.

Q299 **Mary Kelly Foy:** Do you know if the provision is better in Ireland?

Paul Kavanagh: I really could not say. It is something I am looking into, because I am from the Republic of Ireland myself. You probably can guess from my accent. It has put me in a position where I am thinking about leaving Northern Ireland now, because I am weighing up why I am



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in Northern Ireland with no family support when I could be at home. Even if those provisions are not as good, at least I would have some family support.

That is something that has come across from many parents we have spoken to who do not necessarily have a link to Northern Ireland. They are looking at going back to England or wherever. They have come to Northern Ireland and they are trying to establish themselves and raise a family.

Today, my child is at home. I do not know if he is going to go to school tomorrow. Rather than taking the time that I needed to prepare for this meeting today, I spent last night on the phone to my wife trying to organise the logistics of how we were going to look after our child. That is not sustainable for me. Unless things improve significantly, I will be looking into what services are like in the Republic with a view to moving home. Again, that is going to cost the taxpayer more money, because my position in Queen's will have to be refilled and someone else will have to be hired in. Again, it is more evidence of public services accruing more and more costs because of that lack of investment.

Chair: As almost a brief reiteration of where we started, first of all, thank you for bringing this to our attention and for articulating and advocating as clearly as you both have done. We are grateful. I hope the depth of the questions that you have received indicate that we are concerned about this issue as well, but, to reiterate, we do not have the cheque book. We do not have a silver bullet. We cannot direct officials in Northern Ireland to get on and do things. These are devolved matters, as we know, but we have regular interactions with the Secretary of State for Northern Ireland, and we will make sure that that is on his radar. We will see what we can do in order to broker the meeting that you are seeking. Let us hope for some improvement in the not-too-distant future.

Thank you both for your time. I hope you can get home safely, Mr Kavanagh, and give your wife a break for half an hour.