

**INCLUSION IRELAND**

National Association for People with an Intellectual Disability

# **Submission to the National Council for Special Education on Inclusive Education**

**June 2020**

**This document is written in font 12 Verdana in line with Inclusion  
Ireland plain English guidelines**

# About Inclusion Ireland

---

Inclusion Ireland is a national, rights-based advocacy organisation that works to promote the rights of people with an intellectual disability.

The vision of Inclusion Ireland is that of people with an intellectual disability living and participating in the community with equal rights as citizens, to live the life of their choice to their fullest potential.

Inclusion Ireland's work is underpinned by the values of dignity, inclusion, social justice, democracy and autonomy and guided by the rights contained in United Nations Convention on the Rights of Persons with Disabilities (UNCRPD).

## Introduction

---

Inclusion Ireland welcomes the publication of NCSE's 'Policy Advice on Special Schools and Classes'<sup>1</sup> as part of a review process on whether this approach should continue for students with more complex special needs or whether greater inclusion in mainstream classes offers a better way forward.

Since Ireland has ratified the UNCRPD there is an obligation on the Government to move towards greater inclusion in mainstream schools and comply with Article 24 which obliges state parties to ensure inclusive education at all levels.<sup>2</sup>

---

<sup>1</sup> NCSE (2019) Policy Advice on Special Schools and Classes. An Inclusive Education for An Inclusive Society? Progress Report

<sup>2</sup> UNCRPD Article 24.

The UNCRPD Committee further details this obligation in their commentary, that states must provide “a consistent framework for the identification, assessment and support required to enable children with disabilities to flourish in inclusive learning environments”<sup>3</sup>.

This paper sets out Inclusion Ireland’s position on moving towards an inclusive model of education. The paper will focus on the current situation with regard to special education, identification of issues and barriers within special and mainstream education and finally explore what needs to happen before moving toward an inclusive model of education.

## **What is inclusive education?**

---

There has been an increasing international movement toward inclusive education over the last two decades. The right to equal and quality education was initially set out in the Convention on the Rights of the Child<sup>4</sup>. The Salamanca Statement affirmed that inclusive regular schools "are the most effective means of combating discriminatory attitudes, creating welcoming communities, building an inclusive society, and achieving education for all<sup>5</sup>.

12 years later the UNCRPD stated: inclusive education is where students of all abilities, with and without disabilities, learn together in the same classroom environment and have their individual needs met. The focus is on quality education for all, ensuring that education providers can support all students to achieve the best outcomes and participate fully<sup>6</sup>.

---

<sup>3</sup> General Comment No. 4 Article 24 on the Right to Inclusive Education, Committee on the Rights of Persons with Disabilities

<sup>4</sup> Convention on the Rights of the Child (1989) Article 28

<sup>5</sup> UNESCO 1994 World Conference on Special Needs Education issued the Salamanca Statement

<sup>6</sup> UNCRPD Article 24

Inclusion is about reforming the content, teaching methods, approaches, structures and strategies in education to overcome barriers so all students are provided with an equitable and participatory learning experience and the environment that best corresponds to their requirements and preferences<sup>7</sup>.

The UNCRPD Committee emphasises the importance of differentiating between the different models of exclusion, segregation, integration and inclusion.

- Exclusion occurs when students are directly or indirectly prevented from or denied access to education in any form.
- Segregation occurs when the education of students with disabilities is provided in separate environments designed or used to respond to a particular impairment or to various impairments, in isolation from students without disabilities.
- Integration is where students with disabilities are placed in mainstream schools, but no changes are made and they have to adapt to the existing system and culture without any supports.

Core features of inclusive education are:

1. A “whole systems” approach where all resources are invested in advancing inclusive education.
2. A “whole educational environment” embedding the culture, policies and practices.
3. A “whole person” approach recognising the capacity of every person to learn, with high expectations of all learners.

---

<sup>7</sup> UNCRPD General Comment No. 4

4. Teachers and other staff receive education and training on the core values and competencies of inclusive learning environments.
5. Respect for and value of diversity ensures all members of the learning community are equally welcome and diversity is respected.
6. Inclusive learning environments are accessible where everyone feels safe, supported, stimulated and able to express.
7. Learners receive support to ensure the effective transition from school to vocational and third level and finally to work.
8. The relationship between the learning environment and the wider community is recognized as a route towards inclusive societies.
9. Monitoring involves persons with disabilities<sup>8</sup>.

## **The benefits of inclusive education**

---

There are two main reasons why inclusive education is beneficial. Inclusive education leads to a better quality of education for all children, including children with a range of abilities. Teachers gain new skills and expertise by supporting inclusive education.

Inclusion education is good for society, it helps to end discrimination and builds respect for diversity, inside and outside the classroom where children with learn and play with children without disabilities.

Achieving the right to an inclusive education is a key enabling right as it lays the foundations for the realisation and enjoyment of many other economic, social and cultural rights such as the rights to work and to independent living, as well as the enjoyment of civil and political rights such as the right to vote.

---

<sup>8</sup> Ibid

# The current situation in Ireland

---

At present the National Council for Special Education (NCSE) is preparing policy advice for the Minister for Education and Skills on a model of inclusive education. A progress report in October 2019 strongly recommended a move towards a fully inclusive model of education for all children of the same age in Ireland.<sup>9</sup> While this is a very welcome principle it lacks a timeframe and action plan for achieving fully inclusive education for all children.

It must be noted that most children with disabilities attend mainstream schools with only 2% attending a special class or school.<sup>10</sup>

Ireland has ratified key international human rights treaties, those most pertinent to education being the International Convention on Economic, Social and Cultural Rights<sup>11</sup> and the Convention on the Rights of the Child<sup>12</sup>. In 2018, Ireland finally ratified the UNCRPD which contains the most comprehensive provision on inclusive education in any treaty. The Irish Government is now obliged to implement Article 24 and ensure inclusive education at all levels.

Legislation specifically focusing on addressing the needs of children with disabilities in mainstream schools was introduced in 2004 with the Education for Persons with Special Educational Needs (EPSEN) Act. The EPSEN Act states that the education of children with special education:

- shall, wherever possible, take place in an inclusive environment with those who do not have such needs.

---

<sup>9</sup> Policy advice on special schools and classes – An inclusive education for an inclusive society? NCSE, 2019.

<sup>10</sup> Ibid

<sup>11</sup> ICESCR

<sup>12</sup> CRC

- shall have the same right to avail of, and benefit from, appropriate education as do their peers who do not have such needs.
- shall be assisted 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.
- shall provide for the greater involvement of parents in the education of their children<sup>13</sup>.

Section 2 of the Act, however, allows for two exceptions to an inclusive education provision that would not be in line with the UNCRPD:

- where an assessment, carried out under the Act, finds that this would not be in the best interests of the child with special needs.
- where this would not be in the best interests of the other children with whom the child is to be educated<sup>14</sup>.

Under the EPSEN Act it was envisioned that a child would have access to a statutory assessment of supports and an individual education plan.

Despite it being a central pillar of the National Disability Strategy, the EPSEN Act 2004 has never been fully commenced, 16 years later.

This means that Irish children with a disability cannot access assessments with a right of appeal or individual education plans on a statutory basis.<sup>15</sup>

In recent years, the Department of Education and Skills (DES) has increased the spending on special education in a significant manner which is to be welcome. However, some advocates state that despite the spending increases this has not kept pace with the increased instance of disability, especially autism.

---

<sup>13</sup> EPSEN Act 2004, section 2

<sup>14</sup> Ibid

<sup>15</sup> Inclusion Ireland Submission to NCSE

# Addressing the barriers

---

In Ireland it is evident that a dual system of special education provision is in place, provision in mainstream schools and that of special schools and special classes. This is not compliant with Ireland's obligations under Article 24 of the UNCRPD. Here we outline key steps on what needs to happen if Ireland is to move towards a fully inclusive model.

## Teacher training and supports

The quality of teacher training on inclusion, both pre-service and in-service is a recurring area of concern raised by the UNCRPD Committee in examinations of State reports internationally<sup>16</sup>.

Many teachers feel 'ill equipped' and 'thrown in at the deep end' by not having the expertise or training to adequately support children with intellectual and developmental disabilities.<sup>17</sup>

Many reports have expressed serious concern about the extent to which young, newly qualified teachers are being placed in special classes with students who, because of their very complex needs, required the most experienced and trained teachers<sup>18</sup>.

An Association of Secondary Teachers Ireland study revealed that only 5% of teachers have a SEN qualification, 22% participated in SEN training in recent years and just over 35% had recently participated in training.

---

<sup>16</sup> Byrne, B. (2019) How inclusive is the right to inclusive education? Convention on the Rights of Persons with Disabilities' Concluding Observations in International Journal of Inclusive Education.

<sup>17</sup> Special classes in Irish Schools, Banks et al, NCSE, 2016.

<sup>18</sup> Policy advice on special schools and classes – An inclusive education for an inclusive society? NCSE, 2019.

Key training needs identified were, pedagogies for classroom teaching, including assessment strategies and responding to students with emotional and behavioural difficulties.<sup>19</sup>

#### Recommendations:

- Initial teacher training must have a more robust element on special education if all children are to attend mainstream schools
- DES should review qualifications for resource teachers to include a post graduate qualification, specialising in inclusive education
- Mandatory continuing professional development must be provided for all teachers on special education. Teachers must be afforded time to attend such training.

#### **Leadership:**

Leadership is a key element and plays a critical role in promoting and implementing inclusive education.

The school principal's role is key in promoting inclusive school cultures and how positive leadership impacts on both teacher expertise and the positive implications for students. Leadership influences ethos. Case studies showed where individual school ethos had a significant impact on how SNA supports were deployed and how this in turn affected how they prepared students for life after school. In schools with a positive ethos, parents perceived much more support from the staff team and students' inclusion in school structures was more evident. The evidence suggests that those with more integrated structures deliver better outcomes.<sup>20</sup>

---

<sup>19</sup> ASTI (2019) Achieving Inclusive Schools – The Teachers' Perspective, 2019); [https://www.asti.ie/assets/legacy/user\\_upload/Documents/ASTI\\_Survey\\_of\\_teachers\\_March\\_2019\\_Final\\_Draft\\_pdf.pdf](https://www.asti.ie/assets/legacy/user_upload/Documents/ASTI_Survey_of_teachers_March_2019_Final_Draft_pdf.pdf)

<sup>20</sup> NDA/NCSE (2017) A qualitative study on how well young people are prepared for life after school

### Recommendations:

- The DES supports leadership for inclusion through training and time to work on an inclusive school environment.
- School leaders need to demonstrate to teachers the importance of inclusion, and foster a whole of school approach to inclusive schooling.

### **Class sizes**

Large class sizes are one of the biggest challenges facing teachers in supporting children with disabilities and are a key barrier to the delivery of inclusive education<sup>21</sup>.

Over 2016/2017 the average class size in Ireland 24.6 compared to the OECD average of 21.0<sup>22</sup>. In primary schools 109,670 or almost 1 in 5 of all primary school children attend a supersized class of more than 30 pupils<sup>23</sup>.

Large classes of up to 30 pupils leaves little space for the kind of differentiated strategies necessary to support the diversity of learning needs, leaving teachers feeling stressed that they were not doing their best for either SEN students or the class as a whole<sup>24</sup>.

### Recommendation:

- Invest in teachers and physical infrastructure over a number of years to reduce maximum class sizes to 30 pupils and over time to less than 20 pupils per class.

---

<sup>21</sup> ASTI finding in their survey <https://www.asti.ie/news/latest-news/lack-of-training-no-planning-time-large-classes-key-challenges-to-inclusive-education>

<sup>22</sup> DES (2019) Education at a Glance 2019. OECD Indicators. A Country Profile for Ireland. Statistics Section. September 2019. For 2018 it has decreased slightly to 24.3.

<sup>23</sup> DES Statistical report 2018-2019.

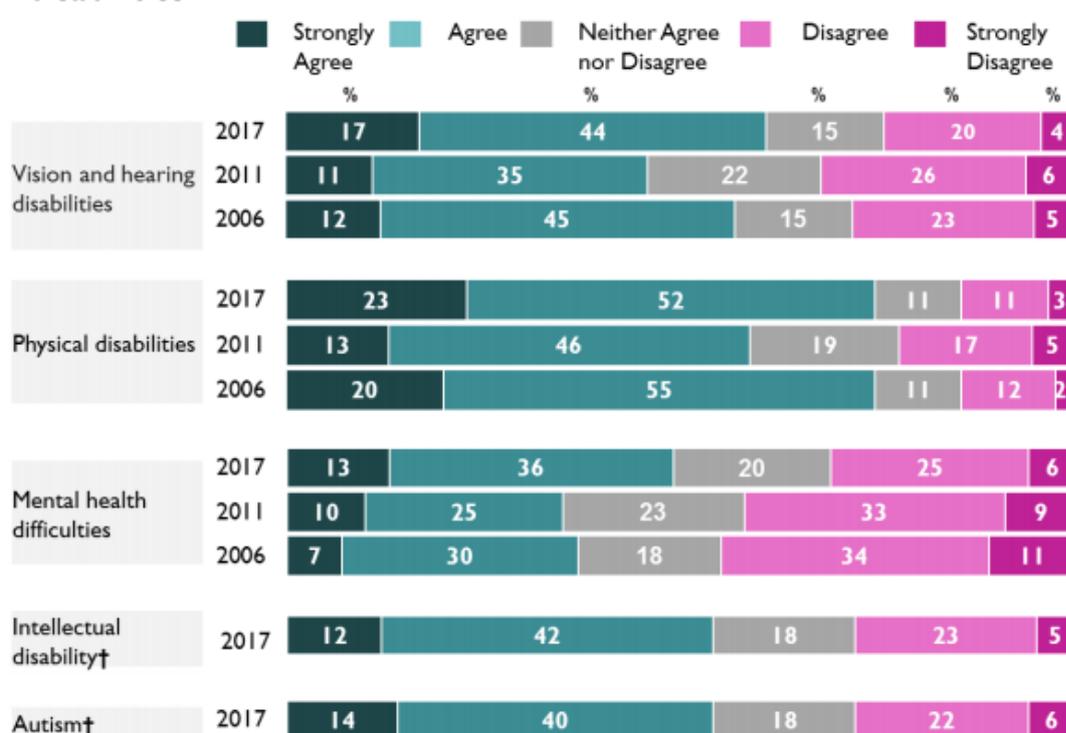
<https://www.education.ie/en/Publications/Statistics/StatisticalReports/2018-2019-statistical-bulletin.pdf>

<sup>24</sup> ASTI survey

## Attitudes:

Public attitudes are not unanimously in favour of inclusive education, with 28% of the public disagreeing that children with autism or an intellectual disability should attend the same school as non-disabled children.

**Figure 3.12: Level of agreement that children with the following disabilities should attend the same schools as children without disabilities**



25

Reasons given include a lack of resources, the progress of non-disabled children, safety of non-disabled children and 7% of respondents just did not want them in the class.<sup>26</sup>

Many parents are resistant to fully inclusive education provision. There is a strongly held belief that reform is often cuts dressed up as reform. For

<sup>25</sup> Public Attitudes to Disability in Ireland, National Disability Authority, 2017.

<sup>26</sup> Ibid

example, the recent reform of resource teaching did not reinstate a previous 15% cut to the old model.

In addition, many but not all special schools and classes have an advantage to parents such as:

- Medical / care needs of students are managed, one of the main reasons why students attended as it was felt that mainstream schools could not cope with such needs.
- Therapeutic supports are often provided on site.
- Class sizes are smaller with curriculum geared to specific needs.
- Students made better progress and did not feel isolated as some had when in special classes in mainstream schools.<sup>27</sup>

The UNCRPD Committee recommended that all parents, not just those of children with disabilities, receive awareness raising and training on the advantages of inclusive education. Given many parents' have valid concerns about impact on children toward a transition such sessions may allay fears. Perhaps if parents and teachers had opportunities to hear more about the benefits and outcomes of inclusive education as well as voice their concerns about the model there may be less resistance<sup>28</sup>.

#### Recommendations:

- Government engage in a public awareness campaign on reducing the stigma around disability like recent campaigns on mental health. Campaigns should pay particular attention to the systemic segregation of disabled people.

---

<sup>27</sup> NCSE (2019) Policy Advice on Special Schools and Classes An Inclusive Education for an Inclusive Society? October 2019

<sup>28</sup> Byrne, B. (2019) How inclusive is the right to inclusive education? Convention on the Rights of Persons with Disabilities' Concluding Observations in International Journal of Inclusive Education.

- It is important that special classes and schools are not closed prior to the establishment of a comprehensive support system in mainstream schools.
- The DES needs to work with and assure parents that the supports their child receives in a special school will be deliverable in a mainstream setting.
- DES needs to deliver inclusive education information to all parents on the benefits of an inclusive education and listen to fears.

### **Political will:**

The UNCRPD Committee identify political will as a key ingredient to inclusive education.<sup>29</sup> The political establishment must get behind inclusive education for it to have any chance of being realised.

As noted, the EPSEN Act 2004 is neither fully commenced nor fully aligned with the UNCRPD. The Education (Admissions to Schools) Act is not fully commenced either to allow the NCSE or Tusla to place a child into a school where they cannot find a local school to attend. This legislation needed to address an unwillingness of some schools to enrol children with disabilities and creating barriers to enrolment in their policies.

### Recommendations:

- Fully commence the EPSEN Act 2004 and amend Section 2 to remove exemptions to inclusive education.
- Commence the Education (Admissions to Schools) Act fully to allow for a child to be placed in a local school where they cannot find a suitable place.

---

<sup>29</sup> CRDP General Comment No. 4

## **Allied health supports:**

Access to allied health supports are vital for many children with intellectual disabilities and autism. Speech and language therapy is often seen as an education enabler for example. Good mental health is also essential to keeping young people in school.

We know from reports that disability therapeutic services are understaffed to provide an optimum service to children with disabilities.<sup>30</sup> In addition, the HSE report extensive waiting lists for therapies, child mental health services and Disability Act assessments. These waiting lists can run into years in certain areas of the country.<sup>31</sup> For example, in psychology services 96% of people are seen within 12 months in CHO 8 but only 55% in CHO 7. CHO 4 contains the vast majority of children waiting more than 12 months for mental health services.<sup>32</sup>

Mental health for children with intellectual disabilities are virtually non-existent at less than 20% of the recommended staffing levels in 'A Vision for Change'.

Inclusion Ireland is aware from our case work that many children in the Dublin north area have not seen a therapist in years and may 'age out' of early intervention services without ever seeing a therapist. This does nothing to support these children, their parents, or their educators.

### Recommendations:

- Invest in the recruitment of therapists bringing their levels up to the levels needed to ensure children are seen in a timely manner.
- Therapies (e.g. speech therapy) should be delivered in school where at all possible and considered part of education provision.

---

<sup>30</sup> For example: NDA and Transforming Lives Working Group 1 indicate the system is hundreds of staff to low to cope with demand.

<sup>31</sup> July – September 2019, Quarterly Profile, HSE

<sup>32</sup> Ibid

- Implement the Sláinte Care recommendations and those of Working Group 1 on additional therapy staff required to treat children with disabilities.
- Publish the 'Capacity Review' of disability services and implement the recommendations to meet current and future needs.
- Invest in Child and Adolescent Mental Health Services to bring their levels to that advocated for in 'A Vision for Change'.

### **Fully accessible education:**

Accessible education is much more than physically getting in the door. Careful thought needs to be put into the design of teaching strategies and buildings themselves, especially for children with the most complex behaviour and learning needs. It is not simply about closing special schools and classes and placing the current pupils into mainstream classes without significant investment in skills, supports and facilities.

The UNCRPD Committee emphasizes the need to provide individualized education plans that can identify the reasonable accommodations and specific support required by individual students, including the provision of assistive compensatory aids, specific learning materials in alternative/accessible formats, modes and means of communication, communication aids and assistive and information technology.<sup>33</sup>

In physical buildings there is need for sensory rooms and spaces, careful planning of the classroom, consideration of noise, consideration of light and heat and easy access to a 'safe space' such as outside or a sensory room.<sup>34</sup> For many children there may need to be a staffed 'back up' space where they can learn when the main classroom becomes too much of a sensory stressor.

---

<sup>33</sup> UNCRPD General Comment No. 4

<sup>34</sup> McNally Morris & Queens: Aldo goes to primary school.

As noted earlier, teachers have stated that many of them lack the professional development training in special education. All teachers must be equipped to teach all children. Some of the training required includes (but is not limited to) differentiating the curriculum, developing an individual education plan, assistive technology, and positive behaviour techniques, with whole of school positive behaviour supports being an aspiration. Teachers then need the time to implement all of this.

### Recommendations:

- Teachers must be supported through training and leadership to deliver an accessible curriculum to children, including those with the greatest learning and behavioural needs.
- Teachers must be afforded time to plan and review teaching for children with disabilities.
- The DES must organise an audit of the physical 'readiness' of schools to include all pupils. This would include physical space, resource rooms, sensory spaces, and sensory assessments of school buildings.
- The DES should undertake (ongoing) research into the best assistive technology to support children with disabilities in their educational journey.

## **Conclusions**

---

Over the last decade the DES has invested heavily in special education. A significant proportion of this has been invested in supports that are not in line with the state's obligations under the UNCRPD. At present about 2% of the school population is educated in special school or classes.

A move towards an inclusive education system is one that will take some time to implement and require great political will as the experience in other countries indicate concern and challenges for many stakeholders. To achieve inclusive education Government will need to invest heavily in teachers, teacher training, school buildings and allied health professionals over a sustained period. It is not a quick fix and requires a multiyear implementation plan, fully financed with the appropriate legislative and policy backing.

Communication and involvement of stakeholders is important. It is important to address stigma around intellectual disability and autism and demonstrate that this is reform and not cuts. This is necessary as people at present are unable to imagine fully inclusive schools as the segregation of the disability sector is so ingrained in Irish society. It is critically important that the current special classes and schools are not abandoned in advance of promised investment in inclusive education supports.

Special consideration and planning are required for children with the most complex learning and behavioural needs. These children should not be left until the end as they may be more difficult to accommodate in inclusive schools. Detailed research and consultation are required to inform the journey.

Inclusive education is worth the investment as it is one of the fundamental rights that in turn has a knock-on positive impact on other rights in areas such as health, housing, poverty and capacity.

For more information contact Inclusion Ireland 018559891 or [info@inclusionireland.ie](mailto:info@inclusionireland.ie)

Inclusion Ireland received funding from the Scheme to Support National Organisations to do this work.



Rialtas na hÉireann  
Government of Ireland



pobal

government supporting communities