



An Roinn Oideachais
agus Óige
Department of Education
and Youth

Review of The Education for Persons with Special Educational Needs

(EPSEN) Act 2004



June 2025



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Foreword from Minister Helen McEntee TD

I am very pleased to publish the Review of The Education for Persons with Special Educational Needs (EPSEN) Act 2004, which represents a significant step forward in ensuring that education policy and legislation for children and young people with special educational needs are informed by their lived experiences and support the best possible educational outcomes.

Education should be inclusive, equitable, and responsive to the needs of all students. That is why we initiated this review of the EPSEN Act, to ensure that our legislative framework remains relevant and effective. The findings of this review highlight the need to take a comprehensive look at our entire education system and to ensure that our policies and laws are truly fit for purpose. The accompanying implementation plan underscores the importance of not only developing strong policies but also ensuring their effective implementation. A whole-of-system approach is essential, involving the alignment of the Education Act, the Admissions Act and the Disability Act, as well as collaboration across Government.

The voices of students, parents, educators, advocacy groups, and experts in special education have been central to this review. Special efforts were made to engage with those directly impacted by the EPSEN Act over the years, including meaningful input from the Irish Second-Level Students' Union (ISSU) from the outset. A comprehensive stakeholder engagement process has been at the heart of this work, incorporating focus groups, consultations with individuals and organisations, and diverse perspectives. To ensure inclusivity, an accessible survey was developed to capture broader input, and all engagement activities were also available through the Irish language.

This review also considers legal cases and international comparators to ensure that our legislation aligns with the evolving legal landscape, NCSE policy advice, and the recommendations of various review groups. Based on the consultation process and research findings, the review group has put forward a set of recommendations grounded in both legislative and policy considerations. I am pleased to accept all the recommendations. My department will publish its implementation plan for these alongside this report, setting out clear actions to bring these recommendations to completion.

I would like to express my gratitude to each stakeholder involved in this review, the members of the steering group, advisory group, and working group, for their invaluable insights, feedback, and commitment to engaging with their respective members. I also wish to acknowledge the significant effort of all those who gathered and analysed the views of participants and extend my appreciation to everyone who contributed to the consultation process.

This implementation plan reflects my department's commitment to addressing key concerns across 16 themes, including the Assessment of Needs (AON) process, inclusive education, the rights of children and parents, transitions, language use, support services, and professional learning. The implementation of these recommendations will help shape future decisions in the education sector and positively impact the educational experiences of children with special educational needs.

Helen McEntee TD
Minister for Education & Youth



Foreword from Minister Michael Moynihan TD

It is essential to ensure that our legislation and policy remain fit for purpose. This review of the Education for Persons with Special Educational Needs (EPSEN) Act 2004 was initiated in December 2021 to modernise and reflect the experiences of students, staff, and families.

The EPSEN Act 2004 has been in place for over 20 years, during which time significant policy developments have taken place in the field of special education. This review has been shaped by a commitment to open collaboration, with a steering group, working group, and advisory group overseeing the process. Consultation with a broad range of stakeholders has been central to this effort, ensuring diverse voices and perspectives are heard.

Findings from our consultation process demonstrate that many participants share common experiences within the special education sector and seek similar actions and improvements. We have gained invaluable insights into key areas such as terminology, transitions, lived school experiences, and potential enhancements to support structures.

As in other countries, though perhaps known by other names, there is always a place for the provision of special Classes and special Schools. As articulated by many stakeholders, there is support for the current continuum of education provision, which includes mainstream classes, special classes, and special schools. The latter two are especially important options, particularly for children with complex additional needs and their families.

As evidenced here, work continues to be done to ensure consistent high standards in the provision of special classes and special schools, and we also need to ensure closer cooperation between mainstream schools and special schools/classes. This will continue to assist in enhancing educational outcomes for children and contribute to a more integrated and inclusive education system for both children and school staff. As you will note from this extensive review the steps proposed outline a pathway towards this more integrated and inclusive education system for all.

I would like to extend my sincere thanks to our stakeholder group, which included student and parent and guardian representatives, advocacy groups, academic experts, State agencies, and Government departments. I also deeply appreciate the engagement of students, parents, education professionals, and the wider public, whose contributions have shaped this review.

The use of various consultation methods, including online submissions, focus groups, accessible surveys, and activity packs, ensured a thorough and inclusive process. I want to acknowledge all those who worked on gathering, analysing, and presenting this critical information.

The findings of this review have resulted in a set of recommendations that fall into two key areas: legislative based recommendations and policy based recommendations. Implementation of these actions requires ongoing consultation and collaboration across Government, and I look forward to working with all partners to make meaningful progress in improving the education of our children and young people.

Michael Moynihan TD
Minister of State for Special Education



Foreword from Secretary General Bernie McNally

The publication of this review of The Education for Persons with Special Educational Needs (EPSEN) Act 2004 represents an important milestone in ensuring that the education system continues to evolve to meet the needs of all students, particularly those with special educational needs.

The department's mission is to ensure that all children and young people have access to a positive learning experience and to facilitate them, through learning to realise their full potential and contribute to Ireland's social, economic and cultural development. This review has provided an opportunity to assess existing legislation and policy, engage with a wide range of stakeholders, and identify areas where improvements can be made.

The recommendations set out in this report reflect extensive consultation and research, as well as insights from legal and policy analysis.

A key feature of this review has been its focus on hearing directly from those affected by the legislation. The voices of students, parents, educators, and advocacy groups have been central to shaping the outcomes. The use of diverse engagement methods, including focus groups, accessible surveys, activity packs and online consultations, has ensured that a broad range of perspectives has been considered.

The implementation of these recommendations will require close collaboration across the department, its agencies, and wider Government. The accompanying implementation plan sets out a roadmap for delivering these necessary changes, ensuring that the policy and legislative framework continues to support students in accessing the education they deserve.

The department wishes to express its sincere gratitude to former Inspector Kate O'Carroll, who played a key role in preparing this report for the Minister. Their work in incorporating the research, stakeholder feedback, and recommendations has been invaluable to this review process.

I would like to express my gratitude to all those who contributed to this review, particularly the members of the steering group, advisory group, and working group. Their expertise, commitment, and dedication have been invaluable. I also acknowledge the contributions of the many individuals and organisations who participated in the consultation process. Their insights have played a crucial role in shaping the recommendations of this review.

We remain committed to ensuring that the education system works for all students and to making meaningful progress in enhancing supports for those with special educational needs.

Bernie McNally
Secretary General



Executive Summary

In December 2021, the Minister for Special Education and Inclusion announced a review of the EPSEN Act 2004. The Act has never come into force in its entirety, although its commitment to inclusion and its establishment of the National Council for Special Education (NCSE) on a statutory footing have been enduring features. Very significant changes in the legal and educational landscape have occurred in the intervening years, which rendered many sections of the Act irrelevant, and meant that simply commencing the Act in its entirety was not a viable proposition.

The review process, overseen by the Special Education Section of the Department of Education, comprised a number of strands, including:

- a comprehensive capturing of the views of all stakeholders through online surveys and focus groups
- an academic review paper examining the EPSEN Act, relevant legal and educational developments, and current and evolving practice in special educational needs
- a consultation and oversight structure – comprising an advisory, a steering, and a working group – to facilitate dialogue among stakeholder representatives, including advocacy groups, parent and student representative bodies, school management bodies, teacher representatives, academic experts, and relevant State agencies and government departments

The online surveys and focus groups

- were designed and conducted by research and consultation experts
- sought the views and experiences of children, parents, teachers and educational professionals, and school management regarding special education provision
- also sought stakeholders' views on the EPSEN Act, on terminology in use and on ways to improve current provision
- received over twenty-eight thousand responses to the online surveys
- received over nine hundred responses from children and young people to an innovative easy access survey
- saw participation in focus groups by ninety-one adults, both parents and educators, and ninety-four students and young people from mainstream, special, and Irish-medium schools, and young adults who had left school

Analysis of the findings from the surveys and focus groups showed a high degree of consistency in the experiences and views of the participants, and a high level of consensus regarding the suggested improvements and actions to be taken. The main areas identified as requiring improvement were the following:

- Addressing current difficulties and inadequacies in the assessment of needs (AON) process to ensure timely assessments and effective interventions
- Building capacity within the education system to provide for students with special educational needs, through enhancing the skills and competences of teachers and other professionals in this area, and through developing greater understanding and acceptance on the part of all who interact with these students
- Addressing the issue of insufficient personnel at present in crucial areas: SENOs, SNAs, teachers with appropriate skills to teach special classes, NEPS psychologists, and occupational and speech and language therapists
- Recognising the need for significant additional funding to address special educational needs while also ensuring a greater level of accountability and greater attention to the effectiveness of interventions
- Addressing current difficulties with transitions from one setting to the next (early learning to primary, primary to post-primary, transitions into and out of special classes or schools) so that the necessary information and supports travel with the child, and setbacks in learning are avoided

In their responses, children and young people emphasised the relational aspects of the educational environment, citing the importance of being listened to, respected and given a sense of belonging in the school setting they found themselves in. They also attached more weight than other stakeholders to the curriculum itself and to teaching and learning approaches that they found helpful, mentioning especially life skills, and active and experiential learning.

In two areas, differences of opinion emerged across the range of stakeholders. Some respondents felt that the existing structure of mainstream, special class, and special school settings providing for those with special educational needs was not inclusive and had to be changed. Others felt that the existing structure was inclusive of all levels of need. Regarding terminology, although there was generally a preference for 'additional educational needs' rather than 'special educational needs', some respondents had no strong feelings, and children and young people in particular expressed the view that attitudes rather than words were what mattered.



A very significant development captured in the academic review paper is the central position now given to the rights of the child and to the rights of persons with disabilities, as evidenced in legal judgements in Ireland and in international conventions to which Ireland is a signatory, notably the United Nations Conventions on the Rights of the Child (UNCRC) and the Rights of Persons with Disabilities (UNCRPD). Ireland's ratification of the UNCRPD obliges it to ensure that Irish legislation and policy regarding inclusive education are consistent with its core features.

The EPSEN Act made provision for an inclusive educational environment, an equal right to education, and assistance to acquire the skills to participate in society and live independently. Key sections concerning the development of individual education plans (IEPs) and an appeals process were not commenced, and were widely regarded as impracticable. There were also concerns that the demands of bureaucracy rather than the needs of the child would become the focus of the process. However, the culture of school planning has advanced very significantly since 2004, and this should be reflected in any new legislation.

Since 2004, fundamental changes have occurred in the school curriculum, and in teaching, learning and assessment practices, which have considerable bearing on children with special educational needs. Early years education has become an integral part of the education continuum, there has been major curriculum reform at primary and post-primary level, and developments in initial teacher education and continuing professional development have promoted active and experiential teaching and learning approaches, collective and collaborative planning and assessment for learning. Inclusion, equality of opportunity, and the rights of all children and young people to develop their full potential are now central to education policy. The fundamental nature of this transformation and the interconnectedness of all the elements that have contributed to it should be clearly reflected in any proposed new legislation.





Special educational needs provision accounts for a sizable proportion of the Department of Education's budget. In mainstream schools, various models to allocate resources in a targeted and equitable way have been implemented and adapted as necessary. There are approximately twenty thousand teachers and a similar number of special needs assistants (SNAs) working in special education, and the number of special classes has hugely increased, from just over four hundred in 2010 to close to three thousand four hundred currently, mainly driven by a demand for places for children with autism, at the time of this report. In this context, the NCSE's 2024 advice paper on special classes and schools found some support for the proposition that students with special educational needs can achieve good outcomes in inclusive settings and that outcomes for all students need not be negatively affected. It made a number of key recommendations, the first being the progressive realisation of an inclusive education system that would enable all students to attend and have their needs met in their local schools.

The Department of Education is engaged in a number of initiatives to support inclusion, among them a system reform project supported by the EU, and a strategic approach to the development of the SNA role. It is also providing further clarity and advice regarding the Continuum of Support model to ensure its consistent and targeted implementation in schools and a better understanding of the use of the Student Support File and Student Support Plan.

The consultations through surveys and focus groups resulted in detailed reports analysing their findings. The very frequent meetings of the advisory, steering and working groups enabled productive and purposeful discussion from a wide range of perspectives, and led to substantial agreement on the key areas for improvement and the recommendations arising from them. While the focus on legislative change was maintained throughout the review process, there was increasing recognition of the importance of policy and the impact of policy change in bringing about the desired outcomes. For this reason, the recommendations set out at the end of this report are grouped under two headings: legislative-based recommendations and policy-based recommendations.

Acknowledgements

The EPSEN Review would like to express its sincere gratitude to all those who contributed to this work and to the development of this report, including:

- The children, young people, parents, education staff, organisations and others who shared their views, experiences and ideas.
- The advisory group, steering group and working group for their invaluable input, feedback, guidance and expertise on all aspects of the review.
- The schools, Youthreach centres, adult services centres, and third level institutions for their assistance in facilitating the focus groups.
- Accessible Surveys Limited (Preignition Limited); ACE Communication; Ann Swift Consulting; Míchéal S. Mac Donnacha, COGG; Professor Emer Ring; Mitchell-Kane-Associates; Inspectors Niamh Ní Fhoighil and Yvonne Ní Mhurchú; and University College Dublin for their contributions to the research, analysis and design of this review.
- The report writer, Kate O'Carroll, for her insightful analysis.
- The department's Special Education Division and other contributors from the department, whose expertise, guidance and support were integral to the work of the EPSEN Review team and the consultation process.
- A special mention to our administration team Frank Hanlon, Vivienne Matthews O'Neill, Orla Donnelly, Aundrea McLoughlin and Matthew Powell, whose exemplary work was essential to the delivery of the EPSEN Review.

Introduction

The Education for Persons with Special Educational Needs (EPSEN) Act, was passed in 2004. It was a very substantial piece of legislation, and a number of its provisions are now well-established features of the Irish educational landscape. These include the placing on a statutory basis of the National Council for Special Education (NCSE) and provision for an inclusive approach to the education of children with special educational needs.

However, many sections of the EPSEN Act have never come into force, because the necessary commencement order has not happened. These sections would have conferred a statutory entitlement on all children with special educational needs to: an educational assessment; an individual education plan (IEP) based on that assessment; the delivery of the services and supports required to fulfil the IEP; and an independent appeals process. Many factors contributed to the non-commencement of these sections, but in essence what they would require from schools and teachers, from the NCSE and the Health Boards/HSE, and more broadly from the State was perceived to be unrealisable.



In addition to the issue of feasibility, there has been over the years since 2004 much discussion and interrogation of key principles of the EPSEN Act, most particularly what is meant by inclusion, which the Act refers to but does not define. There have also been ever more clearly articulated concerns about the bureaucratising of provision for children with special educational needs that full implementation of the Act might lead to, rather than the child-centred and responsive approach that has come to the fore in many areas of education in recent times.

Given these concerns and the incompleteness of the legislation now in force, the Minister for Special Education and Inclusion announced a review of the EPSEN Act in December 2021 to ensure that the law governing educational provision for persons with special educational needs is fit for purpose.

The purpose of the review of EPSEN is to provide assurance that there is an adequate legislative basis for the educational provision, both current and planned, for children with special educational needs. This legislative basis is necessary in order to protect the interests of the children concerned and their families, to protect the interests of the State, and to ensure that the State can properly plan for the provision of appropriate education for children with special educational needs. It is important that legislation in this area reflects current best practice both nationally and internationally, and that it ultimately facilitates the best possible educational experiences and outcomes for children with special needs from their first day at school to their last.

The review's scope has encompassed the many significant changes and developments in law and in policy relating to the education of children with special educational needs since EPSEN. Chief among these have been the focus on inclusion from both an ethical and an educational viewpoint; a strengthening of the rights of children and young people leading to a rights-based approach to meeting their educational needs; and a radical reconsideration of the whole area of disability, both in conceptual and practical terms.

The review process was planned and structured to be comprehensive in its consideration of relevant legal and educational developments both prior to and following the introduction of the EPSEN Act, nationally and internationally, in the form of an academic review paper, and research into provision in other jurisdictions. (Section I below). The process also included an examination of evolving policy and practice in special educational needs provision, as articulated in Department circulars and regulations, guidelines from the Department and policy advice from the NCSE. (Section II below). A major focus of the review process was the necessity to capture the views and experiences of all the stakeholders, in particular those of children and young people with special educational needs, and of their parents. To that end, a wide variety of consultations, surveys and focus group events was planned and undertaken, followed by a detailed analysis of the responses. (Section III below). The recommendations arising from the review process are given in Section IV below.

This report is intended to encapsulate the review process, the insights that it provided and the recommendations flowing from it. The academic review paper, by Professor Emer Ring of Mary Immaculate College Limerick, and the NCSE's policy advice paper on special education provision represent substantial research into relevant law, policy, theory and practice in the area of special educational needs, and have been drawn on extensively for this report. So also have been the analyses of the responses from the surveys and the focus groups conducted, carried out by Ann Swift Consulting, ACE Communication, a research team from the School of Education in UCD, and members of the Department of Education Inspectorate. The NCSE's policy advice paper, *An Inclusive Education for an Inclusive Society*, was published in January 2024. Professor Ring's paper and the survey and focus group analyses will be published by the Department of Education as separate reports.

Section I

The EPSEN Act 2004: context, content, and subsequent developments in education law and policy





1.1 An overview of relevant legislation prior to the EPSEN Act 2004

Before considering the review of the EPSEN Act and all that the process has entailed, it is necessary not only to look at the provisions of the Act itself but also to take into account the legislation relating to education that was in place at the time of its introduction in 2004.

The last thirty years has seen considerable change and development in many areas of education in Ireland and internationally, not least in the area of special educational needs. Legislation, policy and practice directly relating to special educational needs have all contributed to this process of change. However, it is also important to recognise that broader educational and social developments during this time have had a significant impact on the ways in which special educational needs are discussed, understood and provided for.

The Education for Persons with Special Educational Needs (EPSEN) Act, was passed in 2004. It was preceded by the Education Act of 1998, which was the first comprehensive piece of legislation governing education in the State, and placed many aspects of educational provision on a statutory footing. Most relevant to the focus of this report are the definitions of 'special educational needs' and of 'disability' contained within the Education Act, and the responsibilities of the Minister in this area.

In setting out the Functions of the Minister, the Act states that they include: 'to ensure, subject to the provisions of this Act, that there is made available to each person resident in the State, including a person with a disability or who has other special educational needs, support services and a level and quality of education appropriate to meeting the needs and abilities of that person ...'

The Education Act defines special educational needs as the educational needs of students with a disability and the educational needs of exceptionally able students. The Education Act defines disability in broadly medical terms, covering physical and intellectual impairment. The EPSEN Act amends that definition of disability and makes no reference to the needs of exceptionally able students.

Because of its overarching scope, the Education Act contains many other provisions that have changed the educational landscape, and have had an impact on the context in which special educational needs are understood and met in schools. Among the most significant of these is the requirement in the Act for schools to prepare a school plan, and to regularly review and update it. The Act explicitly requires the school plan to state the school's objectives relating to equality of access and participation, and the measures proposed to achieve these, 'including equality of access to and participation in the school by students with disabilities or who have other educational needs'.

While the culture of school planning took some time to become embedded in schools, it is now a very well-established practice, supporting a shared understanding of the school's mission and vision and the development of high levels of collaborative planning and co-operative practice within schools. Building on this cultural change, the practice of school self-evaluation which was introduced in 2012 requires schools to look critically at their own practice, identify areas for improvement, and plan and implement actions to bring about that improvement. These profound changes in school culture and practice, stemming from the Education Act of 1998, have had a direct bearing on the ways in which schools plan and deliver for children and young people with special educational needs.

The Education (Welfare) Act was passed in 2000. It replaced a number of historical School Attendance Acts, and provided for the entitlement of every child in the State to 'a certain minimum level of education'. The Act established the National Education Welfare Board (NEWB) and set out a range of provisions relating to schools' responsibilities regarding admission and attendance, including that schools develop an admissions policy and attendance strategies and maintain attendance records.

The Act also required schools to draw up and publish a Code of Behaviour, and it set out procedures for suspension and expulsion of students, as provided for in Section 29 of the 1998 Education Act. The very complex issue of the admission to school and the temporary or permanent exclusion from school of students with special educational needs has been the focus of many Section 29 appeals, judicial reviews and other court cases. The ensuing judgements have brought clarity with regard to interpretation of the law and to the treatment of the balancing of rights in these cases, but have also highlighted the difficulties in framing legislation in this very complex area.

The Equal Status Act was also passed in 2000 (with subsequent amendments), and it applied to schools in prohibiting them from refusing admission to or expelling a student on the grounds of disability. It also required schools to make reasonable accommodations to allow all students to participate in school activities. However, it contained an explicit clause which allowed schools to limit or deny access to a school's activities in cases where permitting access would make impossible or have a seriously detrimental effect on services to other students. As with the Education (Welfare) Act, cases arising from the Equal Status Act illustrate the complexities of applying this 'balancing of rights' in an educational context.

1.2 The EPSEN Act 2004

Professor Emer Ring's academic review paper which was a central part of the review process contains a very thorough examination of the EPSEN Act 2004, setting out its vision and intentions, detailing the provisions contained in its sections, both those commenced and not commenced, and noting the extent to which changes in both the legislative and educational landscape have implications for the current review of the Act. The report on the academic review may be found [here](#). What follows here draws considerably on Professor Ring's paper and provides a brief overview of the Act itself, various developments since its enactment that need to be taken into account in reviewing the Act at this juncture, and some specific issues that remain to be addressed.

Overview of the EPSEN Act

Broadly speaking, the pillars of the EPSEN Act are the concept of the individual education plan (IEP), a statutory national council for special education with a significant oversight role regarding the effective design and implementation of IEPs, and a high degree of shared responsibility and co-operation between education and health authorities to ensure suitable provision for children with special educational needs.

The Act contains 53 sections. Sections 1 and 2 include definitions; sections 3 to 12 concern individual education plans and were not commenced; sections 13 to 18 set out various duties of ministers, schools and health authorities and, except for part of a section on the duties of Boards of Management, were not commenced; sections 19 to 38 deal with the establishment and functions of the NCSE and were almost all commenced; and sections 39 to 53 cover the role of the health boards (now the HSE) and various miscellaneous provisions and were almost all commenced.

'Inclusion' and 'disability' in the EPSEN Act

The Act's support for inclusion, for an equal right to education, and for the enabling of those with special educational needs to participate in society very clearly indicated the direction intended for special educational needs provision into the future. However, the Act does not explicitly define inclusion, and it also places a limit on the right to inclusion where the child's needs are such that an inclusive environment would be inconsistent with the best interests of the child or the effective provision of education for other children. The lack of clarity regarding what constitutes inclusion, and the limitation placed on the right to inclusion have been the source of much contention since 2004, and the research and consultation undertaken during the review process have grappled with these difficulties in an effort to find a level of clarity and consensus.

The EPSEN Act defines disability, in a section amending the 1998 Education Act, as 'a restriction in the capacity of the person to participate in and benefit from education on account of an enduring physical, sensory, mental health or learning disability, or any other condition which results in a person learning differently from a person without that condition'. While its reference to a 'restriction in capacity' is more benign than the language of the Education Act, the understanding of disability has moved on since 2004, and the review process has reflected this.

The uncommenced sections of the Act – context and developments

While principles and definitions are clearly very significant in framing discussion and informing actions, the immediate response to the provisions of the Act focused on its proposal to make individual education plans (IEPs) for children with special educational needs a legal requirement. Sections 3 to 12 of the Act prescribed how such plans were to be developed, the assessments they would entail, how their implementation was to be monitored, the role of the school principal, the parents and special educational needs organiser (SENO), and the appeals mechanisms that would apply to them. The intention in all of this was clearly to fulfil the Act's aims of providing an appropriate education for children with special educational needs but the apparatus as set out was widely regarded as impracticable. In addition to the perceived practical difficulties, there were concerns that bureaucratic requirements would place the demands of the plan rather than the needs of the child at the centre of the process. Sections 3 to 12 of the EPSEN Act relating to IEPs were therefore never commenced. Apart from elements of section 14 relating to the duties of schools' Boards of Management, sections 13 to 19 were also not commenced. The most substantial part of the Act that was commenced and is in force, sections 19 to 38, concerns the establishment and functions of the NCSE.

However, simply commencing the EPSEN Act now in its entirety is not a viable proposition, because of very significant changes that have occurred in both the legal and educational contexts since 2004. These include very considerable advances in the culture of school planning, which has become embedded as schools themselves saw the need for collaborative planning to develop a culture of shared understanding and responsibility in many areas of school life. In the area of special educational needs, very significant changes have occurred in the ways in which resources are allocated to schools, and in the ways in which support to meet these needs is organised and delivered in schools. Guidelines from NEPS and the NCSE and Department circulars on special educational needs provision and the proper deployment of resources have led to a situation where the development of support plans for individual students and classes has become an embedded practice. A marked difference between the understanding of planning at the time of EPSEN and the present is that greater familiarity with the process of planning has created an understanding within schools of how to ensure that plans are responsive and dynamic, rather than prescriptive and inflexible.

These developments suggest that a review of the EPSEN Act and in particular sections 3 to 12 should ensure a child-centred rather than a bureaucratic-centred approach to providing an appropriate education for each child. While the role of parents under these sections affirms their status in the Constitution as the primary and natural educator of the child, any revision of this section should now support the child's participation in the process. In the legislative context, this would reflect Article 12 of the United Nations Convention on the Rights of the Child (UNCRC) and Article 42A.4.2 of the Constitution, through which the State recognises and affirms the natural and imprescriptible rights of children. In the educational context, it would be consistent with the learner-centred pedagogical approaches and practices that have become well established and familiar in Irish schools.

1.3 Relevant legal cases and legislation since EPSEN, including international agreements

A significant number of legal cases, including judicial reviews and those focused on appropriately balancing conflicting rights, have highlighted the complex issues surrounding support for individuals with special educational needs. However, these cases have also provided clarity and established important precedents.

In the legal cases that have occurred since the enactment of the EPSEN Act, the courts continue to display a commitment to giving effect to what they believe to be the intention of the Oireachtas and achieving a judicious balance between the interests of the various stakeholders, with a particular focus on the best interests of the child. The evidence suggests that the courts strive to adopt a harmonious approach in their interpretation of the constitution. This approach is further mirrored in education legislation and is also consonant with the partnership framework for education in Ireland, which aspires to establish policy, organisational and legal mechanisms that acknowledge the distinctive roles and rights of all partners, including children.

Themes emerging from case analysis¹



The legal cases have led to significant decisions. These include a broadening of the definition of education beyond the narrowly scholastic and academic to a greater focus on realising the potential of each individual, however limited; restrictions on the use of reduced school hours as a means of managing students' attendance and participation; what constitutes an appropriate educational placement and how far the State's responsibilities go in providing one; what constitutes appropriate education provision and how far the State's responsibilities extend.

¹ Emer Ring's Academic Report Presentation

These cases have highlighted fundamental considerations to inform the creation of a responsive legislative framework that enables children with special educational needs to access, participate in, and benefit from education and achieve their full potential.

Two pieces of legislation, the Disability Act of 2005 and the Education (Admissions to School) Act of 2018 are particularly relevant to a review of the EPSEN Act.

The Disability Act 2005 built on existing policy and legislation including the Education Act, 1998, EPSEN Act 2004 and the Equal Status Acts, 2000-2004. The Disability Act provides for children who qualify for an Assessment of Need (AON) to receive, within a stipulated time, an assessment of their health and educational needs, an Assessment Report, a statement of services where a disability has been identified, and a right to make a complaint specific to prescribed matters. Overall responsibility for this process lies with the HSE. In line with its statutory function, the NCSE nominates a person to assist the HSE Assessment Officer with the review of the applicant's education needs. The requirement for an assessment of education needs as an element of the AON process has been confirmed by the courts and the legal obligation of the NCSE in this regard confirmed. The impact of the finite nature of resources on the AON process resulting in non-compliance with statutory time-limits has come to the attention of courts in a number of recent cases. Following consultation with education partners and schools to ensure the educational aspect of the AON is compliant with the NCSE's statutory obligations, the process is now linked with schools' assessment processes. However, there is merit in reviewing the Disability Act in the context of the review of EPSEN and the clearly expressed views elicited about difficulties with timely and actionable assessments of need.

The Education (Admissions to Schools) Act 2018 amended many previous Acts and was described as "a complex legislative measure" by Dymphna Glendenning, an expert on education law. The legislation includes amendments, designations, directions, insertions and substitutions in updating previous legislation.

The Act represents a positive step forward in making access and admissions to school more equitable, transparent and fair. An 'admission statement' must now be included in a school's admission policy declaring that "the school shall not discriminate in its admission of a student to the school on the nine grounds prohibited in the Equal Status Acts, 2000-2018, which includes "the ground that the student or the applicant in respect of the student concerned has special educational needs". Section 62 of the Education (Admissions to Schools) Act provides instructions on the preparation and content of a school's admission policy and provides for a requirement "to set out the characteristic spirit and general objectives of the school". A further requirement in relation to schools that have the approval of the Minister to provide an education for students within specific categories of special educational needs in a whole-school or class context is that these categories are detailed. Schools are required to admit each student to the school or to a special class except where the school is oversubscribed; the parent fails to confirm acceptance of the code of behaviour; the school admits students of one gender only; on religious grounds where the refusal is proved essential to maintaining the school's ethos; the student does not have the category of special educational needs specified by the Minister for the special school or class.



A number of international agreements, arising in a European or a United Nations context and pre-dating the EPSEN Act, have had and continue to have a bearing on Irish educational policy with regard to the rights of persons with special educational needs. However, the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) 2006 is arguably the key international instrument relevant to the EPSEN Act. Its purpose is to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, and to promote respect for their inherent dignity. The UNCRPD was adopted by the UN on 13th December 2006, signed by Ireland in 2007, ratified in March 2018 and commenced in April 2018. Representing a culmination of decades of UN activism, it replaces the charity-based, medical and welfare construct of disability with a rights-based construct.

The UNCRPD does not define inclusive education. However, both the protocol and the General Comment Number 4, issued by the UN committee with responsibility for oversight of the implementation of the protocol, identify its core features. These include a whole systems approach; commitment from the whole educational environment; a whole person approach; supported teachers; respect for and value of diversity; learning-friendly environment; effective transitions; recognition of the need for partnerships; and ongoing monitoring and evaluation to ensure that segregation or integration is not happening formally or informally. Ireland's ratification of the UNCRPD obliges it to ensure that Irish legislation and policy regarding inclusive education are consistent with these core features.

In accordance with its obligation under the UNCRPD, Ireland published its first report on 10 November 2021. The report refers to the policy advice being developed by the NCSE in relation to special schools and classes together with the Progress Report in 2019 that highlighted Ireland's obligations under Article 24 of the Convention. The report suggests that Ireland is committed to the concept of progressive realisation. In a recent and important development that demonstrates this commitment, Ireland signed the Optional Protocol to the Convention on the Rights of Persons with Disabilities on 31 October 2024. The Optional Protocol establishes an individual complaints mechanism for those who claim that their rights have been denied under the UNCRPD. The UNCRPD has not been incorporated into domestic law, but experience of previous court decisions suggests that it has the potential to influence the outcomes of court cases as part of international law or in spheres of European Union (EU) law jurisdiction.

1.4 Relevant changes in curriculum and in teaching and learning practices since EPSEN

The period between the commencement of the EPSEN Act and today has been characterised by far-reaching curriculum changes and an expectation that all children are supported in accessing the curriculum in accordance with their needs and abilities. Notable developments have occurred in early years education, including the introduction of Aistear, and a programme of early interventions to support pre-school children with a disability to meaningfully participate in early learning. A primary curriculum review process has seen the development of the Primary Curriculum Framework with an explicit emphasis on inclusion, child-centred teaching and learning, wellbeing as an enabler of learning, and sufficient flexibility to allow schools and teachers to respond to their learners' needs. Major reform has occurred at post-primary level where junior cycle curriculum reform has led to the implementation of the Framework for Junior Cycle, new subject specifications, associated developments in teaching, learning and assessment practices, explicit staged and differentiated planning for teaching and learning, and the introduction of learning programmes to provide appropriate learning and assessment experiences for children with particular levels of special educational needs. At Leaving Certificate level, new subjects and assessment practices have been introduced, and a root-and-branch review of the senior cycle curriculum is ongoing.

Significant developments have also occurred in teachers' initial education and continuing professional development, with an emphasis on the prominence in current practice of concepts such as active and experiential teaching and learning approaches, collective and collaborative planning, and assessment for learning. The advent of the Teaching Council constitutes a landmark development in contributing to the quality of teaching, promoting teachers' professional development, facilitating research and providing for the establishment of policies, standards, and procedures associated with the profession. The Department of Education has set up a range of support services to provide in-career development opportunities for teachers, which in 2023 were gathered into a single structure, Oide. The NCSE are the Teacher Professional Learning Provider (TPL). These developments have contributed to an enhanced culture of reflective practice and professional growth, which has led to an emphasis on teaching practices that enable a wide range of learners to engage in more active and meaningful learning.

In January 2024 the NCSE published their policy advice 'An Inclusive Education for an Inclusive Society'. The policy paper recommends the phased development of the progressive realisation of an inclusive education system for Ireland. It is envisaged that this system will be informed by, and aligned to, the relevant articles of the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) which Ireland ratified in 2018. The advice recommends a phased transition with incremental changes taking place over many years with special schools and classes remaining an important placement option for students and parents.

A Towards Inclusion pilot has been developed and is intended as a first step in establishing closer links between the mainstream and special school system in Ireland; these links to be rooted in the establishment of communities of practice which are focused on the provision of optimal teaching and learning experiences designed to support the development of a more inclusive education system. Towards Inclusion is a foundation block in work being undertaken by the Department to develop an inclusive education system.

All the changes and developments outlined above must be taken into account in reviewing the EPSEN Act, to acknowledge the extent to which its legislative intent has been achieved since its enactment in 2004.

Section II

Current provision for special educational needs



2.1 Provision for special educational needs in mainstream schools

A number of factors have influenced both thinking and practice regarding provision for special educational needs in the Irish education system. Arguably the most important of these has been the widespread acceptance of the principle of inclusion: that children with special educational needs have a right to learn alongside their peers in mainstream schools, where their needs can be met in a mainstream setting. This position was given statutory expression in the 1998 Education Act, and more specifically in the 2004 EPSEN Act.

At school level, applying the principle of inclusion has led to an emphasis on teaching practices that enable a wide range of learners to participate in and benefit from the lesson activity, with more use of in-class support. It has also necessitated greater levels of collaboration between classroom/subject teachers and special education teachers to support those with learning needs. The NCSE has published various guidelines and given advice to schools to support inclusive practices. These included the development of a 'continuum of support' model which was developed by NEPS, at primary level (2007/8), and 2010 at post primary, which advised schools on how to provide support for all students, more targeted support for some students, and the highest level of support to a few students with diagnoses of complex and enduring needs.

At system level, during this time the Department of Education has put in place a range of resources for schools and has sought to ensure that the additional resources are allocated and deployed effectively to support children with special educational needs in mainstream schools.

Up until 2017, the model for allocating additional teaching resources to schools to provide for children with special educational needs was twofold: an allocation of teaching hours based on the number of students enrolled; and an allocation of a number of teaching hours for each pupil or student with a diagnosed need. Schools were advised against delivering these resource teaching hours exclusively through withdrawal and one-to-one tuition, emphasising the right of students to learn alongside their peers whenever possible.

The terms 'high-incidence' and 'low-incidence' were used to describe the two broad categories of special educational needs. High-incidence needs could generally be met through a combination of support provided in the mainstream classroom and targeted support to small groups or individual learners, for a specific period of time. Low-incidence needs were seen as usually requiring more specialist and continuing support, but of a kind that could be provided in a mainstream school.



This model was introduced in 1999, and was modified over the following years, most radically in 2005, with the introduction of the General Allocation Model (GAM). The method of allocation in the GAM aimed to provide all schools with additional teaching resources sufficient to support all learners whose needs were in the high-incidence category, and to support some learners with low-incidence needs through a general allocation which did not require learners to be individually assessed. Those with 'complex and enduring needs' would continue to receive a specific allocation of resource teaching hours and these needs would require diagnosis and identification by external professionals.

The NCSE began a review of the model in 2012, arising from a range of concerns about its equitability and effectiveness. At that point, the model was providing some 10,000 additional learning support and resource teaching posts in mainstream primary and post-primary schools. An NCSE working group report, *Delivery for Students with Special Educational Needs*, was published in 2014 following extensive consultation with stakeholder representatives, and presented a rationale for a proposed new model to address the inequities they had identified.

In a nutshell, the deficiencies of the existing model were its reliance on diagnosis and the consequent labelling of children; inflexible method of allocation; focus on the diagnosed condition rather than actual educational need; inequity in the sense that not all persons were able to pay for private assessments; and lack of any systematic measurement of effectiveness. In seeking to address these deficiencies, the working group adopted four guiding principles to underpin its work, including that all students, irrespective of special educational need, are welcomed and enabled to enrol in their local schools.

The report stated that a new model should provide additional teaching supports in a timely and efficient way, and should strike a balance between stability for schools regarding staffing, and flexibility to respond to changing needs. A school's educational profile should be used as the main basis for resource allocation, and should be based on equitable and transparent indicators, appropriately weighted. The report also stated that a new model should assist schools to build their capacity to identify and meet the learning needs of students, to use resources optimally, and to record and measure outcomes, as well as ensuring external oversight of the use of allocated resources.

The proposed new allocation model would have two components: a school educational profile component, which could vary considerably from school to school; and a baseline component for every mainstream school, proportionate to the school's enrolment numbers. The educational profile component would be based on three elements: the number of students with complex special educational needs enrolled in the school; the percentage of students performing below a certain threshold on standardised tests assessing literacy and numeracy; and the social context of the school including gender, school location and level of educational disadvantage.

The proposed new model would dispense with: a) the requirement for a specific diagnosis in order to access additional teaching resources; b) the distinction between high and low incidence needs in allocating additional teaching resources to schools; and c) the distinction between learning support and resource teaching hours which would be replaced by the special education teaching (SET) allocation. It would reduce the administrative burden on schools, provide a more flexible and responsive means of supporting learners, and place a greater focus in schools on the effectiveness of the supports and interventions employed to address learners' needs.



The model was introduced across the system at the beginning of the 2017/18 school year. To support its introduction, the Government approved an additional nine hundred teaching posts. Department circulars emphasised the ways in which it differed from the preceding model in providing 'a single unified allocation for special educational teaching needs to each school'. Schools would no longer need to source assessments and to apply to the NCSE every year to receive additional teaching supports, which had caused significant delays in allocating resources in the past. This in turn was intended to put a stop to the practice whereby some schools refused or delayed enrolment of children with special educational needs on the basis of having insufficient teaching resources.

The new model had to take into account the fact that a school's educational profile would change with each year's new intake, so schools were re-profiled by the Department in 2019 and again in 2022, using the most up-to-date information on enrolment numbers, levels of need, and other relevant factors. The Department circulars relating to the SET allocations explained how the old low-incidence criteria for identifying students with complex special educational needs would gradually be replaced by the use of eligibility for access to the services of HSE Children Disability Network Teams (CDNTs). The circulars emphasised that "schools have discretion ... as to how they can distribute resources under this model, based on the individual needs of pupils." By 2022, the total number of SET posts stood at fourteen thousand three hundred and eighty five; ten years previously, the number had been below ten thousand.

The Department initiated an internal review of the model in late 2022 to look at the reliability of the data inputs to it, the way the different components of the model interacted, and how well the model was understood and working at school level. An appraisal of the data inputs for the school educational profile found four of them to be accurate and verifiable: enrolment numbers, literacy and numeracy attainment, social context based on the Haase Pratschke Index of Deprivation, and gender. However, there were concerns about the accuracy and reliability of the complex needs component based on CDNT data, as well as its validity in the educational context. At a practical level, numbers of children on waiting lists for assessments to access CDNTs were reported to have almost reached ten thousand in December 2022. What the data analysis revealed regarding the complex needs component echoed in many ways the deficiencies identified in the NCSE review of the diagnosis-driven previous model: inappropriateness for the intended purpose; inequity in the system of identification of children requiring support; and delays preventing swift access to that support.

The review group recommended a number of changes to the 2017 model, based on an analysis of the strengths and weaknesses that have been noted during its operation, and informed by wider research in the area of special educational needs, and also by changes and developments in the educational landscape more generally. In making these recommendations, the review group has acknowledged the need for further research and continuing consideration of the many factors that have a bearing on the design and delivery of support for children and young people with special educational needs, and the desirability of an allocation model that can be flexible and responsive while also providing sufficient stability and continuity to enable effective planning and deployment of resources.

The working group examined the possible impact of removing complex needs data from the inputs to the allocation model, and taking the very considerable proportion of SET teaching resources assigned to this component and redirecting it, in particular to the literacy and numeracy and the social context components, both of which had sound and measurable bases. It also examined the validity of the gender component and found it questionable. As a result of its deliberations, the review group recommended that the complex needs component and the gender component be removed as inputs from the model, with the resources formerly allocated to them to be redistributed to the literacy and numeracy and social context components. It also recommended that the model terminology be changed so that the 'baseline' component would become 'enrolment allocation'; the 'literacy and numeracy' component would become the 'educational teaching needs profile'; and the 'social context' component would become the 'educational disadvantage' component. These recommendations were accepted and introduced by Department circulars in February 2024.

The model was introduced across the system at the beginning of the 2017/18 school year. To support its introduction, the Government approved an additional nine hundred teaching posts. Department circulars emphasised the ways in which it differed from the preceding model in providing 'a single unified allocation for special educational teaching needs to each school'. Schools would no longer need to source assessments and to apply to the NCSE every year to receive additional teaching supports, which had caused significant delays in allocating resources in the past. This in turn was intended to put a stop to the practice whereby some schools refused or delayed enrolment of children with special educational needs on the basis of having insufficient teaching resources.

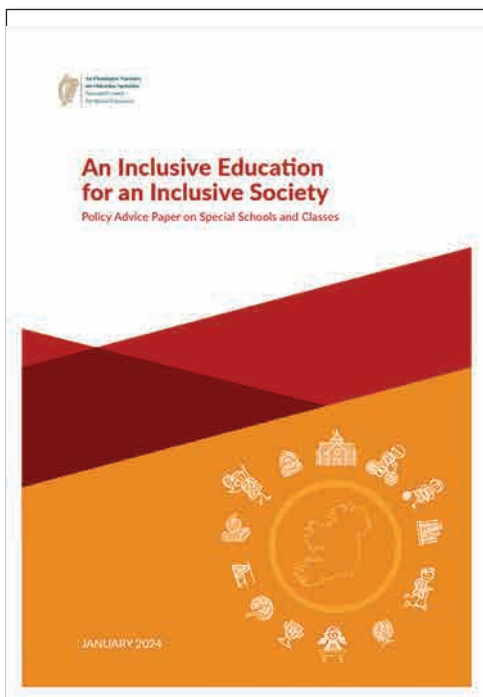


2.2 Provision for special educational needs in special classes and special schools: The NCSE report – *An Inclusive Education for an Inclusive Society*

In the years since EPSEN was enacted, there have also been considerable developments and changes both in special classes and special schools. In October 2018, the Minister for Education asked the NCSE to advise on future provision in special settings. In particular, the Minister asked the NCSE to:

- Examine whether there is evidence that placement in specialist settings improves educational outcomes for students with special educational needs
- Consider what relevant factors may be impacting the significant year-on-year increase in special class provision and the reasons why so many students are now being recommended for placement there
- Review current provision of specialist settings, with a particular focus on their operation in primary and post-primary mainstream schools, including what criteria for admissions are in place
- Examine the evidence to see if there are any students for whom both specialist and mainstream educational settings are currently not working and consider those factors which might be contributing to this situation
- Examine whether the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) has any implications for the ongoing establishment of special schools and classes in Ireland

NCSE, 2024²



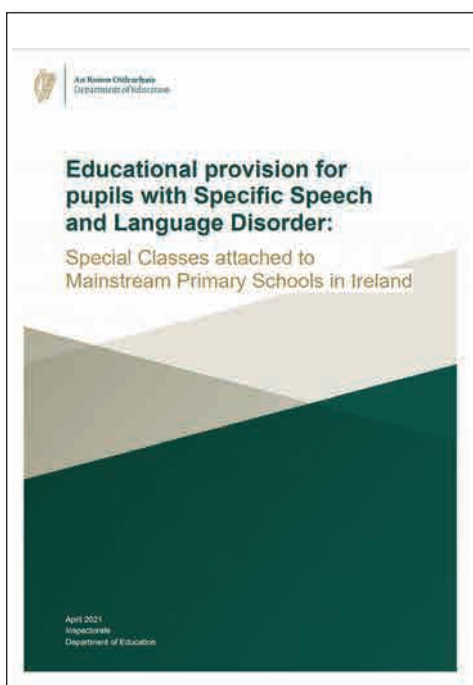
The NCSE published its advice paper on special classes and special schools, *An Inclusive Education for an Inclusive Society*, in January 2024. The pandemic delayed publication. Here follows a summary of the report's findings and some of its conclusions and recommendations.

Overall, there was insufficient evidence in the reported research to enable the NCSE to reach a definitive conclusion, one way or the other, as to whether the school setting in which a student is placed brings about improved educational outcomes and experiences, relative to their ability, for students with special educational needs. Neither could definitive conclusions be drawn from the research in relation to outcomes for students with different kinds of needs or categories of disability. However, the research findings provided some support for the proposition that students with special educational needs can achieve good outcomes in inclusive settings and that outcomes for all students need not be negatively affected.

² National Council for Special Education (NCSE), *An Inclusive Education for an Inclusive Society: Policy Advice Paper on Special Schools and Classes* (NCSE, 2024) (<https://ncse.ie/policy-advice>)

Two trends are discernible in the numbers of special classes in the system. There has been a reduction in the number of special classes in primary schools for students with mild and borderline/mild general learning disability. The General Allocation Model for teachers in 2005 and, in more recent times, the Special Education Teacher (SET) allocation in 2017 support more inclusive learning environments for students with special educational needs. Enhanced professional development opportunities for teachers have facilitated greater capacity and confidence in teachers to meet the needs of students with disabilities and to enable students to participate and respond to the teaching and learning in mainstream classrooms. However, there has been a very significant growth in the overall number of special classes in primary schools from three hundred and fifty six in 2010 to one thousand eight hundred and seven in 2022. This growth has been overwhelmingly due to the increase in the number of special classes for autism, from a total of two hundred and fourteen in 2010 to one thousand four hundred and sixty three in 2022 – a five hundred and eighty four percent increase. There was also a very large growth in the overall number of post-primary special classes from 2010 to 2022. The growth of these classes at post-primary level is also accounted for primarily by the establishment of new special classes for autism, from a total of sixty five special classes in 2010 increasing to six hundred and fifty three in 2022; a nine hundred and five percent increase over twelve years. The NCSE list of special classes in mainstream schools published on the NCSE website and dated 21.10.2024, indicates that over 400 new special classes have been established for this 2024/25 school year. This brings to 3,336 the number of special classes in the country, 2,338 at primary level and 998 at post-primary level at the time of this report. This demand for additional special classes shows no sign of decreasing.

Inspectorate, Department of Education, 2021³



The Department's Inspectorate carried out an evaluation of provision for children with autism and published a report in 2019. It identified much positive practice, but also revealed that some students were inappropriately placed, and would have benefited from fulltime enrolment in mainstream classes. The Inspectorate also found that enrolment policies in half of post-primary and the majority of primary special classes for autism limited admission to autistic students with mild general learning disabilities or to autistic students who could be included in mainstream settings for most of the school day. The inappropriate placement of some autistic students in special classes served to deny places to students with greater needs. On the other hand, in 2020 an Inspectorate evaluation of educational provision in special classes for students with specific speech and language disorder in mainstream schools revealed that enrolment processes for these classes were working smoothly and that students met the criteria for placement in the special class. There were good arrangements for students to be included in mainstream lessons, and inclusive aspects of the schools' culture were judged to be good or very good in most cases.

³ Inspectorate, Department of Education, Educational provision for pupils with Specific Speech and Language Disorder: Special Classes attached to Mainstream Primary Schools in Ireland, 2021, (<https://www.gov.ie/en/department-of-education/publications/educational-provision-for-pupils-with-specific-speech-and-language-disorder-special-classes-attached-to-mainstream-primary-schools-in-ireland/>)

During the NCSE's consultation process for its policy advice paper, it was clear that strongly held beliefs among stakeholders serve to underpin the placement of students in special education settings. Many stakeholders supported the continuum of education provision that includes mainstream classes, special classes, and special schools, and expressed the view that special schools and special classes provide a more suitable learning environment for students with more complex special educational needs. Stakeholders indicated their belief that resources available in these settings are better, that teachers have greater knowledge and experience of students' needs, that smaller classes facilitate more individualised attention and better care, and that students achieve better educational outcomes.

While the NCSE's consultations with the education partners seem to provide an explanation for the continued demand for special classes in the Irish education system, the question as to why so many students are now recommended placement in special classes, leading to a steep growth in demand for additional special classes for autism, is much more difficult to answer. In recent years, there has been a notable increase both nationally and internationally in the number of children diagnosed with autism resulting in a significant demand for the establishment of special classes for autism in Irish schools. A Department of Health report in 2018 identified that a diagnosis of autism gives children greater access to specialised health and education services with the result that clinicians are more likely to diagnose a child with autism, even those who are on the borderline of the clinical criteria. In addition, the most recent diagnostic manuals now include sensory sensitivities as a criterion for an autism diagnosis which suggests that individuals who might not have previously met the diagnostic criteria for autism will now obtain a diagnosis.

The NCSE's consultations with the education partners revealed a strong belief among parents and schools that a special class is the best educational placement for an autistic child. Many parents believe that the special class offers a safe setting where their child will receive appropriate education and care from the teacher and SNAs. Parents also expressed the view that their child will have greater access to therapeutic supports if enrolled in a special class. For schools, the extra teacher and SNA resources allocated for a special class enhance the overall resources available in the school, and supplement the additional resources already provided to the school through the SET model.

The perception among parents and schools that placement in a special class or special school is better has received strong support in public discourse which, in turn, has increased the pressure on the NCSE and the Department of Education to establish more special classes. Consultations indicated that the growth in demand for placement in special classes will continue into the future. Accordingly, it is likely that pressure for the establishment of additional special classes for autism will continue in parallel with the prevalence growth, while current policies relating to educational provision are in place.

The continuum of educational provision ranges across mainstream classes, special classes and special schools. Placement decisions for students are generally based on the resources available in these settings, and the complexity of a student's needs. The choice for Ireland in coming years will be how to provide effective and inclusive education for all.

The majority of participants who engaged in the NCSE's consultations with stakeholders agreed that, ideally, all students, including students with special educational needs, should be educated together in the same school. Participants recognised the benefits for society from all students learning together in their local schools. However, the majority of stakeholders also indicated their belief that Ireland needs to maintain a continuum of education provision that includes mainstream classes, special classes, and special schools. The expressed need for this continuum was based on the view that only special schools and classes can be equipped to meet the highly complex needs of some students, and this was compounded by fears that mainstream schools do not have the capacity to educate students with complex needs. In addition, some groups expressed the view that separate special schools and classes are better to cater for students' needs, and that it is more cost-effective to cluster students with more complex needs together in one setting.

A small minority of consultation participants spoke in favour of inclusive education in local schools, and argued that students in special education settings, even when really well educated and cared for, have reduced curriculum access, have limited opportunities to interact with peers who do not have special educational needs and that travelling outside their local areas to attend a special class or special school inhibits their opportunities to make connections within their local communities.

The NCSE identified shortcomings in school placement arrangements for students with special educational needs, including the inappropriate placement of some students in special education settings, infrequent review of student placements, and too-early placement of students in special education settings. It identified a number of schools that were operating selective enrolment policies which enabled the admission of some students and the exclusion of others with more significant needs within the same category.

Consultation groups concurred that a formal process of assessment should continue to be required for decision-making on student placement. There was also agreement that mainstream schools needed to ensure that all potential options and supports for a student are fully explored, including the student's response to intervention in their schools, prior to the placement of the student in a special class or school. Students and parents should participate in a shared decision-making process on placement options, have access to all relevant information, and be made aware of the implications of all placement options.

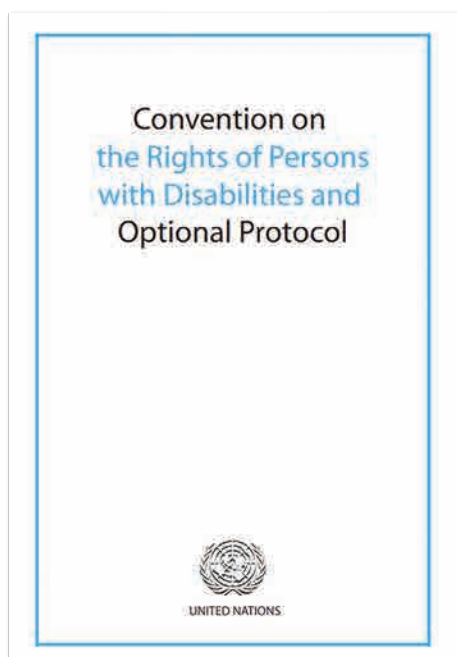
Consultation groups suggested that detailed transition planning should be undertaken at key points in a student's educational pathway, and particularly in the context of transfer to a special class or special school, and when transferring from primary to post-primary schools. They also noted that once placed in a special school or class, it was only on rare occasions that a student returned full-time to a mainstream educational setting. There was strong support for the view that student placements in special schools and classes should be kept under regular review, and formally reviewed at least once per year.

Consultation groups agreed that therapeutic interventions can have positive benefits for students with special educational needs who require them. However, the consultations also revealed that, in general, there is inadequate access to therapeutic, behavioural, and psychological supports across the school system, and effective delivery of these supports requires greater integration of the health and education services.

Many participants in the NCSE consultations referred to the ongoing need for high quality continuing professional learning opportunities for teachers and other school staff. The NCSE also identified the need for more appropriate deployment of teachers in some schools, so that the most skilled teachers are working with students with the highest level of needs.

The NCSE report also considered the implications of the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) for current and future provision of special schools and classes in Ireland. Article 24 of the UNCRPD addresses education, and specifically commits States to ensure that persons with disabilities are not excluded from the general education system on the basis of disability, and that they receive the supports required within that system to facilitate their effective education. Ireland's ratification of the UNCRPD in 2018 indicates its commitment to develop services in line with the human rights-based aspirations of the Convention. The UN Committee that works with States in relation to the implementation of the UNCRPD points out that progressive realisation of an inclusive education system is inconsistent with maintaining two separate systems – a general education system and a special education system.

United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) ⁴



The NCSE found that many other countries are grappling with issues related to inclusion and how to facilitate improved experiences and outcomes for students with special educational needs. Most countries currently continue to make some form of separate special school and/or special class provision for students with complex special educational needs. The evidence from Portugal and New Brunswick in Canada demonstrates that education systems can, with appropriate resourcing of schools, public support, and careful planning, develop a system where all students are educated in their local schools, with appropriate supports such as access to resource centres.

⁴ United Nations, United Nations Convention on the Rights of Persons with Disabilities and Optional Protocol, 2006, (<https://www.un.org/disabilities/documents/convention/convoptprot-e.pdf>)



The NCSE policy advice report made seven key recommendations:

- The progressive realisation of an inclusive education system
- The rollout of psychological, therapeutic, and behaviour supports for schools
- An integrated professional development plan for teacher education
- The development of a structured framework for student placement, provision and review
- The provision of guidance and advice for school communities
- Access to appropriate curriculum and assessment programmes
- Implementation of an inclusive education reform programme with assistance through the European Commission's Technical Support Instrument

Progressive realisation requires the Irish education system to continue to progress structures that enable students with special educational needs to attend their local schools, while recognising that this is a long-term project. Taking this long view, the NCSE advice is that a system of inclusive schools will ultimately enable all students to receive their education in their local school, and to maintain links with their local communities. Furthermore, an Irish education system that includes all students with special educational needs in local schools will support a greater understanding of diversity and build respect for those in Irish society who experience exclusion and discrimination.

2.3 Current initiatives to support inclusion

An EU-supported system reform project

In its response to the NCSE's policy advice, the Department has recognised that the advice is consistent with Ireland's obligations under the UNCRPD. The Department has also identified a number of existing and planned initiatives that will provide a pathway to inclusion.

To assist with the further development of inclusive education and anticipating a recommendation in the NCSE policy advice, the Department's Special Education Section applied for funding in 2022 to the European Commission's DG Reform Office which manages the EU's Technical Support Instrument (TSI) programme. This programme enables member States to apply for support in managing large-scale system reforms. The application was successful, and five hundred thousand euro was sanctioned in consultancy support to assist in shaping the department's response to the policy advice.. Expert external consultancy is being provided by the European Agency for Special Needs and Inclusive Education (EASNIE). Ireland is collaborating in this process with Finland, which has also experienced a significant growth in the number of young people diagnosed with autism who are deemed to require specialist provision. Like Ireland, Finland is also looking to develop a more inclusive model of education.

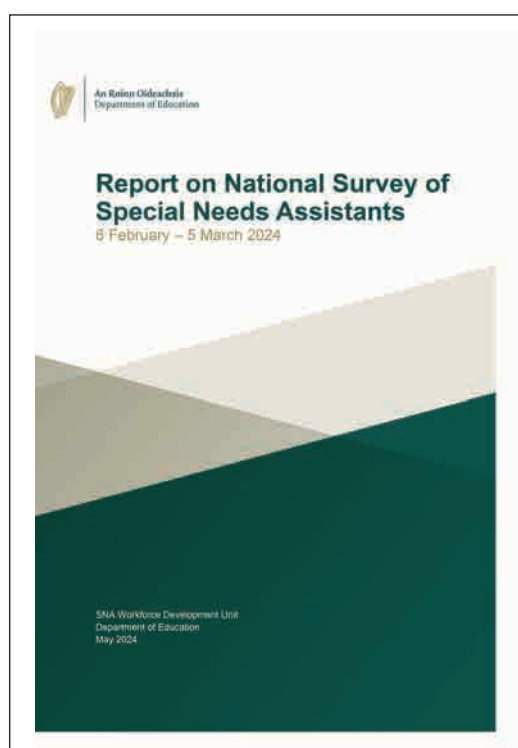
The TSI programme offers expertise to Ireland and Finland to increase their capacity to design and implement specialist provision to support inclusive education in mainstream settings, as well as to improve the awareness of stakeholders towards inclusive education. The project is expected to produce a number of reports with recommendations that will lead to a range of actions and initiatives. Initially, it involved an analysis of both countries' current legal frameworks and an analysis of national and EU priorities and recommendations regarding specialist provision to support inclusive education in mainstream settings. In this context, it considers existing stakeholders, training programmes and supports in place for teachers and school leaders and key findings have been drafted. The project also involves mapping each system's strengths, challenges, and opportunities for quality inclusive education, and identifies strategies for addressing each system's needs, taking note of lessons learnt from European good practice, and the challenges and opportunities common to both countries. Actions to build capacity in the key priority areas that have been identified will be piloted with selected target groups. A roadmap will be developed for each country detailing goals, actions, responsible actors, and resources needed, including upskilling of the teaching profession and other system capacity-building and strengthening activities. The project and its progress will be communicated through events, social media and regular briefings. This work is expected to be completed by the end of 2025.

With the support of the TSI, Ireland aims to develop a model of inclusive education that will improve access of children and students with special educational needs to mainstream classes and schools, in primary and post-primary education. More specifically, Ireland aims to increase the capacity to design and implement specialist provision to support inclusive education in mainstream settings, improve teachers' capacity to ensure quality inclusive education, and promote stakeholders' awareness towards inclusive education.

The development of the Special Needs Assistant role – a strategic approach

Special needs assistants (SNAs) have been part of the continuum of education provision for more than twenty-five years, and their numbers have grown very significantly from four thousand in all settings in 2002 to almost twenty three thousand at present. While the work of SNAs is greatly valued by students, parents and teaching staff, as evidenced in the EPSEN survey and focus group responses, the role has not been consistently understood and interpreted. Efforts made to ensure that SNA deployment maximises the benefits for students in most need of their assistance have had mixed results, and it has become increasingly clear that a more consistent and effective use of the resource is required.

Report on National Survey of Special Needs Assistants⁵



To that end, the SNA Workforce Development Unit (SNAWDU) was established in December 2022 within the Department's Special Education Section. Its remit is to bring a strategic approach to Special Needs Assistants (SNA) policy development with the objective of developing an enhanced SNA service which delivers the best care to students with significant care needs in our schools. The SNAWDU has begun work on the first SNA Workforce Development Plan (the Plan) with a scheduled completion date of September 2025.

The Plan will include consideration of how best school communities and SNAs can work together to ensure that both are supported to provide the most effective service to students with significant care needs. The Plan is being developed in consultation and collaboration with all key stakeholders including school leaders and SNAs as well as parents and children, giving all parties an opportunity to provide input and share views on the future development and direction of the SNA service. The consultation process to develop the Plan is underway and meetings with school leaders have already taken place.

The Plan will introduce policy developments under five key areas or pillars to bring clarity and strategic direction to the SNA service. The first pillar is the review and development of the SNA role, examining the role and its duties with a view to meeting current and emerging needs of children and young people in the SNA's care. The second pillar is the establishment of a Quality Assurance Framework to provide governance and oversight structures for the sector. The third pillar focuses on devising a Learning and Development Programme for SNAs- to provide access to more appropriate, legitimate and convenient opportunities for upskilling and reskilling. The fourth pillar concerns SNA recruitment, retention and diversity and it will introduce measures to manage current and future workforce composition and promote a confident, competent, motivated SNA workforce. The fifth and final pillar is the devising of a Communications Strategy to ensure effective communication and collaboration with all stakeholders.

⁵ SNA Workforce Development Unit, Department of Education, Report on National Survey of Special Needs Assistants, 2004, (<https://assets.gov.ie/static/documents/report-on-national-survey-of-special-needs-assistants.pdf>)

2.4 Individual education plans (IEPs), student support plans (SSPs) and the Continuum of Support

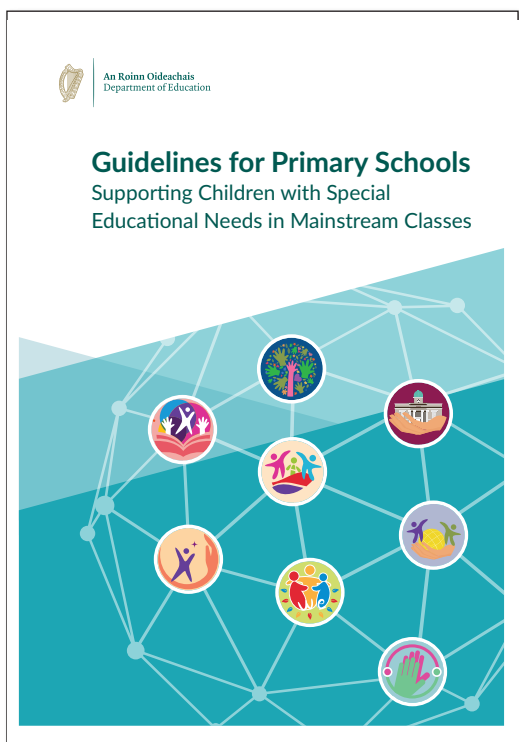
As has already been noted, knowledge and experience of planning in the educational context was limited at the time of the EPSEN Act 2004, and the reaction to the Act's requirement for IEPs was perhaps predictably negative. In the intervening years, a significant shift in understanding has occurred with regard to planning in general and, more specifically, to individual educational planning. This is now much more widely understood and practised as a process that identifies, plans for, delivers, and assesses the effectiveness of the various supports and interventions put in place to meet a student's special educational needs. Almost ninety percent of the teacher responses in this review process said they had been involved in the IEP process in their schools. While there was some criticism about their development and about communication regarding them, a majority of teachers and parents found IEPs helpful.



While the term 'IEP' is still regularly used, the Student Support File and Student Support Plan (SSP) were introduced in 2017 as part of the Continuum of Support model's suite of templates. Since then, Department circulars detailing the resourcing of special education have referred to the need for SSPs to ensure that the available resources are directed in a targeted way towards the specific needs of students. There is no doubt that there is widespread acceptance now of the part to be played by the development and monitoring of IEPs/SSPs in meeting the educational needs of individual students. For clarity and consistency, 'Student Support Plan' should be the term used in future legislation.

However, some difficulties remain. Teachers are much more aware of the potential that good IEPs/SSPs have in assisting students to make progress and to meet meaningful targets, but they are equally clear that good planning takes time and expertise, and many respondents to the surveys cited the lack of both as the biggest stumbling blocks to effective planning. More generally, communications between schools and the Department's Special Education Section suggest that school personnel are still linking IEPs/SSPs with a diagnosis-led model of provision, and there is more work required where the needs of individual students can be identified outside of this model and plans to address them can be developed accordingly.

Guidelines for Primary Schools Supporting Children with Special Educational Needs in Mainstream Classes⁶



The most recent review of the resource allocation model for special educational needs, referred to above, found in its communications and consultations with schools that the Continuum of Support was not yet clearly understood in many schools, and that it was being applied inconsistently across the school system. There were particular issues for schools with understanding what 'support for all' means in practical terms, and also with identifying students in the 'support for a few' category. It became clear that some schools were placing almost all their students in this category. While guidelines on the use and application of the Continuum of Support were issued to schools, it was evident that further clarification was necessary, and new guidelines were published in December 2024. Ongoing engagement continues to provide support to schools.

⁶ Department of Education, Guidelines for Primary Schools Supporting Children with Special Educational Needs in Mainstream Classes, (<https://assets.gov.ie/static/documents/Guidelines-for-primary-schools.pdf>)

Section III

The EPSEN review process: consultation design and implementation





3.1 Overview of the review process

Following the Minister's announcement of the review, the review process began in early 2022, initially considering the structures and processes necessary to ensure that the extensive levels of research and consultation required would be achieved.

From the outset, it was clear that in order to fulfil its purpose the review process would have to be comprehensive and innovative. It would require an unprecedented level of consultation with a very wide range of representative groups, advocacy groups and experts in the area, and most especially with the children and young people themselves and with their families. And to achieve its aims it would require structures to facilitate ongoing communication among all the many stakeholders so that a spirit of partnership and of trust could be engendered to move the process forward purposefully and productively.

The first phase of the consultation involved a number of online surveys aimed at specific groups of key stakeholders. The second phase of the consultation process included a number of focus group meetings, building on the first phase and providing greater depth and more granular detail. In parallel with the focus groups, an easy access online survey was launched in May 2024. This survey was designed to facilitate the participation of individuals who might otherwise face challenges engaging in traditional surveys or focus group discussions.

The review process also involved the academic review paper covered in Section I above, and an examination of policy and provision in the area of special educational needs, covered in Section II above.

3.2 Organisation of the review process

December 2021

The EPSEN Act 2004 Review was initiated.

March 2022 Onwards

Stakeholder engagement commenced, with regular meetings held for the steering group, advisory group, and working group.

June 2022

An in-person stakeholder event took place.

November 2022 – March 2023

A public consultation was conducted via an online survey, which launched in November 2022 and concluded in March 2023.

May 2023 – September 2024

Academic Review was conducted.

February 2024 – June 2024

Focus groups were held during this time.

May 2024 – June 2024

The Easy Access Survey was live from May to June 2024.

October 2024

An Open Policy Day was held. This was an in-person event where stakeholders discussed emerging themes from the review.

The Special Education Section of the Department of Education had overall responsibility for the review, the co-ordination and execution of its various elements, and the publication of the reports arising from it. An advisory group, a steering group and a working group were set up to deal with various aspects of the review process. All stakeholders attended an initial in-person meeting in June 2022 at which the various stakeholder groups made presentations outlining their concerns and their suggestions to improve existing special educational needs provision. This initial meeting, facilitating the sharing of views and constructive discussion, set the tone for the very many meetings of the groups over the following two years.

The Advisory Group consisted of representatives from seventeen key stakeholders, including parent and advocacy groups, school management bodies, teacher unions, other staff unions and student representative organisations. A full list of the EPSEN Review stakeholders can be found at **EPSEN Review Stakeholders**. The large number of stakeholders was a recognition of the value added to the review process by these groups bringing their expertise and lived experience to the table. The group's chairperson was independent of the Department and the group was tasked with examining and providing advice and feedback on key decision elements of the review. A very regular schedule of meetings saw the Advisory Group meeting thirty-two times in all between October 2022 and October 2024, usually involving online meetings twice a month.

The Working Group was chaired by the Department of Education's Special Education Section and included members from other sections of the Department, officials from the Department of Health and the Department of Children, Equality, Disability, Integration and Youth (DCEDIY), and officials from the NCSE and the National Educational Psychological Service (NEPS). Its role was to oversee the review process from the initial identification of its component elements to the completion of the full suite of review reports, feeding back at all stages to the Steering Group.

The Steering Group was chaired by the Assistant Secretary with responsibility for special education in the Department of Education. Its members were senior officials from relevant sections of the Department and from the Department of Health, the DCEDIY (following a transfer of functions to it from the Department of Health) the NCSE and NEPS, and independent academics with expertise in the field. The group's role was to refine the scope of the review, to sign off on the terms of reference and to fulfil an oversight function in areas such as consultation planning. The EPSEN Review Terms of Reference may be found **here**. The group considered information and recommendations from the other two groups, and its role includes signing off on the final report to be submitted to the Minister. The Steering group held thirty-five meetings between March 2022 and October 2024.

The groups initially considered the design and structure of the process to ensure high levels of participation and the representation of the widest possible range of experiences and viewpoints. As the review progressed, the groups discussed the issues arising from the various strands of the consultation process and the range of stakeholders, with ample time given to listening to differing views and concerns. The mutual trust and respect engendered through this strong ongoing communication allowed a high level of consensus to emerge, which was very beneficial as the process moved into the phase of considering and shaping the recommendations.

3.3 Design and structure of the consultation process

Preparation for phase one of the review – the open consultation with stakeholders and the general public – began in 2022. The Consultation Paper on the Review of the EPSEN Act 2004 may be found [here](#). Research advice was sought to assist the Department and the Advisory and Steering groups with the preparation of the required research tools such as the online surveys and the most fruitful approaches for the focus groups, and to analyse the data once it was gathered. The research advisor was appointed in October 2022 and the public consultation was launched in December 2022.

Prior to launch, and to inform the preparation of the research tools, the areas to be explored through the public consultation were agreed as follows:

- The views on and experiences of current special education provision in Ireland, as defined by the EPSEN Act and subsequent policy directives, for children and young people in addition to their families and advocates
- The views on and experiences of current special education provision, as defined by the EPSEN Act and subsequent policy directives, for educators, practitioners, school leaders, and organisations
- The opinions of these parties on the stated objectives of the current EPSEN Act
- The views of the various stakeholders on the terminology used now and in any future legislation or policy
- The opinions of the various stakeholders on how current special education provision (including both EPSEN and later policy directives) could be improved in the best interest of people with special educational needs

Online surveys were designed to elicit responses from four stakeholder groups: parents of children in primary or post-primary education or whose children were formerly in primary or post-primary education; professionals, teachers and others working in primary and post-primary education; students who are currently in or who have prior experience of post-primary education; and the general public. The surveys for these groups contained certain common elements as well as more specific questions to capture the experiences and concerns of the different stakeholders. In addition to the structured questions, the online surveys contained a number of open questions. These surveys were open to individual respondents rather than representative groups.

The consultation process also included open submissions by email or letter directly to the Department of Education, and open submissions guided by three broad questions which were made available for online response. These open submissions could be made by groups or individuals.

The surveys were designed to facilitate wide-ranging consultation with stakeholders and interested parties, and they achieved this aim. However, it is important to note that responses were made voluntarily and thus cannot be regarded as a representative sampling of the possible range of views and experiences among all stakeholders. Rather, the survey component of the consultation process provides an insight into key issues and recurring themes identified by the respondents.

Advertisement of the EPSEN Focus Groups on X



Children & Young People
We want to hear your voice!

Share your experience of school and special education to help with the review of The Education for Persons with Special Educational Needs (EPSEN) Act 2004

We want to hear from children and young people of ALL abilities. You will be supported to take part in ways that work best for you. You can attend a group, in-person or online, or complete an activity pack.

Interested? Want to know more? Ask your parent/guardian to contact us at email: epsen@ucd.ie to be guided through the next steps.

<https://www.gov.ie/en/consultation/e3842-epsen-review-consultation/>



Information about the surveys and how to participate was disseminated by the Department and the various stakeholder organisations, and a dedicated website was set up. The online consultation was open for approximately three and a half months between December 2022 and March 2023. In the case of the structured survey, more than twenty eight thousand responses were received, of which sixteen thousand two hundred and five complete surveys could be analysed fully. Criteria for denoting an ‘incomplete’ survey were agreed with the Department. All opinions / consultation responses have been analysed, regardless of the level of completion. Only surveys where very limited background / demographic data were supplied, & no consultation responses, have been disregarded. A total of eleven thousand nine hundred and sixty nine individuals made an open response of some kind, mostly through the open questions on the online survey, and some by way of guided open submissions online, or by email or letter. Eighty-eight organisations responded by guided open submission, email or letter. This level of response far exceeded expectations.

The final component of the suite of online surveys was the easy access survey, mentioned above. The approach taken was innovative and required a bespoke survey design to ensure that respondents were facilitated to participate and to have their views represented. Amongst the accessibility features of the easy access survey were easy-read questions with accompanying images; videos in Irish Sign Language to accompany each question; and audio recordings in English and Irish of each question. A total of nine hundred and six survey responses to the easy access survey were received. Over ninety percent of the respondents were children and young people who are currently in school. Seven percent of respondents had finished school, and only a very small number of responses came from children and young people learning at home.

While the surveys invited and indeed elicited a huge response, the designers of the review process were also eager to accommodate direct face-to-face communication with interested parties through a series of focus group meetings. The aim of this second phase of stakeholder consultation was to capture in greater depth and detail the lived experiences and views of both adults and children with direct personal experience of special educational needs provision. Realising this aim was the common feature of all the focus groups although different methodologies and approaches were used depending on the profile of the participants.

Activities and materials for these focus groups were designed with a view to facilitating the fullest participation possible. A subgroup of the Working Group advised utilising the experience and expertise developed by the NCCA, the Department of Children, Equality, Disability, Integration and Youth (DCEDIY) and the Teaching Council in the most productive methods of consultation with diverse groupings. These organisations have all engaged in consultations with children and young people, and their families, which required varied and innovative approaches to ensure that the views and experiences of the participants could be expressed and communicated fully and meaningfully. The BEACONS model developed by the Teaching Council to enable mixed focus groups to discuss issues of common interest was one of the approaches adopted for this second phase of the EPSEN review process. The mosaic approach, a multi-method participatory research approach using child-conversations, pictures and drawings to enhance communication, was also used. Both proved to be engaging and productive.

Adult participants included parents, teachers, special needs assistants and other professionals. In all, Ninety-one participants took part in five focus group meetings, four actual meetings in various locations throughout the country and one virtual meeting. Three focus group meetings involving a total of thirty-five child participants from both mainstream and special school settings were held: one in-person and one online 'open call' meeting, and one in-person meeting in a special school.

A separate series of focus group meetings was held to garner the views of children with special educational needs in Irish-medium schools. Forty-five students from five schools – primary and post-primary Gaeltacht schools and Irish-medium schools in non-Gaeltacht areas – participated.

Finally, the review process included focus group meetings or individual interviews with 'school leavers', young adults (eighteen to twenty five years of age) with special educational needs who had attended either mainstream or special schools, to gather their recollections and views on their education experience. Fourteen young people participated in this exercise.

The focus group meetings were conducted by contracted consultation and communications professionals. In the case of the Irish-medium focus groups, Department of Education inspectors conducted the meetings.

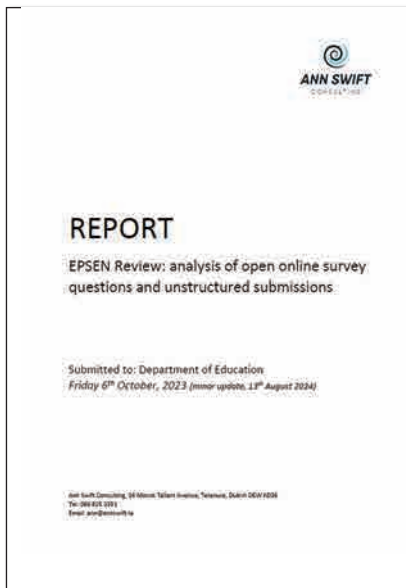
Section IV

The review of EPSEN – findings from the consultation process



4.1 The elements of the process

Front cover of EPSEN Review: analysis of open online survey questions and unstructured submissions⁷



The online surveys asked children and young people, their families and advocates, and educators, practitioners and school leaders to give their views on and experiences of current special education provision, as defined by the EPSEN Act and subsequent policy directives.

The responses to the online consultation were analysed and the findings were written up in two reports, one covering the responses to the structured survey, and one dealing with the responses to the open questions and the open submissions. Three reports were produced giving the analysis and findings from the focus group meetings, one covering the five adult and three child focus group meetings, one for the Irish-medium schools meetings, and one for the meetings with 'school leavers'. These reports are dealt with separately below, and then some key themes emerging across all the reports are identified and discussed in section 4.6.

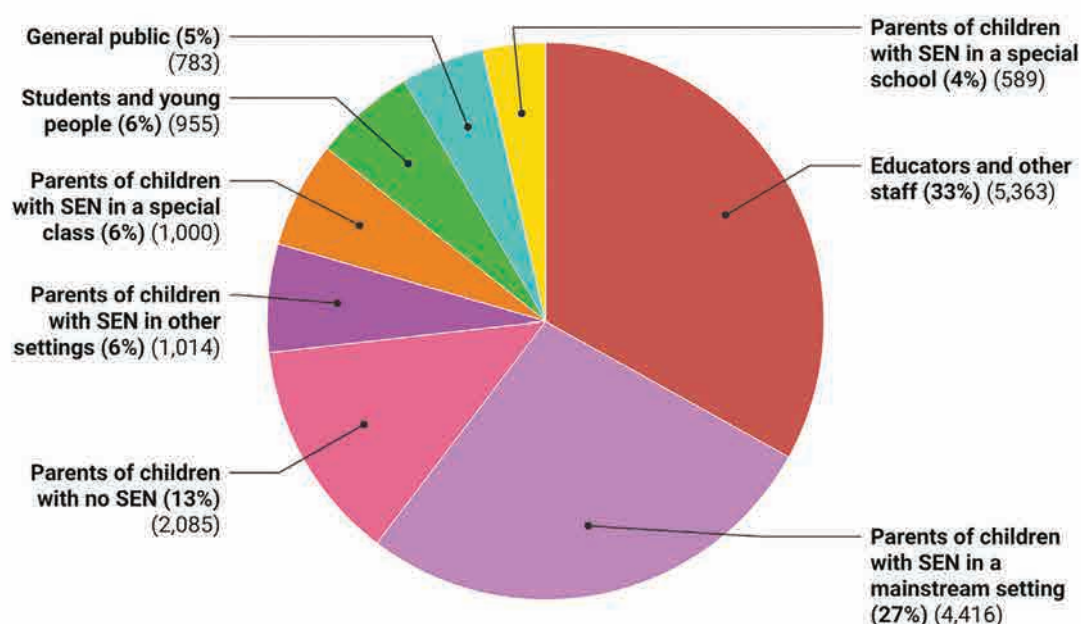
4.2 The structured online survey

The very large volume of responses (sixteen thousand two hundred and five) to the structured online survey was analysed and the findings were compiled under the headings used in the survey:

- Choice of educational setting
- Choice of school
- Inclusion
- Reported experiences of special education provision
- Overall satisfaction
- Terminology

This work was conducted by Ann Swift Consulting whose report is the source for the summary of findings below. Certain patterns in the responses could be identified with reasonable confidence but there were also areas where the responses were more difficult to interpret or appeared contradictory. It was felt that the focus group meetings would provide an opportunity to tease out these areas further. The report on the analysis of structured online survey questions may be found [here](#).

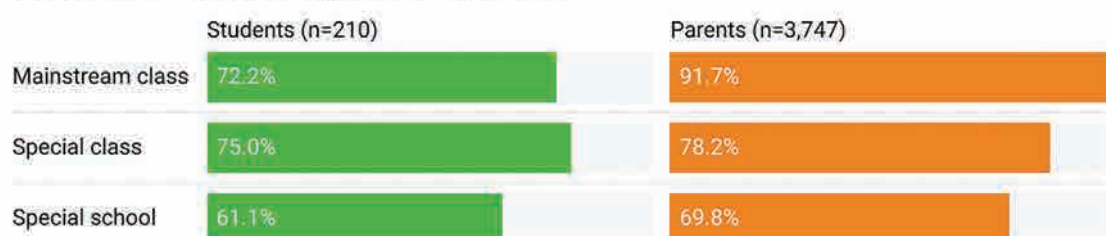
⁷ Ann Swift Consulting, EPSEN Review: analysis of open online survey questions and unstructured submissions, 2023, cover page

Level of responses to the four structured online survey tools⁸**Online consultation response (total n=16,205)****Choice of educational setting**

Most students with special educational needs are enrolled in one of three settings: a mainstream class in a mainstream school, a special class in a mainstream school, or a special school. Students were asked if their current setting was their preferred one and the majority said that it was. Where it was not, the clearest preference was expressed by students in mainstream classes who would prefer to be in a special class. The majority of parents also said that their children were enrolled in their preferred school, with four-fifths whose children were in mainstream classes agreeing, but just over half where children were enrolled in special classes. Where the latter group expressed a preference, it was for a special school setting.

Choice of setting. Most students & parents say that they are enrolled in their preferred setting⁹**Are students currently enrolled in their / their parents' preferred setting? (proportion indicating 'yes')¹⁰**

The student's current setting is listed on the left.



⁸ Ann Swift Consulting, Analysis of structured online survey questions, 2023, p.2

⁹ Quantitative Analysis Presentation Ann Swift Consulting to EPSEN Stakeholder 3 May 2023 P26.

¹⁰ For mainstream settings, this question was asked only where a child's special needs were identified prior to enrolment. Full question (parents): 'When enrolling your child in their current school, was a mainstream class in a mainstream school your first choice of setting (even if the current school was not your first choice)?'

Parents were asked to select from a list of special educational needs categories the one(s) that applied to their children. The list included learning, social, emotional learning and physical needs. When the selections were cross-tabulated with school settings, it emerged that a very sizable majority of children with these needs were enrolled in mainstream classes. For those in special classes, autism was the most often-cited condition. The proportion of children in a special school was largest where respondent-parents selected medical, physical or hearing impairments from the list provided in the survey. And children with multiple needs were more likely to be enrolled in a special school.

Educational setting of current students (parent report), crosstabulated with the reasons selected by their parents for any identified special educational needs¹¹

Where are children with particular special educational needs educated? (n=5,186)¹²

	Mainstream class (n=3,731)	Special class (n=721)	Special school (n=310)	Not currently in school (n=135)
Dyslexia	88.9%	6.7%	2.5%	1.8%
Gifted and able	86.2%	8.8%	2.1%	2.9%
ADHD	75.4%	13.4%	8.5%	2.7%
Sight impairment	74.6%	8.1%	16.2%	1.2%
Learning difficulties	71.5%	12.8%	14.1%	1.6%
Other	70.4%	8.4%	18.6%	2.6%
Mental illness	67.3%	14.0%	10.3%	8.4%
Hearing impairment	62.1%	12.4%	23.7%	1.7%
Behavioural etc	60.5%	16.4%	20.2%	2.7%
Other physical	59.3%	11.9%	26.3%	2.5%
Medical	56.9%	12.0%	28.0%	3.1%
Autism etc	55.0%	28.7%	12.4%	3.9%
Speech & lang	49.3%	23.3%	23.1%	4.2%

Excludes children in early years settings, and students who have graduated from school.

Choice of school (Parents views)

From a list of possible priorities that may have influenced their choice of schools, parents with children in mainstream classes selected 'an inclusive environment' most often, followed by 'it is local or near to home' and 'general good impression/good reputation'. Four-fifths of respondent-parents of children in special classes selected the existence of the special class as their top priority, followed by inclusive environment and closeness to home. Parents of children in special schools had some additional factors to choose from, and selected 'therapeutic support' as most important, followed by 'care support available' and 'teacher expertise'. Regarding distance to travel, children in mainstream classes travelled the shortest distance and children in special schools were six times more likely to have a journey of 8km or more.

¹¹ Ann Swift Consulting, Analysis of structured online survey questions, 2023, p.5, fig. 2

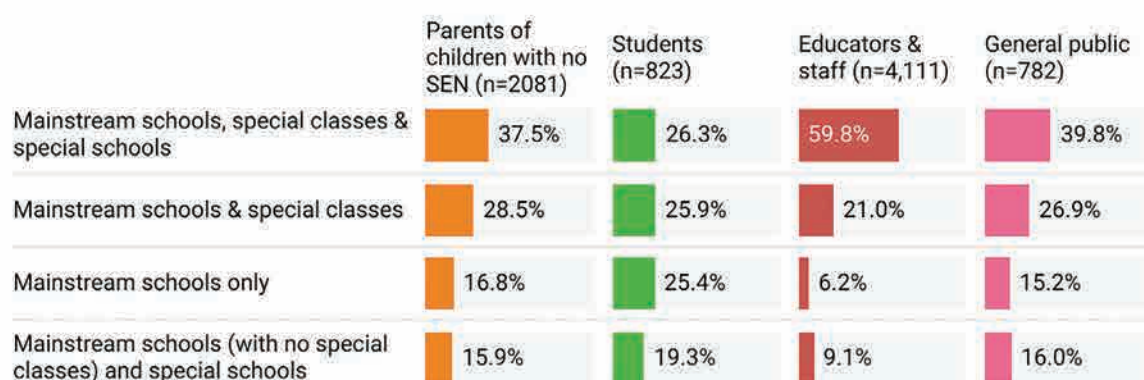
¹² Note that this was a multiple choice question, and an individual student may appear in more than one row. 57% of parents (n=2,879) selected more than one reason for their child's needs from the list. The most commonly co-occurring reasons selected were learning difficulties and autism (24% of all children with any co-occurring need). 83.4% of this group have needs in addition to learning difficulties and autism and 50% are educated in a mainstream class.

What inclusion means and what makes an inclusive environment

The concept of inclusion is frequently mentioned, but it seems to elude precise meaning or straightforward definition. Any light that can be shed on stakeholders' understanding of it is valuable. The following three subsections consider responses to questions that have a bearing on the concept of the inclusive school.

Configuration of an 'inclusive' education system – views of parents, professionals, students and the general public¹³

'In your opinion, what does an 'inclusive' education system look like?'



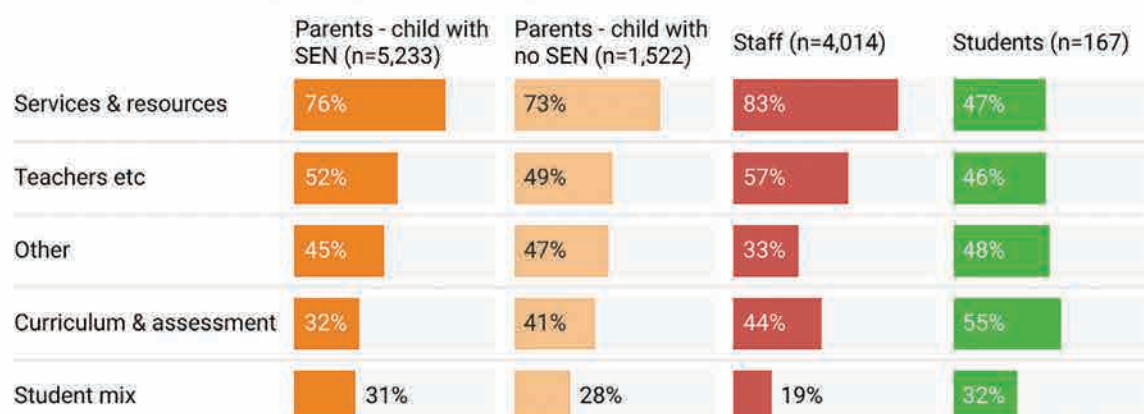
Promoting the best learning outcomes in an inclusive school

All contributors to the consultation process via the online survey were asked to select three factors from a list of school features which might be 'important in promoting the best learning outcomes for all children in an inclusive, mainstream school'.

Promoting learning outcomes¹⁴

'Which factors are more important for promoting the best learning outcomes for all children in an inclusive, mainstream school?'

For students: 'The following is a list of things that might help you to learn best in school. Please choose the top 3 things that you think help you to learn best' ¹⁵



¹³ Ann Swift Consulting, Analysis of structured online survey questions, 2023, p.23, fig. 23

¹⁴ Quantitative Analysis Presentation by Ann Swift Consulting to EPSEN Stakeholder 3 May 2023 P36

¹⁵ Please note that these categories are a topline summary of multiple statements that respondents were asked to choose from

There were some notable differences in the responses to this question among the different stakeholder groups. Broadly, whereas parents and staff tend to prioritise services and resources, such as additional supports and access to SNAs, students also prioritise the content of lessons and the attitudes of educators and school staff.

Students' responses were quite diverse but some patterns emerged. The top priority for students was a meaningful curriculum, followed by access to assistive technology, the availability of teacher time, the attitude of teachers and staff, and having a say ('the teachers and other adults let me have a say in what happens to me in school').

Parents of children with and without special educational needs, on the other hand, were most likely to prioritise 'all children who need it have access to additional, therapeutic supports, 'all children who need it have access to an SNA', and 'good communication and partnership between the school and parents/guardians'.

The views of professionals, educators and staff on priorities for promoting learning outcomes were the most concentrated of all the stakeholders, with more than half in agreement that access to additional supports and to SNAs were the most important factors. In this, professionals and other staff were in agreement with parents. However, their collective choice of a third priority – 'the number of teachers compared to the number of children who attend' – was not so strongly prioritised by parents, but did receive support from student respondents.

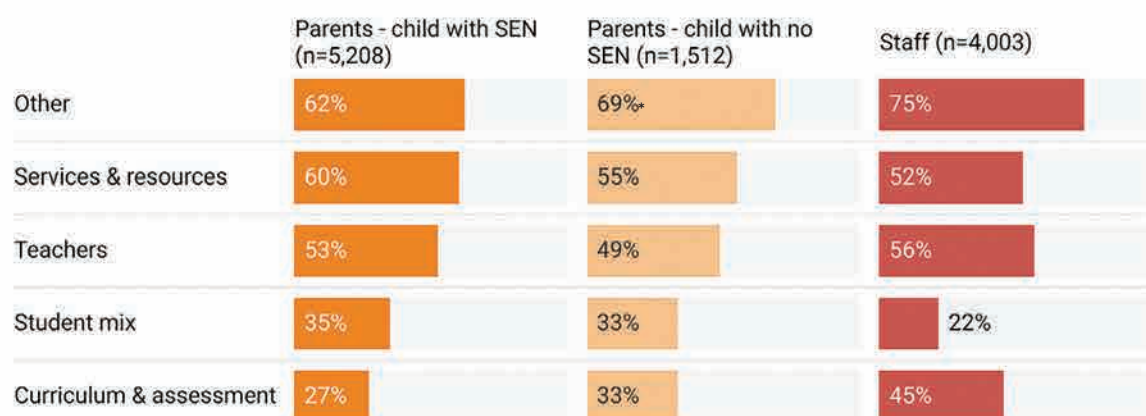
'Setting'-related factors – for example, whether there were special classes available, whether students learn in a mixed class with their peers with and without special educational needs – were not strongly prioritised by any of the stakeholder groups, when compared with the other features outlined above.

Promoting happiness and wellbeing in an inclusive school

Parents and professionals, educators and other staff were also asked to select the factors which they felt were 'important in promoting the happiness and wellbeing of all children in an inclusive, mainstream school'. Because of the length of the survey, this question was not included in the student survey.

The priorities selected for promoting 'happiness and wellbeing' were in some noteworthy respects distinct from those thought to promote learning outcomes. While there was some overlap, for parents of students with and without special educational needs a 'welcoming / inclusive environment' was deemed the most important factor for promoting happiness and wellbeing. Selection of 'the attitude of the teachers and other staff' also featured in the top five choices, although few parents had selected it as a priority for learning outcomes. Professionals, educators and other staff agree with parents that a welcoming and inclusive environment is key to promoting happiness and wellbeing in an inclusive school, and their other selections were broadly similar to those made by parents.

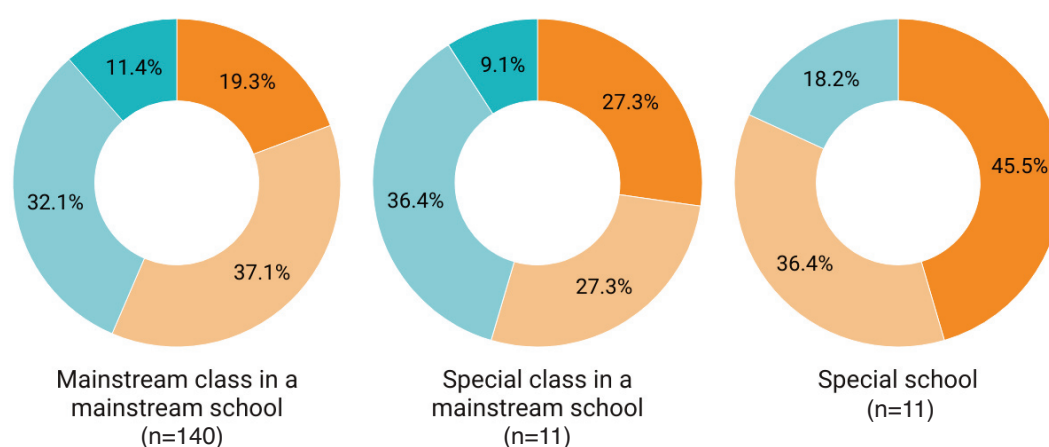
It could perhaps be inferred from their responses that students have a stronger sense than their parents of the importance of the relational aspect of the learning environment to their educational progress, as demonstrated in their selection of the attitude and helpfulness of teachers as significant factors. Parents, judging by their responses, tend to view learning and wellbeing as somehow separate, although the interdependence of the two has been strongly suggested in observations and research, and supported in education policy. For example, a key principle of the Department of Education's quality framework for schools, *Looking at Our School*, is that students' wellbeing is 'intrinsic to this holistic view of learning, both as an enabler of learning and as an outcome of learning'.

Promoting happiness and wellbeing¹⁶**'Which factors are more important for promoting the happiness and wellbeing of all children in an inclusive, mainstream school?'¹⁷****Inclusion – helping everyone to do their best and promoting a sense of belonging**

Students were asked the level to which they agreed with the statement that 'my school is a place where teachers help everyone to do their best, regardless of whether or not they have special educational needs'. Almost four-fifths of children and young people with and without special educational needs agreed or strongly agreed that this was true of their school. The proportion was somewhat lower for children with special needs than it was for those without. Although it seems that students in mainstream classes are the least likely to agree with the statement, the small sample size of students in special classes and special schools means that comparisons across the settings should be treated with caution.

School belonging – student views¹⁸**'Please let us know how often that your school is a place where ... I feel that I belong' (n=162)¹⁹**

Very Often Often Sometimes Never



¹⁶ Quantitative Analysis Presentation Ann Swift Consulting to EPSEN Stakeholder 3 May 2023 P39

¹⁷ Please note that these categories are a topline summary of multiple statements that respondents were asked to choose from.

¹⁸ Ann Swift Consulting, Analysis of structured online survey questions, 2023, p.8, fig. 5

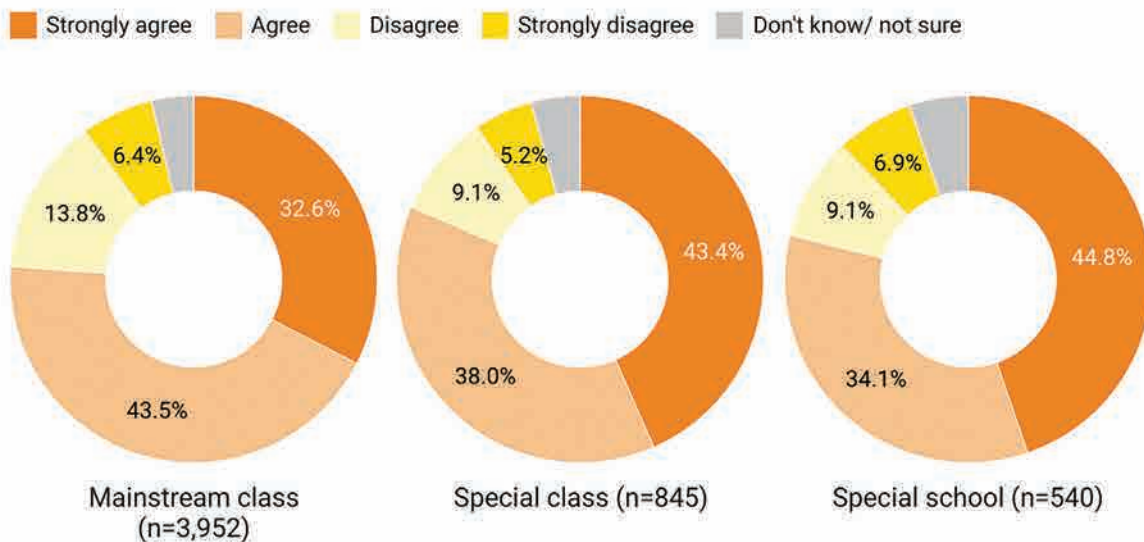
¹⁹ Sample sizes for students in special classes and special schools are very small.

Over three-quarters of parents of children with special educational needs agree that their school 'has a positive approach to ensuring that children with special educational needs can benefit from education on an equal basis to other children of the same age'. Echoing the views of students, parents of children in a mainstream class were the least likely to agree strongly, and more likely to disagree, with the statement than parents of children in other settings.

In the area of a feeling of belonging, students were asked to rate how often their school matched certain criteria. Of these nine criteria, students with special educational needs said that their school was most often a place where 'my teachers are generally fair to me', and least often a place where they knew 'how to cope with the work across all of my subjects'. Just under three-fifths of students said that their school was 'very often' or 'often' a place where 'I feel that I belong', a smaller proportion than might be expected. While the responses suggested that special schools are most successful in facilitating a sense of belonging, the sample size was very small.

School inclusion – parent views²⁰

"My child's school has a positive approach to ensuring that children with special educational needs can benefit from education on an equal basis to other children of the same age"



Teachers and other staff believe more strongly than parents or students that their school has a positive approach to inclusion, with nine out of ten agreeing or strongly agreeing that this is the case. Those working in special classes are least likely to agree.

²⁰ Ann Swift Consulting, Analysis of structured online survey questions, 2023, p.9, fig. 6.

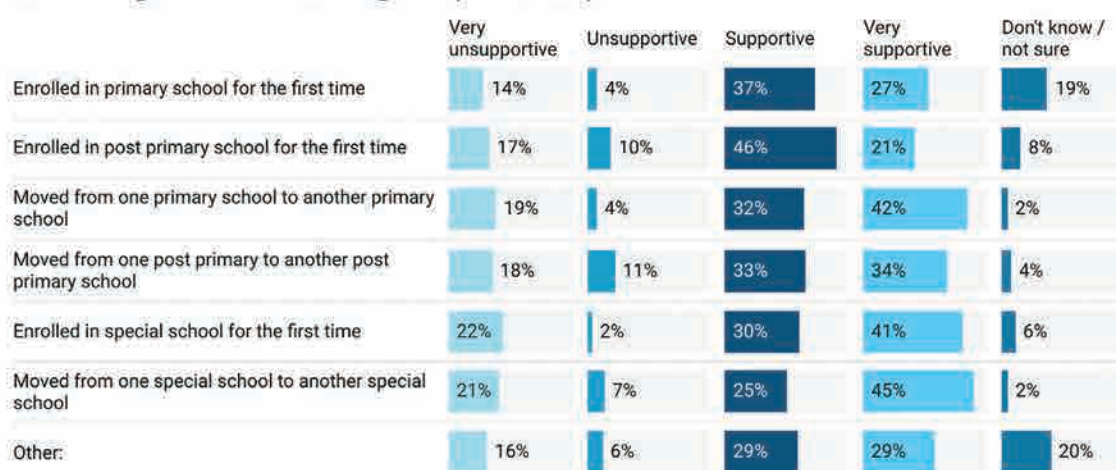
The enrolment process, accessing supports and managing transitions – respondents' views

Enrolment poses particular challenges to parents of children with special educational needs. Over seventy percent of respondents with children in early years settings said that their needs had been identified prior to entry, and sixty percent had experienced difficulties finding a place in an appropriate setting. About fifty percent of the parents whose children were in mainstream classes in primary or post-primary said that their needs had been identified prior to entry, and twenty-six percent said that they had experienced difficulties in finding a school place. Parents of children in special classes and special schools were more than twice as likely to report these challenges.

A small number of parents who responded to the survey had children who were of school age but not currently educated in a school setting. The majority of these parents agreed that 'I would prefer for my child to be enrolled in school, but no appropriate school place is currently available in my preferred educational setting'. Only one indicated that 'I have chosen not to enrol my child in school'. Over sixty percent of these parents believe that they were unable to get a place because 'appropriate schools do not currently have the resources or facilities to meet my child's special educational needs'. The remainder believe it to be for 'another reason'.

Support with transitions, cross tabulated by the nature of the child's most recent enrolment – parent views²¹

"How supportive or unsupportive was your child's new school in assisting with this change?" (n=5,128)



A majority of parents said that their children were in their first choice of school. Where the first choice was not secured, about a third of parents felt that it was not because the school was full or the child did not meet the official enrolment criteria, but for some other reason.

Regarding equity of access, experiences and perceptions appear quite mixed. About half of the parents of children in special classes, or who have children of school age but not currently in school, believe that their child had an equal chance of getting a place at their preferred school as other children without special educational needs. By contrast, about seventy five percent of professionals, educators and other staff working in mainstream schools feel that their school treats children with and without special educational needs equally when it comes to allocating school places. However, only sixty percent of those working in a special class environment agree that this is the case.

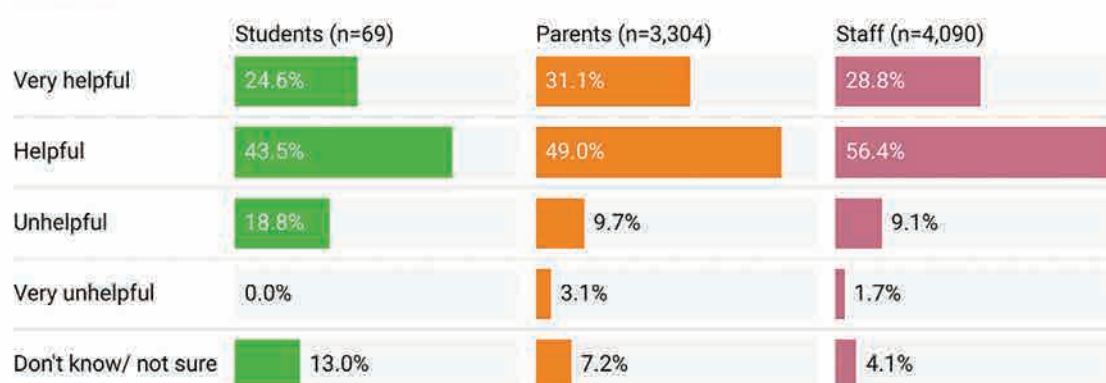
²¹ Ann Swift Consulting, Analysis of structured online survey questions, 2023, p.17, fig. 15

Questions about accessing supports asked about individual education plans (IEPs), contact with the relevant services, supports available in specific settings, and levels of staff training in the area of special educational needs.

Sixty-four percent of parents said their child had an IEP and seventy-five percent of these said they had been very or fairly involved in developing or reviewing it. More than thirteen percent of parents didn't know if their child had an IEP. Less than forty percent of students were certain that they had an IEP. Almost all staff said they had been involved in the IEP process. Regarding the usefulness of IEPs, over eighty percent of parents and staff found them helpful or very helpful, compared with less than seventy percent of students.

Role of the IEP in inclusion and participation – views of students, parents and professionals/staff ²²

'How helpful was (the IEP) in supporting (your/your child's/childrens') meaningful inclusion and participation in school?'

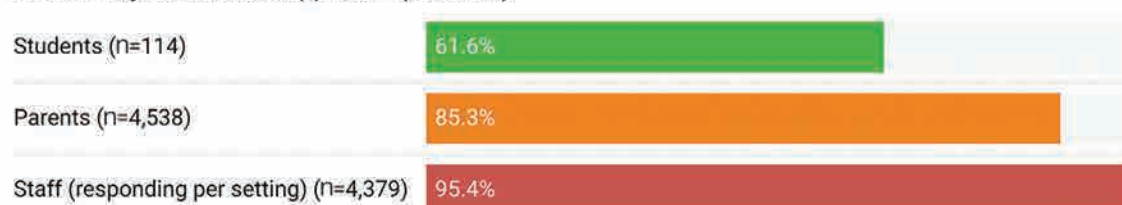


Over eighty-five percent of parents said that their children received additional supports, most often additional teaching resources, an SNA, assistive technology and the school transport service. Over fifty percent of the students who accessed supports found that they helped 'a lot'. However, over forty percent of parents and a very striking seventy-six percent of staff reported that it was difficult or very difficult to access supports, and similar percentages felt that the supports did not meet students' needs.

Level of educator/staff training, by role ²³

'Do (you/your child) receive any additional supports in school?' (for parents & students)

'Do children or young people with special educational needs in your school or educational setting receive any additional supports?' (for staff)



²² Ann Swift Consulting, Analysis of structured online survey questions, 2023, p.10, fig. 7

²³ Quantitative Analysis Presentation Ann Swift Consulting to EPSEN Stakeholder 3 May 2023 P69

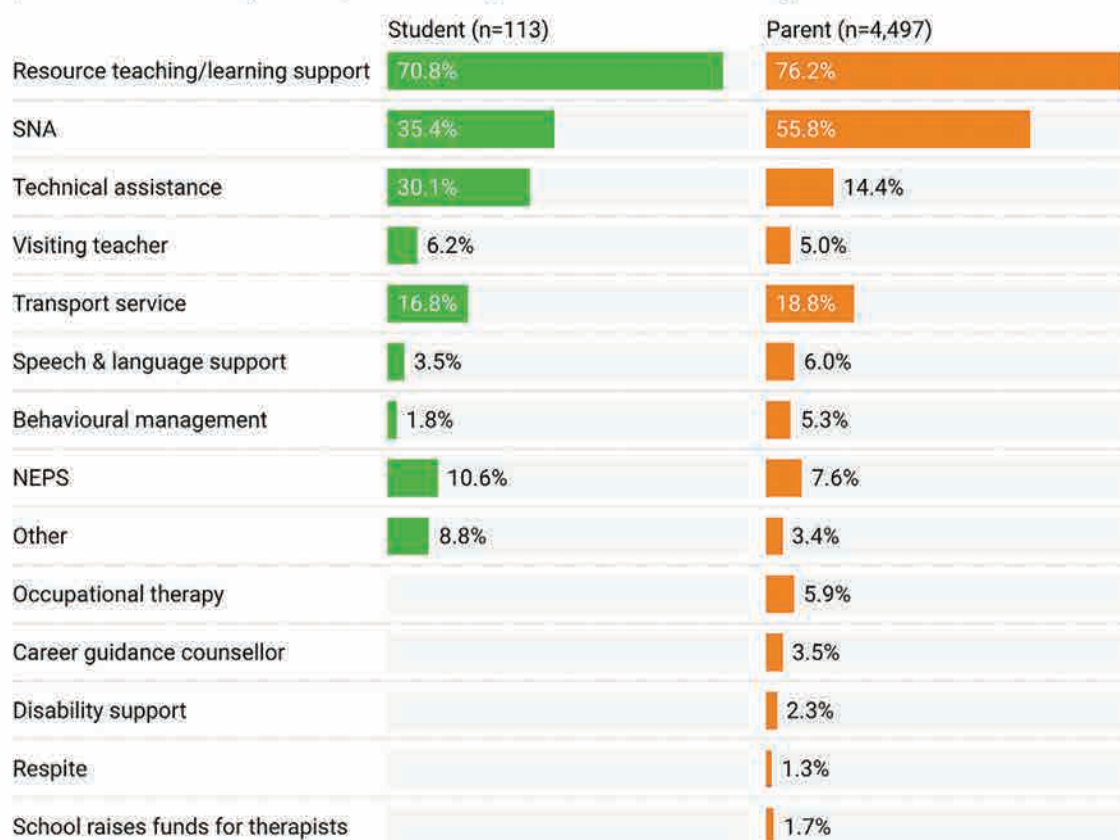
Fifty percent of parents of children in early years education said that their child was receiving additional support through the Access and Inclusion Model (AIM) which is available in mainstream settings. Over forty percent of these parents reported difficulty in accessing supports and a similar percentage did not believe the supports met their child's needs.

The survey asked about level of contact with four key services: the Special Educational Needs Organiser (SENO), the National Council for Special Education (NCSE), the National Educational Psychological Service (NEPS) and (for staff only) the Planning and Building Unit of the Department of Education (PBU). Staff had the most contact with the NCSE and parents with the SENO. Experiences with the SENO were rated similarly by parents and staff, with most finding them 'helpful' or 'very helpful', but approximately one in four or five finding them to be 'unhelpful' or 'very unhelpful'. Professionals, educators and staff tended to be more positive about their contact with the NCSE and NEPS than were parents.

Additional supports ²⁴

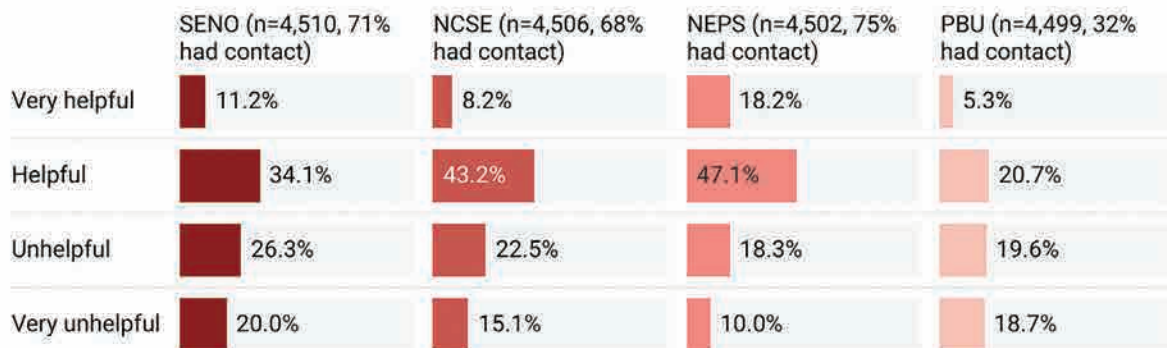
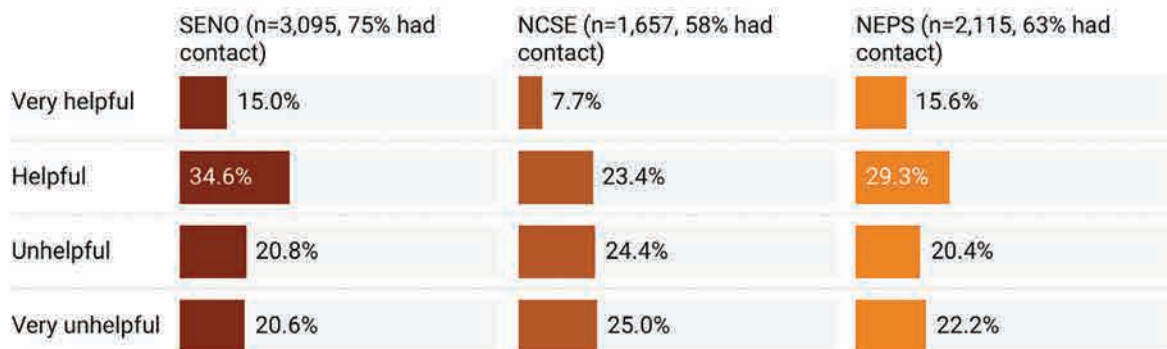
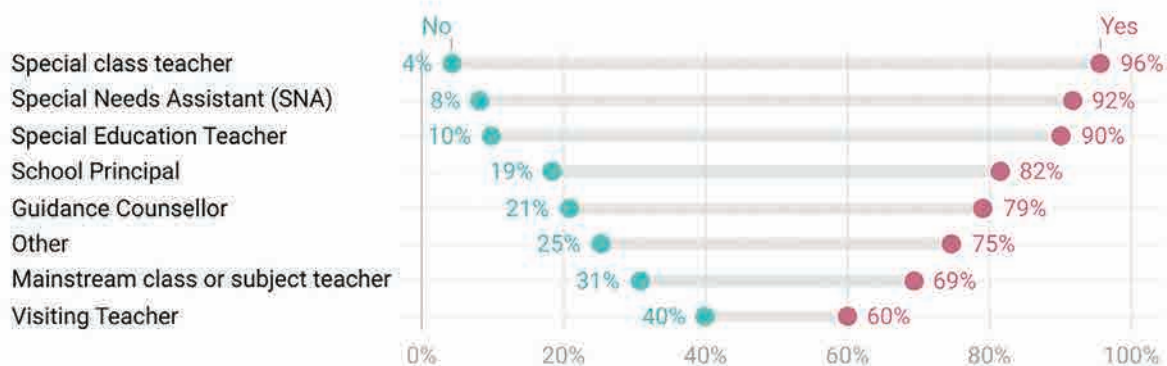
Which supports does the child receive in school?

(Note that not all response options were given in the student survey)



Over seventy percent of parents across all school settings agreed or strongly agreed that they were involved in decisions about their child at school, but this number fell to forty-five percent for parents whose school-age child was not currently in school.

²⁴ Quantitative Analysis Presentation Ann Swift Consulting to EPSEN Stakeholder 3 May 2023 P70

Contacts with services ²⁵**'How helpful or unhelpful have your contacts with the following services been?' (staff responses)****'How helpful or unhelpful have your contacts with the following services been?' (parent responses)**Level of educator/staff training, by role ²⁶**'In recent years, have you participated in any specific training regarding working with children and/or young people with special educational needs?' (n=4,355)**²⁵ Quantitative Analysis Presentation Ann Swift Consulting to EPSEN Stakeholder 3 May 2023 P74²⁶ Ann Swift Consulting, Analysis of structured online survey questions, 2023, p.11, fig. 9

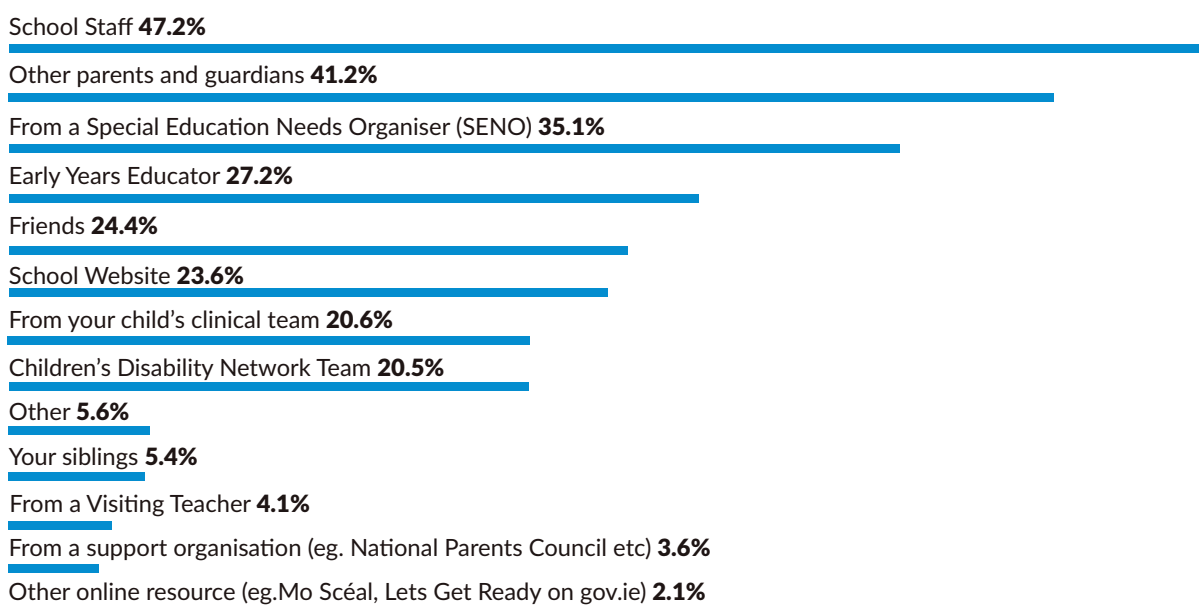
Eighty-two percent of all staff responding said that they had participated in specific training in special educational needs 'in recent years', with those working in special schools or special classes most likely to have received training. About seventy percent of mainstream class or subject teachers had undertaken such training, with the lowest participation by mainstream post-primary teachers. Similarly, while most staff said that they were experienced in educating children with special educational needs, staff in mainstream post-primary settings were least likely to say this. Hardly any respondents in any setting said that they were 'not at all experienced' in this area.

The survey asked respondents about their experience of transitions from one stage of education to the next. While most parents of children in early learning settings with special educational needs had started thinking about the move to primary, only a minority had received information and advice without having to look for it. A significant majority found it difficult or very difficult to get the information they needed.

Parents of children now in primary school got information from primary school staff and from other parents. Most had accessed at least three sources of information, with school staff, other parents and the SENO being the most often cited. A small majority said it had been easy to access the information but forty percent reported difficulties.

Information sources for parents of children in primary schools ²⁷

From where did you look for on receive advice or information about suitable places? (n=922)



²⁷ Details taken from Ann Swift Consulting, Analysis of structured online survey questions, 2023, p.16, fig. 14

Parents seeking to enrol their child into special school for the first time were the most likely to say that they had found accessing the necessary information 'very difficult'. These parents, and parents moving a child from one special school to another, were also the most likely to say that they had had difficulties when looking for a place for their child in an appropriate school.

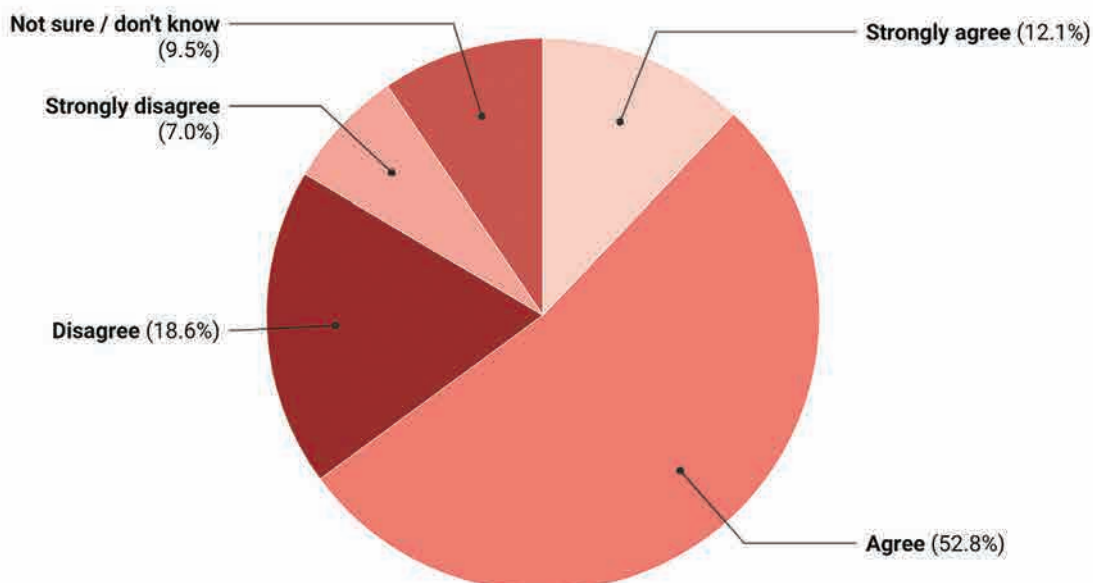
The EPSEN Act states that an appropriate education should help children with special educational needs to

"leave school with the skills necessary to participate, to the level of their capacity, in an inclusive way in the social and economic activities of society and to live independent and fulfilled lives".

Regarding this transition to the world beyond school, students who attended a special school reported better levels of support than those who went to mainstream schools. While most staff agreed with the EPSEN Act statement above, only thirteen percent who responded felt that this goal is being achieved.

'Educational need' – Staff responses ²⁸

'To what extent do you agree or disagree that the following statement adequately defines an 'educational need'? "An educational need is a restriction in someone's ability to benefit from education, arising from a disability or other condition which means that a person learns differently"' (n=4,101)



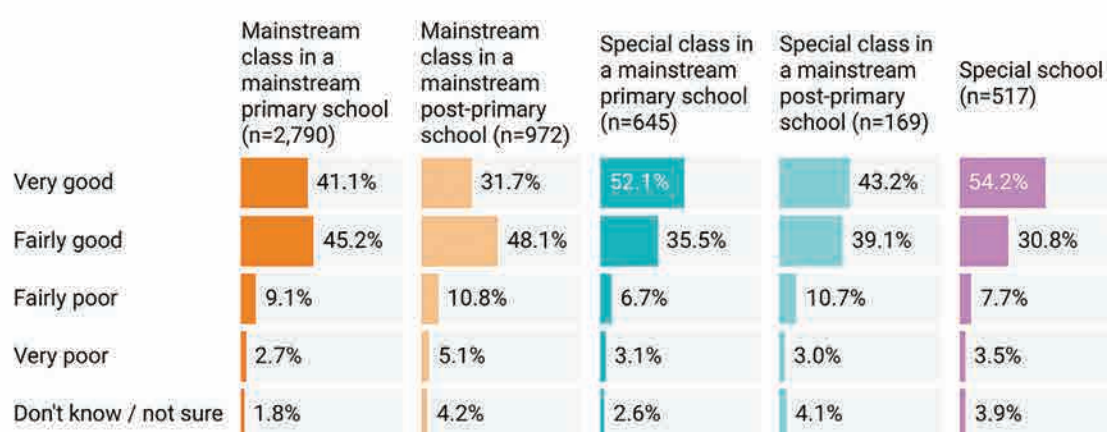
²⁸ Quantitative Analysis Presentation Ann Swift Consulting to EPSEN Stakeholder 3 May 2023 P63

Overall satisfaction

Most parents reported that the education their child with special educational needs receives is 'very good' or 'fairly good'. 'Very poor' or 'fairly poor' ratings varied from a relatively low almost ten percent of parents of children in a special class in a mainstream primary school to almost sixteen percent for parents of children in a mainstream class in a mainstream post-primary school. Over seventy percent of staff across all settings agreed that provision in their schools was 'very good' or 'fairly good', and the most positive responses were from staff in post-primary schools.

Overall quality of child's education – views of parents of children with special needs, cross tabulated by child's current educational setting ²⁹

'Overall, how would you rate the quality of education that your child receives in their current school?'



Respondents' views on terminology

Almost all stakeholder groups selected 'additional educational needs' as their preferred alternative to what the EPSEN Review has termed 'special educational needs'. Students were the least likely to select this choice, not because they preferred another term but because most of them said 'It doesn't matter much to me'. One of the options 'Learning disability' was selected by very few in other stakeholder groups, but twenty percent of students chose it.

The EPSEN Act defines 'special educational needs' in relation to a person as 'a restriction in the capacity of the person to participate in and benefit from education on account of an enduring physical, sensory, mental health or learning disability, or any other condition which results in a person learning differently from a person without that condition'. Parents and professionals were given a summary of this definition and asked to indicate to what extent the definition 'adequately defines' an educational need. Approximately sixty five percent of parents and professionals agreed or strongly agreed with this definition, while for both groups, around ten percent were unsure or didn't know.

²⁹ Ann Swift Consulting, Analysis of structured online survey questions, 2023, p.19, fig. 18

Preferred alternatives to 'special educational needs' – views of parents, professionals and students ³⁰

Preferred terminology, by respondent type

	Parent - child with no SEN (n=1,512)	Parent - child with SEN (n=5,208)	Staff (n=4,187)	Student (n=161)
Additional educational needs	41.9%	41.3%	51.7%	23.0%
Additional learning needs	24.0%	22.3%	32.7%	16.1%
Special educational needs	28.2%	21.8%	31.1%	14.9%
Diverse educational needs	18.0%	19.5%	20.8%	15.5%
Different educational needs	15.8%	16.3%	15.6%	14.9%
Different abilities	12.0%	14.6%	18.2%	9.9%
Inclusive educational needs	12.1%	14.5%	12.3%	8.1%
It doesn't matter much to me	7.6%	11.0%	8.6%	23.6%
No label at all	9.7%	9.7%	5.7%	9.7%
Learning disability	6.5%	5.0%	5.0%	20.5%
Disability	1.7%	2.7%	2.9%	10.6%
Other	1.1%	1.8%	2.1%	3.7%

Views on policy

Responses to questions on current models of provision and the extent to which they are equitable and inclusive were somewhat contradictory and difficult to interpret.

The survey sought to gather the views of key stakeholders as to whether the current model – which includes mainstream, special class and special school places – met the EPSEN Act's aim of ensuring that:

“people with special educational needs shall have the same right to avail of, and benefit from, appropriate education as do their peers who do not have such needs”.

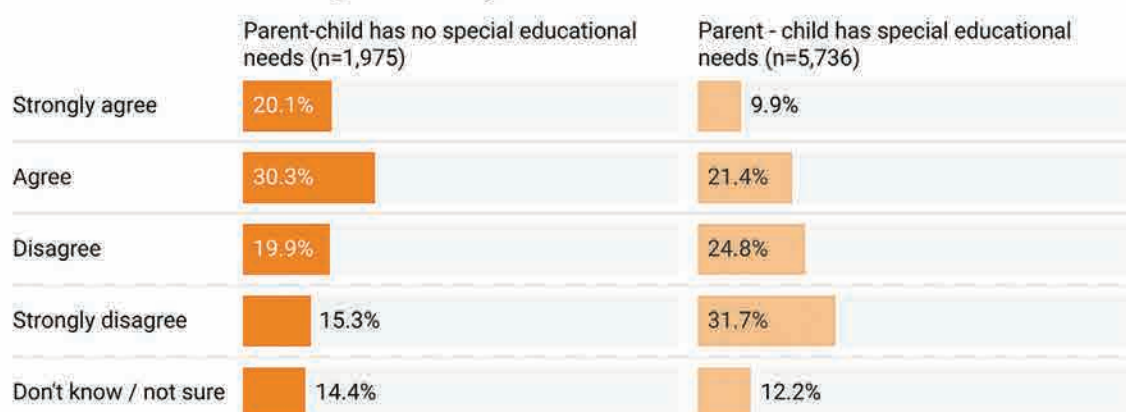
³⁰ Ann Swift Consulting, Analysis of structured online survey questions, 2023, p.20, fig. 21

While over fifty percent of parents of children without special needs agreed or strongly agreed that this aim was being realised, thirty five percent did not. Just thirty-one percent of parents of children with special educational needs agreed or strongly agreed, and over fifty-six percent did not. This represents a significant negative response from both groups. Professionals, teachers and other staff working in special classes or special schools were a little more positive than the group as a whole, of which just under forty percent agreed or strongly agreed, but again a large proportion made a negative response.

Extent to which the current model of provision meets the aims of the EPSEN Act – views of parents of children in education with and without special educational needs ³¹

"To what extent do you agree or disagree that current Government policy to provide mainstream, special class and special school places for children, depending on their best interests, meets the EPSEN Act's aim of ensuring the same right to education for all children?"

Full question: "A key aim of the EPSEN Act is to ensure that children with special educational needs have the same right to benefit from education as do other children without such needs. To what extent do you agree or disagree that current Government policy to provide mainstream, special class and special school places for children, depending on their best interests, meets the EPSEN Act's aim of ensuring the same right to education for all children?"



A broader question regarding the extent to which Ireland's education system as a whole gives an equal right to education for all children met with a strikingly negative response, with only around twenty percent of parents of current and former students agreeing or strongly agreeing, and an even lower (16.7%) positive response from professionals, educators and staff working across all sectors. However, despite these negative responses, when asked what an inclusive education system looks like, all stakeholder groups opted for the current model of mainstream, special class and special school provision, in preference to options with no special classes and/or no special schools. This was overwhelmingly so in the responses of educators and staff, but only marginally so in the responses from students.

³¹ Ann Swift Consulting, Analysis of structured online survey questions, 2023, p.22, Figure 22

The EPSEN Act states that:

“A child with special educational needs shall be educated in an inclusive environment with children who do not have such needs unless the nature or degree of those needs of the child is such that to do so would be inconsistent with – (a) the best interests of the child as determined in accordance with any assessment carried out under this Act, or (b) the effective provision of education for children with whom the child is to be educated.” The final policy question sought to understand whether stakeholders endorsed this as a definition of inclusive education. Although a majority in all the stakeholder groups agreed that this was a ‘proper’ definition, parents of children in education with no identified special educational needs were much more likely (seventy four percent) than parents of children with such needs (fifty seven percent) to agree. Almost seventy percent of professionals, educators and staff agreed that the definition was the ‘proper’ one, and responses from the general public were also largely in agreement (sixty seven percent). However, this definition places limits on inclusion and arguably gives greater rights to other children, and its validity in the current legal and policy landscape must therefore be questioned.

4.3 The unstructured online survey – open questions and open submissions

There were ten thousand eight hundred and ninety six responses to the open questions included in the structured online survey. Two hundred and forty seven open submissions were received by email, forty nine of them from organisations; and a further nine hundred and fourteen open submissions, thirty nine of them from organisations, were submitted in response to three broad guiding questions made available online. Ann Swift Consulting again conducted an analysis of this very large volume of material.

As the respondents were self-selected, this part of the survey should not be viewed as a representative sampling. Its value is in allowing certain dominant concerns and clear patterns of experience to emerge from the areas that the respondents themselves chose to highlight. The majority of responses came from parents, and the majority of these were parents of children with special educational needs in mainstream education. Over four thousand responses came from teachers and professional staff, and five hundred and sixty were from students. While this last number is a small percentage of respondents, their concerns are particularly noteworthy as they foreground issues not referenced by other stakeholders. The report on the analysis of open online survey questions and unstructured submissions may be found [here](#),



Parents' experience and concerns at different stages of their children's education

Dominant concerns for parents of children in early years settings were the lack of places in special classes in their local primary schools, lack of information and advice to guide them in making the right choices, and the very long waiting lists for assessments. The scarcity of places in early intervention classes was a considerable concern, as was the lack in early years settings of staff trained in special educational needs. Parents were also concerned that supports secured for their child in early years would not automatically transfer with them into the primary school. They wanted structured or formal links between early years and primary settings to support transitions.

Parents of children in special classes in primary schools described the difficulties they experienced with enrolment, and said they had felt unsupported in making decisions. Some described great contrasts in the attitudes they encountered in different primary schools when seeking a place for their child, ranging from hostile to welcoming.

The overwhelming concern of parents of children with special educational needs in primary and post-primary education was the difficulty of accessing resources and supports:

“Parents of children with additional needs are tired of fighting for support for their children.”

Words like ‘fight’, ‘battle’ and ‘struggle’ appear consistently in submissions, and parents clearly felt that schools were given insufficient resources to meet their children’s needs. Parents, particularly those hoping to enrol their child in mainstream settings, want information about the supports that could be available to their child before they start school. They want to know what is currently made available to children within the school, and what their own child’s entitlement might be, before making their choice of setting. They report that such information and commitment is almost impossible to obtain, making their choice very difficult.

A largely negative perception of the SENO’s role emerged in submissions from parents, who cited difficulties in making contact with SENOs, and delays and unexplained refusals with regard to providing supports, especially SNAs. However, some found the SENO to be a helpful ally in their dealings with schools, and a need for more SENOs was expressed.

Anger at the long waiting lists for assessment is one of the key themes coming out of this consultation, expressed by parents of children at all educational stages. The assessments in question are part of the HSE-led Assessment of Need (AON) process. Parents see assessments as crucial for accessing the necessary supports and interventions for their children:

“If children were diagnosed within a reasonable timeframe, this could make all the difference to the child’s development.”

A particular difficulty arose for parents and children where assessments were deemed out of date if more than two years old, and there was great difficulty in getting a second assessment. Parents also spoke of enrolment applications requiring huge volumes of paperwork for children with special educational needs, in stark contrast to the ‘normal’ enrolment requirements.

Regarding their experience of the supports available in schools, parents valued the role of SNAs but many believed that their child's access to the SNA had been reduced and that there were too few SNAs to meet the existing demand. Therapeutic services were also valued but widely seen as inadequate.

Parents commented positively on teachers and other staff who were willing to try a range of approaches to meeting children's needs and who made real efforts to get to know children as individuals. However, responses often cast doubt on the extent to which teachers had the skills and knowledge to teach children with additional needs, and this was seen as a significant barrier to inclusion.

Students' experiences and concerns

While echoing a number of the points made in the parent responses, most commonly students cited the attitude of the teachers and staff working in their school, and of their peers, as their key concern. This chimed with students' responses in the structured survey. They felt that many staff had a poor understanding of the difficulties experienced by those with special educational needs, and were inflexible in imposing the school rules. Many also said that other students showed little understanding of them, to the point in some cases of bullying behaviour:

"I would like my class friends to stop making fun of people for acting or thinking different."

When asked the open question: "In what other ways do you learn best?" students tended to place a greater emphasis on the content of their work, and the attitude or approach of teachers than on the additional resources that they receive. This again echoes student responses in the structured survey. Their most common responses to this question emphasised diverse teaching methods and ways of learning which students felt suited them best. Students who experienced stress at school said that access to a calm environment or sensory room helped them to learn.

Most of the commentary from students about the supports that they received was positive. Special education teaching hours were the most commonly accessed of all additional supports. According to students, these hours offer an opportunity to go through work with teachers who have the necessary specialist training, and they also give students a 'breather' from the classroom environment. However, students note that if teachers do not have the necessary specialist knowledge, or don't use the time with the student productively, then it has little benefit.

For students, more than parents, the question of the student to teacher/support staff ratio is wider than increasing access to SNAs, although for some students these were important.

"More support through smaller class sizes, more support teachers and SNAs. More individual time in resource."

While parents expressed similar concerns and wishes, these points came through particularly clearly in the student responses.

Teacher, professional and staff experiences and concerns

Three key issues stood out: the concern amongst teachers and other staff that they or their colleagues involved in delivering special educational needs education did not have the necessary skills or expertise due to a lack of training; the extremely limited access to therapeutic supports in schools and the negative impact that their absence was having on children's outcomes; and above all else, the insufficient numbers of staff involved in educating children with special educational needs, and the barriers to differentiation this creates.

About a third of the respondents were mainstream class or subject teachers, and their concerns highlight the challenges in creating an inclusive learning environment. Two areas in particular were mentioned: difficulty in effectively differentiating teaching approaches in the classroom so that all learners could experience progress; and difficulty in managing challenging behaviour arising from certain special educational needs. This stakeholder group also felt that the quality of education in special classes in particular was being hampered by the lack of skills and expertise of the staff working there who, they say, are often inexperienced younger teachers.

Teachers, staff and other professionals were extremely frustrated at the difficulty in getting access to therapeutic supports for their students, which they saw as limiting the capacity of schools to provide an inclusive education.

“Children need timely access to professional supports. Children with high levels of need are on waiting lists for years for therapies that could support them when trying to access mainstream education. Teachers are not trained or able to meet this high level of need. This makes education negative for children and is awful for their families.”

Long waiting lists for assessment were a concern for this group, just as they were for parents. Assessments were seen as necessary in identifying specific needs so as to provide appropriate supports. The inequity whereby some parents were able to pay for private assessments and others could not was also raised.

“Lack of assessment means lack of recommendations to staff on supporting the child in the best way. It is not good enough that we as principals have to ask parents to take their child for a private assessment.”

A number of responses also highlighted the need for assessment not to be seen as a one-off event, as reassessment in some cases would ensure that a child was in the most suitable setting to support them.

Like parents and students, school staff and other professionals said that the ratio of students to teachers and other school staff was particularly important. The ability to differentiate was viewed as a particular casualty of understaffing, but the negative impact on other students was also noted by respondents.

“More adequate staffing = more time to deliver the curriculum, in accordance with pupils’ needs and abilities, in the manner one would wish. This would result in a calmer, happier school environment for all. Surely learning and enjoying time together is as inclusive as it gets?”

Many respondents referred to ‘traditional’ classrooms with thirty or more children and one teacher as no longer sustainable. Linked to this concern was the perceived reduced access for children to SNA support. This role was considered by teachers, staff and other professionals to be a key component of inclusive education, and a necessary support for students, beyond the job’s official ‘primary care’ remit. The mismatch between the number of SNA posts made available to schools and the level of need perceived by these respondents was one of their most acute sources of frustration. In particular the perceived growth in ‘shared SNAs’ was seen as undermining children’s outcomes and contributing to behavioural difficulties, and disrupting the learning of all students. In all cases, these respondents felt that the SNA was crucial to inclusion and that in general, the ‘shared SNA’ model was not working.

This stakeholder group was unhappy with the ‘red tape’ and time required to access additional supports, and many respondents were particularly critical of the ‘exceptional review’ process to be followed when seeking supports beyond the initial allocation. Many schools felt that the current system represented a lack of trust in their capacity to identify what level of support was needed for their students. They believed that the NCSE and SENOs were making decisions without sufficient knowledge of the actual situation. One typical submission described the current system as:

“extremely clinical with very little human contact from NCSE officials”.

There were frequently cited perceptions of inequity in the allocation of resources between schools. Respondents felt a need for much greater transparency regarding the basis for Special Education and Training (SET) allocation, and much greater responsiveness to ensure, for example, that a child moving school would not lose existing supports.

Many respondents felt that their school’s facilities were not currently adequate, and were not facilitating their goal of inclusion. Several reported that their buildings and grounds were not currently physically accessible to all students. They highlighted the greater requirement for additional space for children with special educational needs, to accommodate one-to-one interactions and students needing time out, echoing comments made by students themselves.

The prompted responses from teachers and other professionals on various barriers to inclusion often corroborated or expanded on responses in the structured survey. Some key issues emerged. Regarding early years education, there were concerns that inadequate staffing was a barrier to enrolling children with special educational needs and that transfers to primary school were hampered by a lack of formal communication mechanisms between the two settings. However, the Mo Scéal resource received positive comment. On the issue of barriers to the enrolment of children with special educational needs in primary or post-primary, most respondents stated that their schools imposed no barriers, although some qualified this by saying a lack of resources to the school or simply too few places available might lead to a refusal to enrol. Undersupply of places in special classes was frequently mentioned. Regarding IEPs, respondents felt that any barriers were practical rather than ideological, citing time, lack of training and, interestingly, the need to ensure it remained a living document and not a tick-box exercise.

Different educational settings – why choices are made and what experiences are like

In the structured survey, the majority of student respondents were in their preferred setting, and for most that was a mainstream school. When prompted to say why they liked mainstream, most referred to being with friends and feeling equal. Students who said they would prefer another setting found mainstream overwhelming. Reasons given for liking the special class setting included the smaller classes, quieter environment and teachers who were more understanding and aware of their needs. Some respondents liked having access both to mainstream classes and to the special class. Very few of the responses were from students in special schools but they referred to not being able to manage or not getting a place in a mainstream school, and to enjoying the pace and focus in the special school.

The majority of parent respondents had children in a mainstream school. Where parents had considered the options and chose mainstream, their reasons included being in the same schools as siblings or other local children, and asserting their child's equal right to education. Parents mentioned greater opportunities to develop social skills, and that students themselves wanted to be with their friends. For some parents the choice of mainstream was more 'push' than 'pull', as they wanted to avoid the perceived stigma of attending a special school, or no places were available or they could not get an assessment in time for enrolment.

Parents whose children were in a special class had mostly opted for this following a recommendation from a professional. Others felt that mainstream would be too challenging an environment, either sensorily or academically. A number of responses were from parents who felt that a more accommodating attitude would have allowed their child to be enrolled or to continue in mainstream, and some of these mentioned that their child had low support needs but was vulnerable. Some parents commented positively on the level of integration between the mainstream and special class, but others were disappointed that the two remained separate. Parents frequently mentioned the small size of the special class as a positive.

The small class size was also an advantage for parents whose child was in a special school. Responses generally spoke about mainstream being unmanageable for their child, due to lack of necessary supports and of staff with sufficient expertise. For many parents, the choice of special school came after an unsuccessful experience of mainstream.

Inclusion – as reflected in responses to open questions and in open submissions

The issue of inclusion – what does it mean? is it desirable? what does it look like? – arose quite frequently in the responses in the unstructured survey. The structured survey responses had shown a wide range of views, sometimes contradictory and hard to interpret, and the open questions and submissions also showed how complex this issue is.

In their unprompted responses, students ranged from strong advocacy for a mainstream-only provision with all the necessary supports for fully inclusive education to a straightforwardly segregationist position where like students are taught with like. Some of those advocating separate provision emphasised its benefits for those with special educational needs, while others saw it as being fair to those without special needs.

Parents' views covered a similarly wide range from *"all learners should be learning side by side"* to *"fully inclusive will not work"*. However, these apparent extremes had commonalities in that both looked for all necessary supports for students who required them, the former seeing this as achievable and desirable in a mainstream setting and the latter viewing this as requiring a special class or unit. Respondents who suggested alternatives to the current model of provision described various forms of co-location to allow for the greatest level of integration both educationally and socially within the child's community, but the majority seemed to see merit in the current model.

For teachers, professionals and other staff, the issue of inclusion was of clear interest and was raised spontaneously many times. Their responses broadly favoured the current model but focused considerably on what inclusion actually meant. The general view emerging was that it did not mean 'one size fits all', as articulated in this comment:

"I think an inclusive model of education is not about pushing all children into the same building to be taught together. I think it should be about valuing all types of schools, and allowing children to benefit from the best fit for them at that time ..."

Most of this stakeholder group were focused on how inappropriate they considered the mainstream environment to be for some children with special educational needs, or how impractical they felt it was for teachers and other staff to educate these children in that setting. However, there was a common view that there should be more flexibility between settings, and that the mainstream class was the ideal setting for all children, where possible. A number spoke about the successful reintegration of children into mainstream after a period in a special class.

Where teachers and professionals advocated the greatest level of integration or full inclusivity, they were under no illusions about what it would mean in terms of providing sufficient resources and supports:

“Without a massive increase in resources in terms of teachers, teacher aides similar to UK, SNAs, in-depth training in all areas of additional needs and proper continuous provision of professional intervention in areas such as occupational therapy, speech and language therapy, psychiatrists etc, I do not believe it is possible to effectively, safely and fairly provide this inclusive model to children. If all of the above were fully provided it may be possible.”

Actions recommended by respondents to improve current provision

A very large number of recommendations for change were made in the surveys and open submissions. However, it was striking that the top two areas that were prioritised – training, and access to therapeutic supports – were highlighted as being of most importance to both parents and teachers/staff responding via the survey, and to the variety of organisations and individuals who made open submissions. The most common recommendations are given below.

Stakeholders agreed on the need for better initial training and more continuing professional development (CPD) regarding special educational needs for teachers, to promote greater understanding and competence in delivering the supports necessary in all settings. Some suggested that such CPD should be mandatory for special education teachers or that teachers should be incentivised to acquire specialist qualifications.

Parents, teachers, staff and other professionals were in agreement that a key failing of the current system was the challenge of accessing assessments and therapeutic supports. Ensuring that these supports were available to families and schools on a timely basis was considered a very high priority. Those familiar with the EPSEN Act were disappointed that the relevant sections of the Act had not yet been commenced.

Stakeholders were in agreement that access to SNAs was a fundamental support underpinning inclusion and wanted to ensure much wider access. Parents, teachers, staff and other professionals alike felt that the criteria for accessing an SNA should be broadened beyond ‘primary care needs’, pointing to the wider barriers that many students encounter when accessing school. They also felt that the model of SNA sharing was not working and were calling for an alternative approach.

Some teachers, staff and other professionals, and to a lesser extent parents, were calling for a reduced ratio of students to staff within schools. For schools and school staff, and for students, the key consideration was a reduction in class size. Some teachers, staff and other professionals also recommended that there be more than one teacher, or at least a teaching assistant, within a given class. A concern for school principals, special education teachers and special education needs coordinators in particular was the additional administrative burden associated with the increase in children with special educational needs within schools, and the time that this took away from providing support directly to these children.

The issue of the perceived undersupply in the number of special class and special school places dominated all others for a large group of parents. Broadening the criteria for the allocation of places was seen as necessary. Better forecasting of the demand for such places at a national level was identified also as a priority. A number of the open submissions sought an increase in special class access at post-primary level, and for wider access to such places for children with assessments of need beyond that of autism, since some felt that the needs of children with, for example, mild learning disabilities were not being catered for on an equal basis.

Some students raised concerns about what they felt were the negative attitudes of some teachers and other staff in school, and parents echoed these concerns. Teachers, staff and other professionals themselves highlighted this issue. Of equal concern to students and their parents are the attitudes of peers. Suggestions to deal with this included specific training and CPD, and a more direct focus in schools on diversity awareness and a culture of inclusion supporting the rights of all students.

The allocation of resources and supports, and accountability for those decisions, were of concern to all stakeholders. While some welcomed the revised allocation model for SNA support, the roles of the SENO and NCSE, as well as the Department of Education, were still a focus of concern. Most parents did not welcome the new allocation model for SNAs. Almost all stakeholders felt that accessing the supports which they feel are required for a child's education is unnecessarily bureaucratic. Teachers, staff and other professionals feel that the Exceptional Review process is particularly unfit for purpose and should itself be reviewed. There was also a perception that, despite the highly administrative process for accessing supports, the resulting allocations were unfair. It was felt that some schools, or types of schools, or students, were not receiving an appropriate amount of support in comparison with others. Stakeholders were therefore also calling for greater transparency in the system. Issues about equality in the allocation of supports included concerns about the admissions policies of some schools, and how school places, and in particular special class and special school places which are in such high demand, were being allocated. Open submissions from organisations also called for a more transparent process for the allocation of supports, while broadly welcoming the move to a needs- rather than diagnosis-led allocation model.

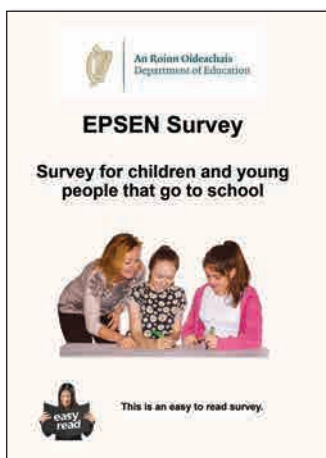
Teachers, staff and other professionals called for improvement in the inappropriate facilities which many felt they were struggling with. At a basic level, most requested that school buildings be updated so that they were physically accessible to all students. These respondents called for more 'break out' spaces such as sensory areas, time out areas, occupational therapy rooms, and space for movement breaks. They were also looking for better outdoor space and equipment.

A concern of teachers and other staff in schools, but arising most prominently in the open submissions from organisations, was the challenge of behaviour management. Teachers, staff and other professionals do not feel well equipped to support children with behaviours of concern and don't feel that they themselves are getting the necessary support from others, such as the SENO or the NCSE.

Teachers are looking for additional time and training in order to prepare high-quality individual education plans for their students. They are also requesting the necessary co-operation from external professionals. The open submissions from organisations called strongly for individual education plans to be put on a statutory footing in line with the EPSEN Act. They also called for the quality of IEPs to be improved, ensuring that they are individualised, specific, and ambitious for the child concerned, and that they are reviewed at least annually, with involvement of parents and students throughout.

Regarding the EPSEN Act itself and any potential update or replacement, open submissions from organisations contained a number of broad recommendations: the terminology and language should be updated, in consultation with all stakeholders; the definition of the types of need which are being supported by the Act needs to be broadened; the sections of the Act which relate to the right to an individual assessment of need, the IEP, and the independent appeals process, should be fully commenced; and the review of EPSEN should continue alongside a parallel review of the Disability Act and also take into account Ireland's commitments under the UNCRPD.

4.4 The easy access survey – findings



This accessible online consultation platform was designed by Accessible Surveys Ltd. as an alternative to traditional surveys, enabling wider access to individuals requiring alternative formats. Respondents were able to receive help to complete the survey if they so wished, and not all questions were mandatory. The survey was piloted by ACE Communication and the survey analysis was conducted by Ann Swift Consulting. The report on the analysis of the easy access survey may be found [here](#).

Extract from the EPSEN Easy Read Survey for participants who go to schools ³²

Extract from the EPSEN Easy Read Survey ³³

Question 2:

Do you like school?

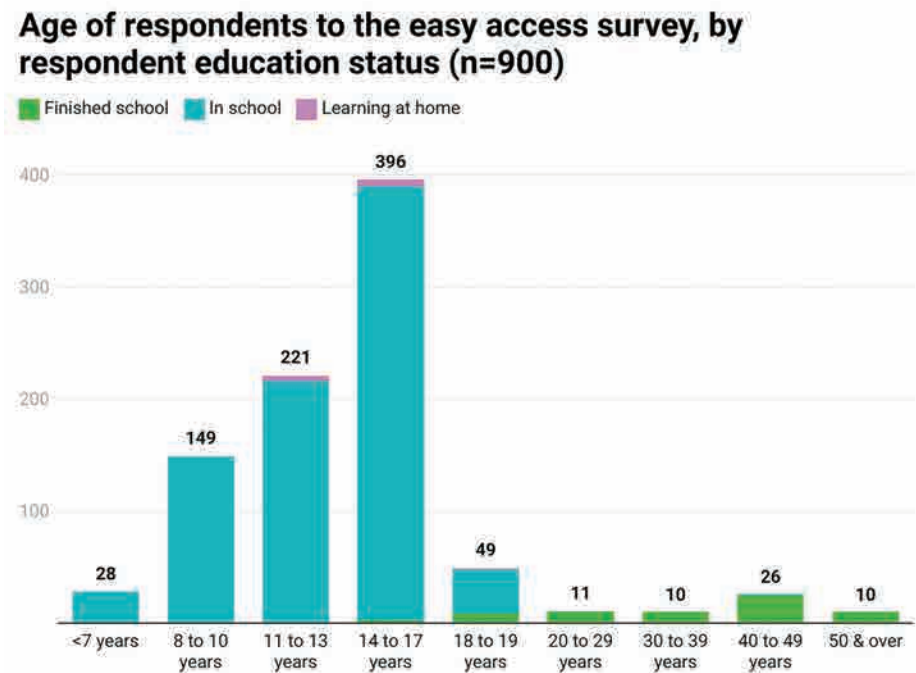
☐ I love school
 ☐ School is ok

☐ I like school
 ☐ I don't like school

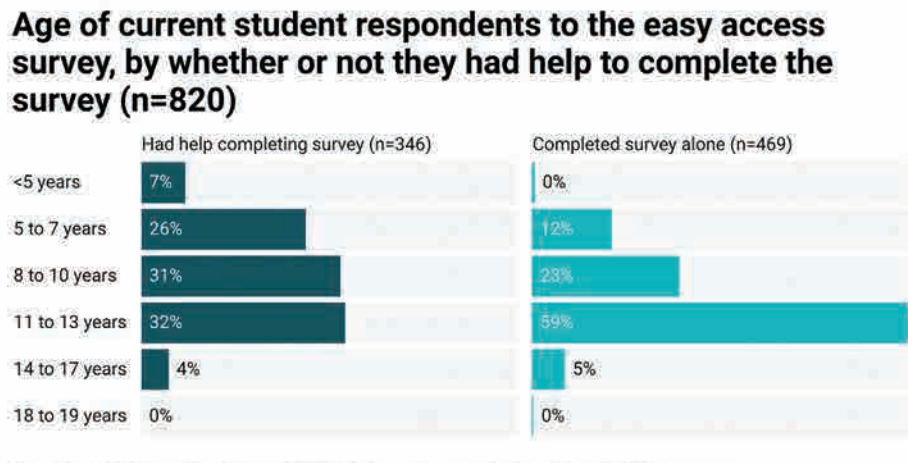
³² ACE Communication, EPSEN Survey for children and young people that go to school, print version, 2024, cover page

³³ ACE Communication, EPSEN Survey for children and young people that go to school, print version, 2024, p.1

Age of respondents to the easy access survey, by respondents' education status ³⁴



Age of current student respondents to the easy access survey, by whether or not they had help to complete the survey ³⁵

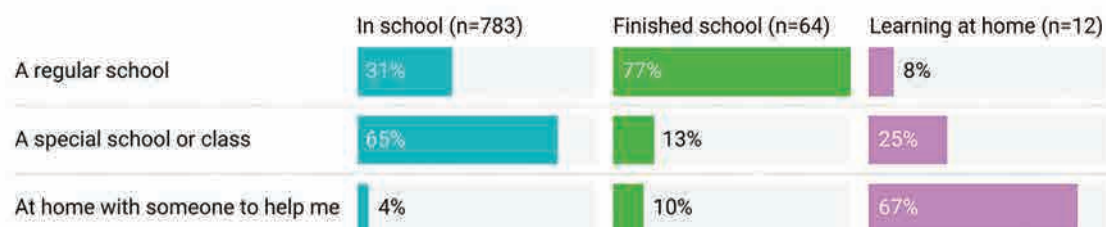


The survey posed both structured and open questions covering topics including the best place to learn, feelings about school, the level of support offered at school, how education could be improved, and views on terminology. Below is a summary of the responses.

Regarding the best place to learn, a large majority of the respondents who had finished school favoured a mainstream 'regular school', and a majority of those learning at home felt home was the best place. The majority of current school students chose a special school or class as the best setting. Those who completed the survey without help were considerably more likely to favour a special school or class. Sixty percent of respondents currently at school said they loved or liked it, in contrast to just forty-four percent who have finished school. A large majority of those currently at school and a bare majority who have finished school said that school helps or helped them to make friends and have a social life. A generally negative picture emerged when those who have finished school were asked about whether school had helped them to plan their future and be ready for work and independence.

³⁴ Ann Swift Consulting, EPSEN Review: analysis of easy access survey, 2024, p.2, fig. 1

³⁵ Ann Swift Consulting, EPSEN Review: analysis of easy access survey, 2024, p.2, fig. 2

The 'best place to learn', by respondent education status ³⁶**The 'best place to learn' by respondent education status
(n=859) ³⁷**

Regarding possible improvements, there were some clear similarities with the responses to the larger online survey and some additional points. Those who had finished school wanted teachers to have a better understanding of special educational needs and of difference. They also wanted changes to the curriculum with more emphasis on life skills, practical subjects and sport, and more active teaching and learning approaches. This group also felt that post-school transitions needed much improvement. Those learning at home were particularly concerned about difficulties with formal assessment, for example Leaving Certificate arrangements for home schoolers, and the desirability of better links with schools.

Extract from the EPSEN Easy Read Survey ³⁸

Question 5:

Do you get help with subjects or schoolwork?

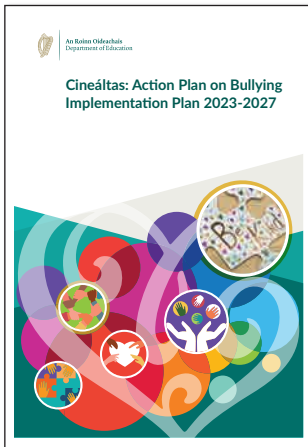
☒ Yes
 ☐ No

For respondents currently at school, suggested areas for improvement included a more differentiated approach to learning, a broader and more varied curriculum, and greater variety and movement in the school day. Many responses appeared to be from students who felt insufficiently challenged by the subjects and teaching methods they were experiencing, while others looked for more focus on the development of core skills. Generally, students wanted more interactive and experiential approaches to learning to accommodate everyone's needs.

³⁶ Ann Swift Consulting, EPSEN Review: analysis of easy access survey, 2024, p.3, fig. 3

³⁷ Given the very small number of responses from respondents learning at home, caution should be applied when interpreting these results.

³⁸ ACE Communication, EPSEN Survey for children and young people that go to school, print version, 2024, p.3



Cineáltas Action Plan on Bullying ³⁹

Another clear theme emerging was the need for better support for learning, including one-to-one support and greater access to SNAs, and supports to assist with social interactions. These responses were more likely to come from students who had received help with the survey.

When asked if there was anything else they would like to say about school, over a quarter of respondents currently at school made positive comments, for example welcoming the opportunity to be with friends, to have nice teachers and to have fun. On the negative side the issue of bullying arose quite prominently, with respondents feeling that reports of bullying went unheeded or disbelieved. The bullying centred on difference, and lack of understanding was also attributed to teachers at times, in the way they responded to students' behaviour and the challenges they face.

A particular focus of the easy access survey was on those respondents who said they don't like school. There was frustration both from those who felt that the pace of learning was too slow and those that found it too fast. Both groups found the school regime inflexible and unaccommodating, and many commented on the enforced lack of movement, and the sensory unpleasantness of the school environment. Teachers' uncomprehending attitude to students in distress was particularly noted in a number of responses, as was the sense that students with different needs are often isolated or ignored.

"Stop punishing my meltdowns, understand some behaviours aren't deliberate, change the code of behaviour."

Question 7:

The Government uses the words 'special educational needs' to talk about students that need extra help in school.

What do you think of these words?

Can you think of better words to talk about these students?

Write your views and ideas here.
If you don't know, you can leave this blank.

All survey respondents were asked their views on the term 'special educational needs'. Most who commented directly did not like the term, preferring 'additional needs'. However, about a fifth said they didn't mind these words or didn't really care what terms were used, and a number of respondents challenged the whole concept of 'special' needs as applied to them, seeing it as identifying deficiency rather than difference. Another approach favoured was to focus on the supports required, so 'additional supports' would become the accepted term.

Extract from the EPSEN Easy Read Survey ⁴⁰

³⁹ Department of Education, Cineáltas Action Plan on Bullying Implementation Plan 2023:2027, (<https://assets.gov.ie/static/documents/cinealtas-implementation-plan-2023-2027.pdf>)

⁴⁰ ACE Communication, EPSEN Survey for children and young people that go to school, print version, 2024, p.4

4.5 Reports from the focus groups – an overview of the process and the findings

In all, one hundred and eighty-five people participated in focus groups in the second phase of the review process – ninety-one adults, eighty students and fourteen young adults. Efforts were made to ensure that the profile of participants would be as representative as possible of the wide range and variety of stakeholders, and the aim of this phase was to get a more detailed picture of the experiences and concerns that had surfaced in the online surveys in the first phase. The young adult focus groups were conducted by ACE Communication. The Irish medium focus groups were carried out by members of the Department of Education Inspectorate, while a research team from the School of Education in UCD completed all the other focus groups. The report on the focus group research to assist in the review of the EPSEN Act 2004 may be found [here](#).

Many common issues and concerns arose in the responses from the two phases and some differences in focus between the various stakeholders also emerged, along similar lines in both phases. The responses were collated and analysed, and the findings reported on. These are summarised below.

The analysed findings from the adult focus groups

Five broad themes emerged including: assessment; school places; resources; learning and school experiences; and the role of the NCSE.

A number of participants noted issues with assessments, including difficulties accessing assessments, lengthy waiting times, and poor-quality assessments.

Parents in particular commented on difficulties accessing appropriate school places, particularly a lack of specialist places and a lack of information about placement options. For some, the distance to attend a special school was problematic. There was concern that a 'one size fits all' position does a disservice to those who would benefit from specialist settings. A number of participants raised concerns about special school students having to leave school when they turn eighteen.

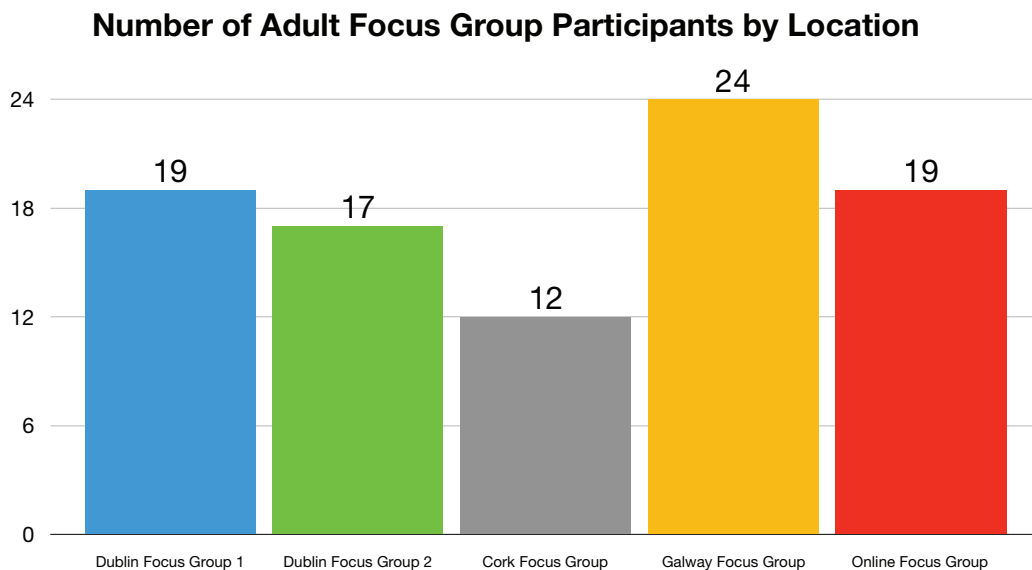
The dominant issue that arose was that of resources. Areas covered included the need for greater training for school staff, particularly for those who had a role as a special education teacher (SET); timely access to supports and resources, such as assistive technology, NEPS services, support from occupational therapists and speech and language therapists, and allocation of SNAs; and the diminished role of the (SET), with many participants detailing SETs being pulled to provide cover for absent class teachers as a recurring issue.

Regarding learning and school experiences, there was a range of concerns, specifically about transfer of information from one setting to another, the language used in the EPSEN Act, 2004 and whether those without a 'defined disability' were being served. It was felt that the voice of children and young people, and their parents is often overlooked, as are the needs of those in Irish-medium education.

A number of participants highlighted concerns about the lack of clarity about the role of the NCSE and particularly their ability to bring about change in schools, for example in establishing much needed special classes.

Finally, school accountability was a key issue for some, as was the current state of disability services. It was felt that health and education services were not 'joined-up' and that parents struggled to navigate these systems.

Number of adult focus group participants by location ⁴¹



Further discussion activities elicited the view that the child as an individual, rather than the curriculum and school system, needs to be central to all decision-making and that we need to change the system, rather than the child. Including the voice of the child was deemed to be crucial.

Parents sometimes felt ignored and not listened to. In the context of the EPSEN Act, 2004, parents felt that professionals were named as experts over and above them. Some also shared experiences of navigating difficult situations alone and without access to accurate information to guide decision-making.

There was a general consensus across all focus groups on the need for increased funding to support children and young people with additional needs in educational settings. References were also made to issues with current funding models, and the need for accountability and transparency.

Inclusion as conceptualised by the EPSEN Act, 2004 was considered to have polarised specialised settings from mainstream settings. Participants consistently highlighted benefits and limitations of different types of educational settings, and a belief that there is room for both specialised and mainstream education. Offering choices about appropriate school placements was considered essential. Participants in each of the focus groups talked about a sense of belonging being a fundamental aspect of an inclusive school community and the related distress when children were excluded from social events. Some participants talked about specialist settings as places where their children could "find their tribe". For other parents, attending a school locally is an essential part of belonging to the community. Participants noted the impact that the school principal can have in promoting inclusion.

⁴¹ University College Dublin, Focus Group Research to Assist in the Review of the Education for Persons with Special Educational Needs Act 2004 (EPSEN Act 2004), p. 28, fig. 1

Many participants commented on the need for increased staffing levels in mainstream schools, and training for school staff was also highlighted across all of the focus groups. Concerns were raised about lack of mandatory continuing professional development (CPD) for qualified teachers and for SNAs. It was also noted that more experienced teachers with specific training need to be in the role of Special Education Teacher (SET).

There was consensus that transitions from primary to post-primary school or when placements break down, are particularly challenging. It was felt that all stakeholders need to work together. A number of participants highlighted the importance of access to supports like occupational therapy, physiotherapy, speech and language therapy and psychology services. Widely differing experiences with NEPS and the NCSE were also reported by participants.

Participants had very different understandings of inclusion. Many participants expressed concern about inclusion as an underpinning principle for legislation, while others valued the concept. However, few felt that inclusion had been achieved and many participants discussed the need to promote inclusive practices at a societal and community level, and the importance of everyone working together. Participants talked about “embracing disability as diversity” and linked neuro-affirmative practices with the concept of inclusion. The desire to move towards a more neuro-affirmative paradigm was seen to be at odds with a diagnosis-led system.

Accepting diversity and considering the needs of all (including those who are gifted) was discussed. The language used was also discussed, with some feeling that the word ‘special’ was negative. The need for legislation to be written in plain language was also noted. A number of parents expressed concern about the general emphasis on Leaving Certificate examinations. Participants expressed a desire for the education system to move from a narrow focus on academics towards a more holistic and broader view.



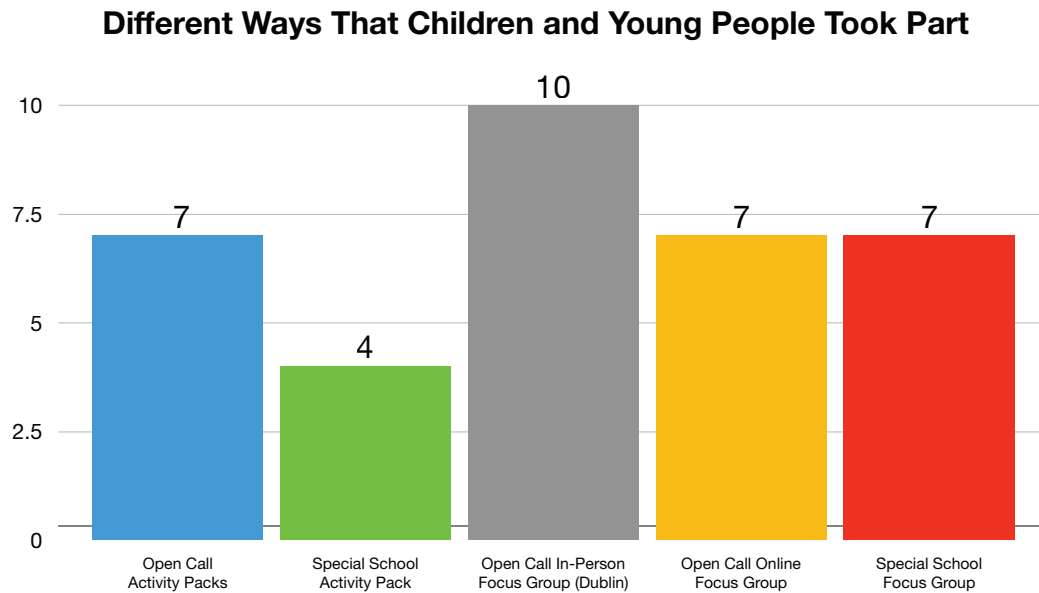
Extract from the EPSEN Act Review Activity Pack ⁴²

The analysed findings from the child/student focus groups

Information was collected from thirty-five children and young people, with seventeen attending in-person focus groups, seven attending an online focus group and a further eleven completing Activity Packs. There was a good balance between primary and post-primary aged students and a wide range of needs were represented, across mainstream, special class and special school settings. When responses and other sources of information were collated and analysed, a number of issues emerged quite prominently. However, participants often reported very different views and experiences of the same issue.

Friendships were very important to the participants, yet many of those in mainstream settings spoke of being bullied and/or socially isolated. This was not the case for those in special schools. Participants spoke of repeated bullying. They expressed dissatisfaction about how teachers responded to bullying.

⁴² University College Dublin, Focus Group Research to Assist in the Review of the Education for Persons with Special Educational Needs Act 2004 (EPSEN Act 2004), p.41, fig. 12

Different ways that Children and Young People Took Part ⁴³

Some participants reported mental health difficulties, sometimes associated with bullying or with difficulties coping with an ‘overwhelming’ school environment. They asked that schools prioritise mental health.

Views on teachers, not unexpectedly, varied widely. For some, relationships with teachers were a source of concern, with some participants saying that teachers did not care about them or were dismissive of their needs. Others reported that teachers, often particular individuals, were very supportive and helpful. Teachers were sometimes considered to lack awareness and understanding of additional needs and enhanced teacher training in this area was recommended.

Participants commented on the lack of variety in teaching methods and wanted more choice in the curriculum. Preferred activities centred on play and fun, but in terms of the formal curriculum, PE, art and cooking were most liked. Homework was universally disliked and most students wanted it abandoned.



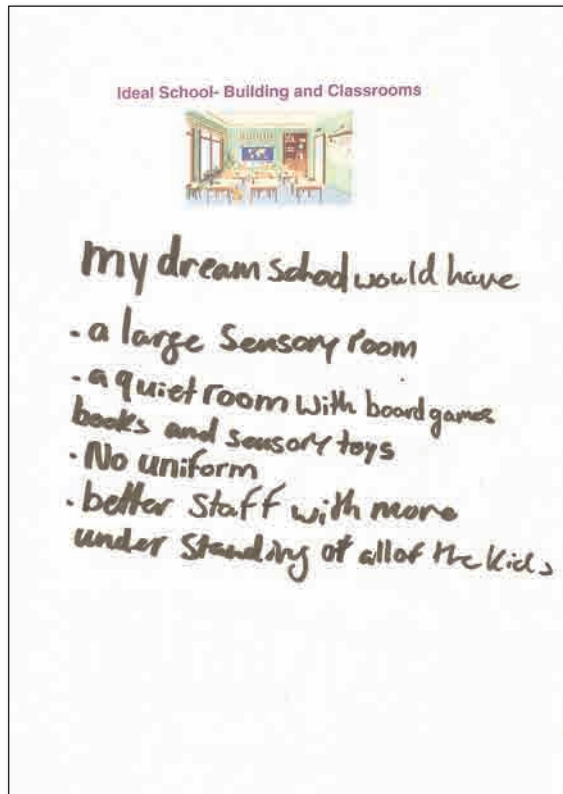
Many participants spoke about not receiving adequate support, or felt that the support was not well tailored to their needs. In some cases, more specialised support was needed. SNAs were typically highly valued and spoken about positively, although some older students in a special school setting felt they needed less SNA support and more independence, and in a mainstream setting the presence of an SNA was found to interfere with peer relations. Many participants spoke of the importance of movement breaks and of assistive technology.

Placement in special classes and special schools was largely valued by participants and something they sought and appreciated. They also expressed the view that some mainstream schools were much better than others and some teachers/classes were much better than others.

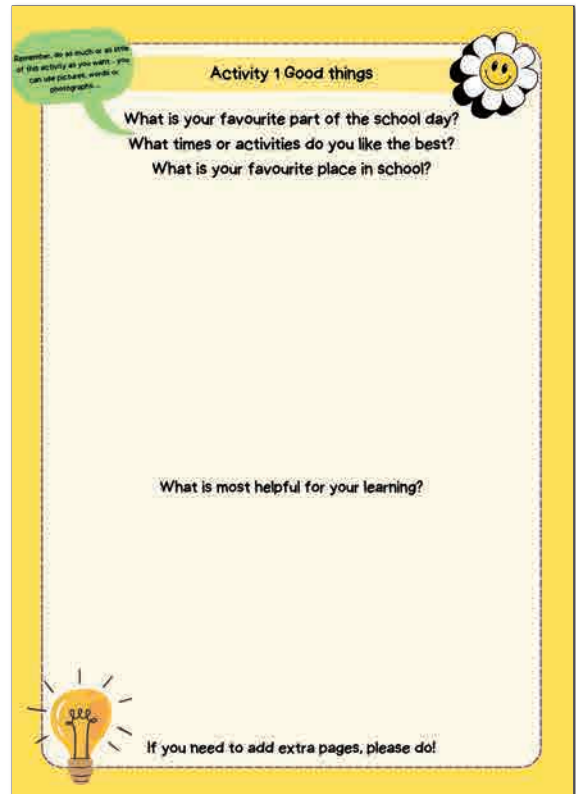
Extract from the EPSEN Act Review Activity Pack ⁴⁴

⁴³ University College Dublin, Focus Group Research to Assist in the Review of the Education for Persons with Special Educational Needs Act 2004 (EPSEN Act 2004), p.30, fig. 2

⁴⁴ University College Dublin, Focus Group Research to Assist in the Review of the Education for Persons with Special Educational Needs Act 2004 (EPSEN Act 2004), p.38, fig. 8



How could things be improved? ⁴⁵



Extract from the EPSEN Act Review
Activity Pack ⁴⁶

Many participants found the school environment overwhelming, mentioning noise levels, lighting and crowded situations. Lunchtimes were often problematic, and many participants wanted quiet, safe spaces to eat lunch. There was a desire for larger classrooms, with softer lighting and for more access to sensory rooms, and fidget/sensory toys. Generally, there were few concerns about school rules, but many participants disliked having to wear a school uniform and found the experience aversive.

Many terms were acceptable to participants: neuro-divergent, dyslexic, autistic, dyspraxia, ADHD, Down syndrome. There was less satisfaction with the term 'special needs'. The point was made that virtually all terms to describe additional needs could be weaponised against children and young people.

⁴⁵ University College Dublin, Focus Group Research to Assist in the Review of the Education for Persons with Special Educational Needs Act 2004 (EPSEN Act 2004), p.39, fig. 9

⁴⁶ University College Dublin, Focus Group Research to Assist in the Review of the Education for Persons with Special Educational Needs Act 2004 (EPSEN Act 2004), p.39, fig. 10

Theme Structure of Child Focus Group and Activity Pack Findings ⁴⁶

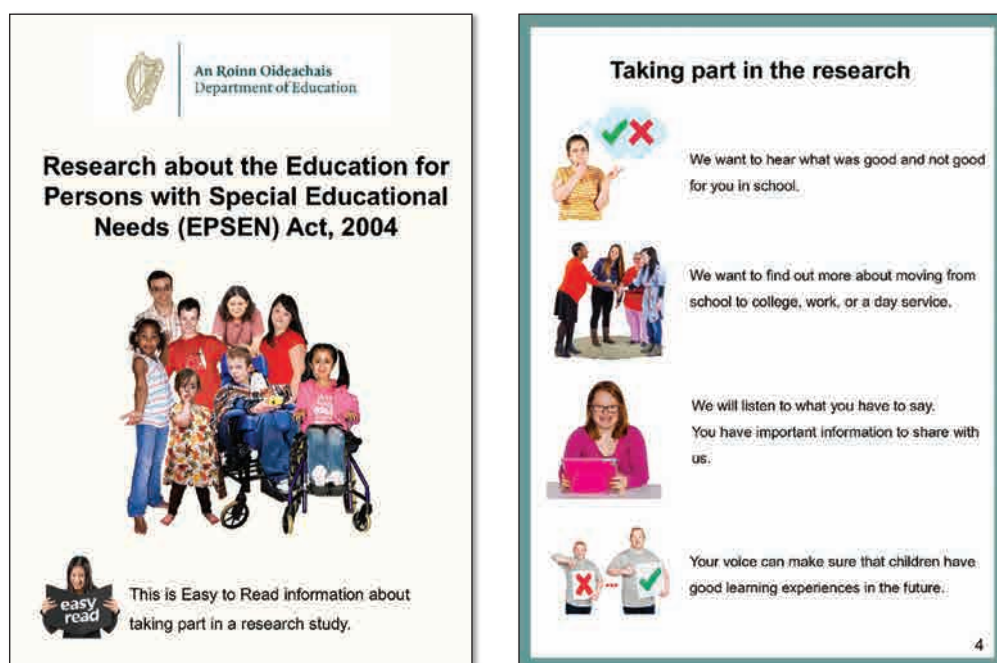


⁴⁷ Details taken from University College Dublin, Focus Group Research to Assist in the Review of the Education for Persons with Special Educational Needs Act 2004 (EPSEN Act 2004), p.68, fig. 23

Analysed findings from focus groups of 'school leavers' aged eighteen to twenty-five

A series of focus groups and individual interviews were conducted to gather the views and experiences of young people who have completed their post-primary education and have entered the working world, further education, or adult services. A broad range of special educational needs were represented. Of the fourteen participants, nine had attended mainstream primary and post-primary schools, including special classes, and five had attended special schools. They talked about the supports, barriers and challenges they had encountered, and proposed ways to improve the experience of children and young people with special educational needs in the future. The report of the findings of a consultation with young people as part of the review of the EPSEN Act 2004 may be found [here](#).

There were differing opinions on school across the groups and interviews. Those who attended a special school enjoyed it, in particular the support from teachers and other students. Some who attended mainstream settings really liked their school too and shared positive memories and stories. Others had more difficult experiences in the mainstream school environment and did not like school.



Young Adult Focus Group Easy to Read Information Leaflet ⁴⁸

Participants were asked what they believed was the best place for them to learn. Some participants described how they were bullied in the mainstream school environment and so had moved to a more specialised setting to continue their education. Others explained that the academic challenges in the mainstream setting were too great, and they did not feel they received adequate supports to learn there. Several participants highlighted a lack of supports at post-primary in comparison with primary school.

A number of participants are currently in an alternative educational setting or on a further education programme. They explained the benefits of alternative approaches to education outside the regular school environment:

⁴⁸ ACE Communication, Research about the Education for Persons with Special Educational Needs (EPSEN) Act, 2024, cover page & p.4

“The best place to learn is the place that gives you confidence and helps you to grow as a person.”

The young people described the many challenges that they faced during their school careers. These included dealing with the demands of the standard curriculum: content, pace of work, and difficulty. They also spoke of problems with teachers who showed poor understanding of special educational needs in their attitudes and teaching styles. Social difficulties were also discussed, including problems making friends, dealing with different personalities, managing conflicts and coping with bullying. On a personal level, they recalled experiencing anxiety, and finding it difficult to ask for help and to access supports for their individual needs.

The young people were asked about things that supported them to learn, either when they were in school or in their current educational provision or employment setting. They highlighted engagement with practical and creative subjects, experiential learning, good relationships with teachers and peers, achievable goals, and a focus on independence. Individual supports ranging from transport to school to help with literacy, numeracy and communication were also valued. Accessible learning spaces and allowing for sensory and movement breaks were seen as supportive. Overall, what came through in their responses was the value of a more person-centred approach, responsive to them as individuals.

Almost all of the participants acknowledged the social demands and challenges of the school environment. A significant number had struggled to manage these with different repercussions including leaving school or changing schools. Most said that their school provided some support to make friends, but this was limited. All would like to see schools offering more support in this regard to children and young people with special educational needs, and others at risk of isolation in school. They would also like to see more comprehensive policies and supports dealing with bullying and discrimination.

The young people that attended special schools reported learning money skills. Those in mainstream settings said their only opportunity to learn money or budgeting skills was in maths or business subjects. One participant commented:

“It’s all about being college ready as opposed to being ready to be an adult.”

Some young people were supported to think about and plan for their future while they were in school. Others had little or no support in this area. There were diverse views on guidance counselling with some participants finding it very helpful and others less so. Where a school placement had broken down, the young people reported having little support to find an alternative school or programme.

Most said that they had no strong feelings about terminology, and that they were happy with the term ‘special educational needs’. Some disliked the word ‘special’, and several said they prefer to use the term ‘additional educational needs’. A few participants said they disliked the idea of putting a wide range of different people with unique needs into one category.

In addition to the areas outlined above, the participants put forward a number of ideas to support children and young people with special educational needs in the future. They made specific suggestions about issues raised earlier regarding the need for greater accessibility, understanding and flexibility.

Analysed findings from focus groups of students in Irish-medium schools

Forty-five students from five Irish-medium schools, three primary and two post-primary, participated in these focus groups. These schools were selected to provide wide geographical coverage and to be representative of the types of schools found across the Irish-medium education sector. Selection criteria included school size, location, DEIS status, Gaeltacht or Gaelscoil context, and, in the case of one school, its having a special class. The focus group questions elicited responses regarding students' school-related likes and dislikes, what helped them to learn, relationships, and school transitions. The report of the Irish medium schools focus groups may be found at [here](#).

Almost all students stated that they liked school, although in one school some older students said that they would like a break from sitting in their chairs. Almost all students reported that they like activity-based lessons and tasks, practical subjects and the arts. All students said that they would like more of these activities and opportunities for more movement. Post-primary students in both schools disliked having multiple teachers for Maths and English support.

A recurring theme in all settings was a dislike of homework. A particular dislike was if the homework tasks had not been prepared in advance or discussed in class, and therefore the students could not complete the tasks at home without support or direction. It was reported in all settings that homework in Maths was particularly difficult, especially if the teacher had not explained it in small steps during the lesson.

Frustration with Maths was a recurring theme in all settings, but especially in primary schools. Over half of all students expressed a frustration with the teaching and learning of Maths. They would like to see more in-class support for Maths: maths games; fun activities; teaching at a slower pace when moving through the maths curriculum areas; and more direction from the teacher and opportunities for students to discuss maths during the lessons.

Only post-primary students mentioned a dislike of uniforms, which they found uncomfortable and schools are too strict about them. The students expressed a wish for more flexibility about school uniform and for clothes and learning environments that were more comfortable.

‘Tábhachtach a bheith le mo chairde’.

Relationships with peers were viewed as very important in all of the schools.

Relationships with teachers were reported to be important in only three of the schools. Overall, in four schools, the relationship with the SET and SNA were viewed more positively than the relationship with the class or subject teacher. The students stated that the SNAs and SETs had more time to listen and to explain things to them.

“Déanann siad níos éasca an obair ... briseann siad síos dhuit é.”

In almost all schools, there was no perception among students that additional help and support from the SET was extra work for them in addition to their normal school work.

It was evident in all settings that most students preferred learning in small groups rather than through whole-class teaching. In all three primary schools, the majority of students said that they would like more games in every subject and more teachers to support their learning in the classroom in small groups during lessons. The students recognised the benefits of working in small groups where they could discuss the tasks. Many students gave examples of learning other skills (outside of school) in small groups as part of developing their hobbies. Some students said that they felt more confident asking questions when they were in a smaller group.

When asked about which teaching approaches are effective, supportive, or good, students were quite clear about what helps them to learn. Most students stated that they learnt best through participating in hands-on active learning. Some students reported that they also learn best from watching other people. Other effective teaching approaches included having clear, well-structured, active lessons where discussion was facilitated and students had agency.

Students in all schools reported that there was provision for supporting English in their schools. Students in only one school reported that they had support for Irish. Most children remarked that they were receiving additional support for English literacy but none stated that they were receiving additional support for Irish. One student reported difficulties with Irish-medium reading and spelling unfamiliar words and stated a preference for learning only words that were useful. Some students mentioned that the Irish-medium terminology used in some subjects was difficult. However, almost all students in every school said that they liked learning through Irish, while a few students reported that they did not really have a view on it. In one school, students noted that learning through Irish helped them to learn other languages.

For post-primary students looking back on their own experiences of transitioning from primary schools, almost all students said that it would have been beneficial if they could have spent a few days in post-primary before transitioning fully. They also said that there was not enough communication between the schools. The students recalled feeling excited but in some cases very nervous.

In the case of the primary-aged students transitioning to post-primary school, almost all reported that they were nervous, and did not have enough information. They reported some anxiety about timetabling in post-primary school; feeling that the work will get harder; changing classes every lesson; and feeling unprepared in ICT skills. While they had visited the school to sit the entrance exam and on an open night, they would love to have more opportunities to see the subjects in real life. It was helpful to the students if they had siblings who had made the transition previously. In all three primary schools, some pupils said that they were afraid that the subjects will be more difficult, and worried that they won't get the extra help if they need it.

4.6 Issues arising from the survey and focus group findings

Issues on which there was broad unanimity among all stakeholders

- Assessing students' educational needs and securing the supports and resources required to address them – urgent action required to remove current difficulties and inadequacies in obtaining timely assessments and putting in place effective interventions
- Building capacity within the educational system to provide for students with special educational needs, through enhancing the skills and competences of teachers and other professionals in this area, the need to improve service delivery models and through developing greater understanding and acceptance on the part of all who interact with these students
- Addressing the issue of insufficient personnel at present in crucial areas: SENOs, SNAs, teachers with appropriate skills to teach special classes, NEPS psychologists, and occupational and speech and language therapists, and improving the models of service delivery to maximise available resources
- Recognising the need for significant additional funding to address special educational needs while also ensuring a greater level of accountability and greater attention to the effectiveness of interventions
- Addressing current difficulties with transitions from one setting to the next (early learning to primary, primary to post-primary, transitions into and out of special classes or schools) so that the necessary information and supports travel with the child and setbacks in learning are avoided

Issues highlighted by specific groups of stakeholders – parents

- Parents' responses in surveys and focus groups emphasised the difficulties they experienced in finding suitable school places for their children at all levels, whether in a mainstream or special class or school setting. Mostly they put this down to inadequate supply but sometimes to an unwillingness on the part of mainstream schools to enrol children with special educational needs
- While difficulties accessing the required supports were raised by all stakeholders, this was a particular concern for parents, who spoke of 'fighting' and 'battling' to get what they felt their children were entitled to

Issues highlighted by specific groups of stakeholders – teachers and professionals

- Teachers placed a greater priority on increasing the staff numbers involved in teaching children with special educational needs than other stakeholders

Issues highlighted by specific groups of stakeholders – students

- Student stakeholders emphasised the importance of positive relationships with teachers and peers as key to an inclusive experience of education, and were keenly aware of the negative impact of attitudes and actions that showed a lack of understanding and empathy
- Student stakeholders placed particular emphasis on the content of the curriculum and on teaching approaches that promoted active and experiential learning, and were frustrated by limitations they encountered in these areas

Issues on which there were differing opinions

- The meaning of inclusion and what inclusion looks like were areas on which respondents differed. There were some who saw the continued existence of special classes and schools as contrary to the essence of inclusion, while others believed that different settings provided both quality and equality of provision
- The term ‘special educational needs’ provoked varying responses. Many preferred ‘additional educational needs’. Students appeared least concerned about terminology and believed that any term could become derogatory. They felt that the attitude behind the words rather than the terms themselves was the most important element in creating a more inclusive and welcoming environment

Issues arising from the advisory and steering group discussions

- The various issues listed above were discussed at the advisory and steering group meetings which, took place very regularly during the review process. One particular area considered by these groups concerned the need to look at the design of approaches to teaching, learning and assessment and to the learning environment itself that would benefit all learners. This Universal Design for Learning (UDL) has framed the approach to teaching and learning in other educational systems and in some educational settings in Ireland, and there is evidence of its effectiveness in reducing or eliminating a range of barriers to learning for students. It was felt that this approach would be consistent with and supportive of the concept and the implementation of inclusive educational practices

Section V

Recommendations arising from the review of EPSEN



5.1 The review of EPSEN – recommendations

The process of reviewing the EPSEN Act has brought to light a number of areas of concern, where the participants considered that changes or developments in existing legislation, policy or practice were required. In many areas, the views of participants were remarkably consistent, although arising from different perspectives and experiences. For this reason, the recommendations arising from the review process have not been linked to any one strand of the consultation process or to any one stakeholder group, as this would not reflect the fact that similar recommendations arose from many different sources.

The very frequent meetings of the Advisory, Working, and Steering Groups enabled a confidential sharing of views and purposeful discussion of what were often quite difficult issues with the potential for disagreement as to the best course of action for improvement. This constructive and consensus-building dynamic continued into the final stages of the review process which enabled the Steering Group to draft a comprehensive list of recommendations, with input from the other groups, and then finalised for presentation to the Minister.

Any review of existing legislation is likely to focus initially on the legislation itself, and indeed the changes required in legislation to replace the EPSEN Act emerged clearly during the review process. As has been noted in Section II above regarding the uncommenced sections of the EPSEN Act, it was clear from the outset of the review process that simply commencing the EPSEN Act in its entirety was not a viable proposition, because of very significant changes that have occurred in both the legal and educational contexts since 2004. These changes have rendered sections of the EPSEN Act irrelevant and indeed incompatible with current understanding of inclusive education and current provision in the area of special educational needs.

One of the noteworthy features of the extensive and lengthy EPSEN review process is that it also looked closely at policy and practice. This led to a growing recognition, over the course of the review process, of the ways in which changes in policy can bring about improvements and benefits. These changes, while initiated at the level of policy, may subsequently be enshrined in legislation.

With this in mind, the recommendations below are presented under two broad headings: legislation-based recommendations and policy-based recommendations. Both sets of recommendations have arisen from the totality of the consultations, discussions and analysis that formed the review process.

LEGISLATIVE BASED RECOMMENDATIONS

Wider legislative changes 1	
Recommendation:	Basis for recommendation (why are we doing this?)
Consideration should be given to introducing legislation to include all school-age children under one Act that would provide a legal rights-based inclusive education. While the preferred method may be an amended Education Act, other legislative options may be considered.	The consultations during the EPSEN review process indicated the desirability of a single underlying legislative basis, thereby bringing the principle of inclusion to bear on the formation of new legislation.
New legislation should maintain the functions of the National Council for Special Education (NCSE).	To maintain the legal basis of the NCSE and their functions.
Consideration should be given to including the mediation function outlined in section 38 of the EPSEN Act 2004, which was not commenced in new legislation.	This would allow matters of appeal or concern to be addressed in a prompt manner without the excessive costs and time delays that may arise with court proceedings.
Consideration should be given to a review of the Disability Act 2005 and the legal framework governing Assessments of Need (AONs).	In the interests of promoting timely high-quality assessments that yield actionable information and trigger appropriate services.
To work towards providing for a legal right of access to preschool including and articulating the requirements to support the right of access for children with additional needs; and that, where applicable, the future statutory framework in the ELC context provides complementary provisions to those in the revised legislation and the EPSEN Act successor statutory framework.	To seek to reflect that the changes in early learning and childcare provision and early years strategic policy since the original EPSEN Act 2004 was introduced.
All definitions of inclusive education and the characteristics ascribed to it in future legislation should comply with the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) and the core features of inclusive education which are set out in it.	It was highlighted during the consultation that there are different views of what inclusive education is, therefore, it is important to have a consistent approach across the education system.

Support Planning for Children 2	
Recommendation:	Basis for recommendation (why are we doing this?)
Revised legislation should use the term Student Support Plans (SSPs) in place of Individual Educational Plans (IEPs) as the foundation for supports and resources, including a right to appeal.	The IEP provisions in the EPSEN Act were not commenced and in the meantime the Student Support File system and SSPs have become widely used in schools. Student Support Plan is the term and point of reference used in Department circulars and advice.
Support should be put in place for the development of an infrastructure for effective Student Support File management and SSP implementation.	These should seek to ensure that the SSP process itself is firmly positioned in a deeper and more consistent understanding of the Continuum of Support and how it is best applied.

POLICY BASED RECOMMENDATIONS

Assessment of Needs Process (AON) 3	
Recommendation:	Basis for recommendation (why are we doing this?)
The efficiency and timeliness of the AON review educational component process within the context of an inclusive framework of assessment should be improved.	To better serve students' needs, and to ensure that the process is monitored and updated on a continual basis.

Inclusive Education 4	
Recommendation:	Basis for recommendation (why are we doing this?)
A roadmap for an inclusive education system should be developed.	This will provide systemic coherence that allows for flexible movement between settings, centring the child in decision-making and giving reassurance to all stakeholders, thus adhering to the concept of progressive realisation which Ireland has committed to under the UNCRPD.
A carefully managed transition to full inclusion should be promoted, with adequate access to specialist placements based on children's needs.	Thereby addressing the varying needs of students.
Close co-operation between mainstream schools and special schools/classes should be fostered.	To enhance educational outcomes for children and facilitate sharing of expertise.
The understanding and use of the continuum of support model should be examined.	To ensure that it is achieving inclusion and responding to identified and/or diagnosed needs.

Language Use 5	
Recommendation:	Basis for recommendation (why are we doing this?)
The language and terminology to be used in policy and practice should be clarified, with evidence-informed definitions where these are applicable. In this context, the name of the NCSE should be reviewed.	Consideration should be given to replacing the term "special" with "additional", as this has emerged as the preferred term.

Rights of the Child 6	
Recommendation:	Basis for recommendation (why are we doing this?)
The age requirements for children with Special Educational Needs in special schools should be re-evaluated.	To address the anomaly that students in special schools are at present only entitled to statutory education to the age of eighteen, whereas this limit does not apply to students in mainstream schools.
Educational reforms should be centred on upholding children's equal rights to access and participate in education.	So that the perspectives of the child regarding their education are actively sought and are incorporated into all reforms.
Educational reforms should prioritise children's wellbeing and safety, recognising that these are enablers of children's educational progress.	To promote inclusion, diversity, and wellbeing and to prevent and address bullying and racism.
In-school therapy and early intervention services should be available for students who need them.	The provision of uniform supports to students in their educational setting emerged as a strong demand during the consultation stages of the EPSEN review process.

Closer Government Stakeholder Engagement 7	
Recommendation:	Basis for recommendation (why are we doing this?)
Communication and co-ordination between all Government stakeholders and departments / agencies on inclusive education should be enhanced.	This close engagement is essential and fundamental for the pathway for inclusive education to be successful.

Workforce Professional Learning

8

Recommendation:	Basis for recommendation (why are we doing this?)
School leaders, teachers and SNAs should be supported to receive appropriate and consistent professional learning and development for effective inclusive practice.	To promote awareness among all staff of children's rights to education. To enable access to and engagement with learning through the delivery of inclusive teaching.
Approaches that support inclusive practice should be integrated across the continuum of teacher education, from initial teacher education to in-service professional learning and development.	This is to ensure that an inclusive education ethos becomes the baseline of all education provision and that teachers gain the necessary professional confidence to engage productively with students who have additional needs.
The introduction of mandatory professional learning for all teachers relating to special education should be considered where appropriate, possibly as a condition of registration.	This is in response to teachers' own concerns about the current level of relevant skills, and it should provide opportunities to develop consistency of approach through shared learning at school level.
Exposure to a variety of placement options during pre-service / initial teacher education should be increased.	To broaden professional experience and opportunities to develop relevant competencies.
Universal Design for Learning (UDL) should be established as a foundational principle underpinning teacher education for inclusive practice and curriculum development.	This would provide teachers with a framework and set of principles on which to plan and teach lessons that meet the diverse needs of all students.
Positive attitudes among educators, peers and school communities towards students with special educational needs should be further encouraged, fostering a sense of belonging and inclusivity in schools and higher education institutions.	This is in response to the concerns felt by children and young people that emerged during the consultation process.

Transitions 9	
Recommendation:	Basis for recommendation (why are we doing this?)
Transition processes should be standardised with a rights-based approach within education, including the improvement of planning and data sharing.	To enhance educational transitions from early years to adulthood. To support consistent and standardised transfer of information.
Coherent transition policies should be established across Government Departments.	To promote open communication and engagement between the different education settings.
Clear processes for planning and supporting students as they transition between different stages of education should be developed.	To promote continuity in the application of necessary supports.
Consistent data collection methods should be implemented.	To inform forward planning and resource allocation for students with special educational needs.

Resources 10	
Recommendation:	Basis for recommendation (why are we doing this?)
In keeping with the earlier recommendation regarding Student Support Planning, Student Support Files should be used as a key basis for resource allocation and school profiling.	This approach will assist in building a profile of need for the schools, leading in turn to more effective deployment of resources, and to establishing a more positive and inclusive approach.
The possibility of resourcing schools through unified Special Education Teacher allocation model that includes mainstream and special class settings should be examined.	In the interests of ensuring the most effective deployment of resources for inclusive education.

Irish-Medium Education 11	
Recommendation:	Basis for recommendation (why are we doing this?)
There should be comprehensive professional training and development on Irish-medium education for teachers and Special Needs Assistants (SNAs).	To acquire familiarity with this educational context early in their careers.
Students with special educational needs should be supported to access the supports they require without compromising their Irish language learning, particularly for those transitioning from Irish-medium primary schools.	To better provide for children with special educational needs in Irish medium education.
Provision of tailored assistance and resources to Irish medium schools through the NCSE should be increased.	To promote effective delivery of Irish-medium education on an inclusive basis.
The access of children with special educational needs to places in Gaelscoileanna and Gaelcholáistí should be enhanced.	In the interests of system-wide inclusive education.
Where possible, diagnostic and standardised testing materials should be specifically in Irish, rather than relying on translations of English versions.	To provide greater accuracy in assessing needs.

School Buildings and Location 12	
Recommendation:	Basis for recommendation (why are we doing this?)
Suitable building designs and physical spaces that support inclusion should be used, with careful consideration of language and terminology, such as “inclusive school” instead of “campus”.	This will assist in fostering an inclusive educational environment through thoughtfully designed physical spaces and the use of inclusive language.
Special schools should be located within the heart of communities, wherever possible.	To facilitate community engagement and students’ opportunities to develop life skills through real-life interactions.

Curriculum Development 13	
Recommendation:	Basis for recommendation (why are we doing this?)
Life and vocational skills education should be incorporated into the curriculum, particularly for students transitioning out of post-primary education, in collaboration with their parents.	To help prepare students for adult and independent life and what that may look like for them. This is important for students who are transitioning out of post-primary level education, with the cooperation of their parents.
Activity-based, multi-sensory approaches to learning, teaching and assessment in curriculum design should be encouraged, underpinned by the principles of Universal Design for Learning.	Students' voices in the consultation process strongly supported this approach as a means of creating a more inclusive and engaging learning environment that meets the diverse needs of all students.
Consideration should be given to the development of customised curriculum options for exceptionally able students.	To offer appropriate challenges and safeguard wellbeing.

Parental Involvement and Rights 14	
Recommendation:	Basis for recommendation (why are we doing this?)
Boards of Management should be encouraged to actively engage and consult with parents on matters related to their children's education.	Engagement and consultation with parents is a key component in the provision of inclusive education.
The rights of parents in educational decision-making processes should be clarified and reinforced, recognising the vital role parents play in understanding and supporting their children's educational needs.	To enhance the right of the parent to be consulted about their child's education and to support an inclusive experience for children.

Student Support Services 15	
Recommendation:	Basis for recommendation (why are we doing this?)
Age-appropriate wellbeing supports and mental health services should be available to students when required.	To promote mental health supports for students experiencing mental health difficulties/challenges.
Support for schools in understanding and engaging with students' social, emotional, academic and behavioural needs should be considered.	To assist schools in managing student's social, emotional, academic, and behavioural needs.
A data management system should be established to examine the extent of placement breakdowns for mainstream schools, special classes and special schools.	This would assist the tracking of students' placements and planning for alternative placements; and understanding the reasons for placement breakdowns and successes. It would also assist parents of children with one route for applications and with forward planning needs.

Support Services 16	
Recommendation:	Basis for recommendation (why are we doing this?)
The NCSE Council should include representatives with lived experience of disability.	This approach would provide valuable insights, ensure diverse perspectives and promote informed policies, and it should aim to be consistent with the UNCRPD.
The role of NEPS should be clearly defined and communicated to schools and families.	To create a meaningful level of understanding of the supports available through it.
A clearer and more streamlined access to SENOs for schools and parents should be introduced.	To promote clearer access to SENOs for assistance.
The provision of support to Special Education Needs Coordinators (SENCOs) to enhance the role should be examined.	The possible rotation of the role to share learning, and to avoid burnout and isolation, could be considered.
The role of the SNA should be clearly defined, using the SNA Workforce Development Plan.	To seek to have the SNA Workforce Development plan clearly define the role of the SNA.



