

**Ref No: NCSE 03/08**

## **Assessment of children with special educational needs and resourcing of schools**

Dear Principal

The purpose of this letter is to clarify for schools the respective roles and functions of the NCSE and the HSE and their respective personnel in carrying out assessments of and sanctioning resources to support children with special educational needs.

### **EPSEN Act 2004 and Disability Act 2005**

The co-operation and effective co-ordination of health and education sectors is critical in the planning and delivery of services to children with disabilities. The EPSEN Act 2004 and the Disability Act 2005 provide the legal framework for the provision of education, health and other services to children with a disability to support them in their school, social, community and home settings.

The respective responsibilities of the education and health sectors are set out clearly in these Acts. A cross sectoral group representative of the Department of Education and Science, National Council for Special Education, Department of Health and Children and the HSE, supported as required by NEPS, have been scoping the respective responsibilities and quantifying the resources and infrastructure required for same.

A key principle underlying this work is that the role and function of the various professionals involved in implementing these Acts is determined by reference to their respective organisational responsibilities.

### **Functions of the NCSE and HSE**

The EPSEN and Disability Acts set out clearly the role and functions of the NCSE and the HSE and their staff in carrying out assessments and provision of services to children with special educational needs.

The following sets out the key responsibilities of each organisation and its staff

- Responsibility for deciding on the quantum of educational supports and resources to be allocated to individual schools and/or assigned to individual children is with the NCSE through the Special Education Needs Organiser (SENO). Professional staff outside of the NCSE do not have a role in this regard.
- In the allocation of resources the Council and SENO are required to observe Department of Education and Science policy in relation to resource allocation taking into account the education and care needs of the child and the resources already available in the school

- The role of health sector staff is to assess the needs for health and personal social care services of the child and to provide the necessary supports in these areas within available resources. These may include multidisciplinary therapy supports, respite, home support, medical input, audiology etc.
- Over time, the practice of health staff making their professional reports available to educational authorities has evolved. This has proved effective and valuable in assisting education providers in identifying appropriate interventions and planning and delivering the educational resources required to address the needs of the child. We are asking health service providers to continue this practice, when possible, in line with protocols in the health services, including compliance with legislation. This will help to maximise the effectiveness and efficiency of the health and education sectors in collectively meeting the needs of children with disabilities.
- Following from the clear division of functional responsibilities as set out in the EPSEN and Disability Acts and in the interests of clarity Health staff will not include references to specific quantum of educational resources in their reports in future, but will continue to state the outcome of tests carried out and identify the range of needs of the child as clearly as possible.
- All issues in relation to the provision of resources and educational supports for children with special educational needs should be referred to the Special Educational Needs Organiser. Health service staff do not any responsibility for the allocation of educational resources or supports to schools or to individual children

It would be appreciated if this letter could be brought to the attention of all staff in the school.

Yours sincerely

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Sé Goulding  
Principal Officer