



25th February 2020

Mr Eddie Ward
Principal Officer
Special Education Section
Department of Education and Skills
Cornamaddy
Athlone
Co Westmeath

Fórsa Response on the new Frontloading Allocation Model

Dear Eddie

I am writing to you to set out the Fórsa response to the DES consultation exercise on the introduction of a new Frontloading allocation model for the provision of SNA posts.

Overview

The change in the allocation model would be the most significant development to the Statutory Scheme for many years. The model presents the promise of some benefits for students, schools and staff and also suggests the need to ensure that resources are ring-fenced and focused on those students with the greatest needs. We have a number of requests for additional clarification and information which are set out below.

2019 Budget announcements and the number of SNA posts 2020 - 2023

Budget 2019 contained provision for an additional 1,064 SNA posts to be allocated to schools from the start of the 2020 school year. The Frontloading model runs over a 3 year cycle leading to speculation that the Budget 2019 allocation of additional posts will be spread over the length of the Frontloading cycle.

We would appreciate confirmation as to the status of the additional 1,064 SNA posts as a resource to be allocated throughout the first Frontloading cycle. We note the recommendations of the 'Focused Policy Assessment of Data on Special Needs Assistants' produced by the Irish Government Economic Evaluation Service in 2016 which sought to bring greater and earlier visibility to the annual allocations of SNA posts to schools.

Whilst this review did not explicitly recommend moving to a 3 year allocation cycle it did recommend moving to a more predictable model enabling better forecasting of demands, needs and costs. Therefore we ask for confirmation of the intentions of the DES to allocate any additional posts over and above the 1,064 SNA posts announced in the budget for the duration of the Frontloading cycle.

We note the following passage from the aforementioned review as one example of the potential for Frontloading to be used as a means to slow SEN expenditure using a 3 year cycle as opposed to an annual assessment –

“For budget estimates purposes the projected demand should be broken down by the number of SNAs needed in January to August and September to December for each year. The forecast should detail the level of demand across sectors (i.e. primary, post-primary, mainstream special classes, early intervention special classes and special schools) over a three year period to inform multi-annual budget negotiations (i.e. in April and June 2016 the NCSE will forecast the level of demand for 2017, 2018 and 2019).” – Paragraph 2.2.2.

Fórsa would be concerned that spreading the allocation of the 1,064 new posts over a 3 year period would represent a significant slowdown in the growth of SEN provision to the schools sector. It is important that all stakeholders are clear on exactly what was announced by the Minister in the last budget, be that an additional 1,064 SNA posts for the next school year, or alternatively an additional 1,064 SNA posts to be added to the workforce over the next 3 years.

The DES has stated that following publication of the allocations to schools for the 2020/2021 school year it is expected that supplementary allocations will be necessary to take account of students presenting in schools with complex needs. We ask if this supplementary allocation throughout the Frontloading cycle will be drawn from the 1,064 new SNA posts.

Special schools and special settings – The failure to implement the NCSE review recommendations

We have a number of concerns regarding the position of special settings (special schools and special classes). We note that the Schools Inclusion Model is based on the recommendations of the NCSE Review of 2018. This Review made wide ranging recommendations on the provision of SNA and other supports across the schools sector not only in mainstream classes. In respect of the overall approach to special settings the NCSE Review recommends that a funding package for a range of additional supports should be agreed by the Departments of Health and Education and Skills including an increase in Allied Health Professionals and Psychologists. In respect of the provision of SNA supports to special settings the NCSE Review recommends that the baseline levels of SNA supports be increased to baseline of 1 WTE in special schools and special classes.

The decision not to proceed with these elements of the NCSE Review is concerning to Fórsa and many other stakeholders (more so given the recent initial consultation on the role of special schools). The NCSE Review was tasked with examining not only mainstream provision but also special settings yet there has been no policy decision in respect of this key recommendations.

We understand that the Frontloading model may not necessarily apply to these areas as no SEN Teacher allocations are made, however this does not provide justification for a decision not to address the need to improve provision in special settings.

Fórsa asks that the NCSE Review recommendations for special settings be implemented alongside Frontloading and if this is not to take place we would ask for a rationale for that decision.

We also ask if a proportion of the 1,064 additional SNA posts announced in the budget will be allocated to special settings or if the additional posts are reserved solely for allocation to mainstream classes. If an allocation of additional posts is to be made, based on the pre-existing allocation model, we ask what proportion of the new posts will be allocated to mainstream and special settings respectively.

Proposal to allocate posts on the basis of 0.5 WTE and 1.0 WTE only

Fórsa supports this proposal as it would mitigate against the fragmentation of existing SNA posts into fractions that are unworkable for schools and for many SNAs on low incomes.

However there is a cohort of SNAs in mainstream classes who may prefer to maintain their existing working pattern based on fractions other than 0.5 WTE. It will be essential to guarantee that these SNAs will be able to work to their existing contracted hours and will only increase to 1.0 WTE if they choose to do so.

We would also appreciate confirmation that schools will be advised that working hours for a full time post must be in accordance with relevant Circulars and determinations on SNA working time, e.g. that a full working week for an SNA consists of the length of the school day with a small amount of time spent preparing the classroom and tidying up at the start and finish of the day. Too many school employers persist in allocating 0.83 WTE contracts based on the 32 hour pay divisor used to calculate pay for substitute SNAs, this is incorrect and needs to be addressed.

The provisions of several relevant Circulars on SNA redundancy and fragmentation will need to be reviewed with External Staff Relations.

Seniority for SNAs in mainstream and special settings

The consultation document states that schools will not lose posts during the first round of the Frontloading allocations and that some 500 schools will receive additional resources with posts to be configured on the basis of either a 0.5 WTE or 1.0 WTE post.

When additional posts are allocated to schools this provides the opportunity for staff employed under many fractional contracts to increase hours to full time.

In schools with both mainstream and special classes, in accordance with existing national agreements, SNAs must be offered additional hours in order of seniority across both areas.

There is no agreed provision within a school with both mainstream and special classes for additional hours to only be offered to part time SNAs in mainstream classes and not to SNAs assigned to special classes.

Clarity on how the allocation of additional hours will work in practice is required and a dialogue involving DES External Staff Relations should commence. This should be encompassed within the forthcoming Circular to schools on Frontloading.

The Allocation of SNAs solely to Students with additional care needs

It is Forsa's view that SNAs should only be directed to work with students with a Student Support File which details specific additional care needs. We suggest that a copy of Appendix 1 of the Guidelines for Schools on Frontloading should be attached to each Student Support File. This would ensure that the role of the SNA as set out in Circular 0030/2014 is noted and that SNAs are not diverted from meeting the needs of students with additional care needs.

We suggest that Principals and SEN Teachers are made aware that the SNA resources provided to the school are not intended to be utilised as an 'all school resource'. We believe that the risk that SNA resources will be misused and misdirected within schools is very real, in many instances SNAs are directed to work as Classroom Assistants and directed to carry out duties that are clearly not related to the needs of SEN students.

Fórsa remains concerned that the value of the SNA role has always been the direct link with specific students assessed as requiring supports. In the absence of individual assessment by a SENO the process of allocating duties to SNAs must be conducted in a structural manner taking account of the specific role of the SNA and the need for staff to be in effect ring-fenced to work with students assessed as having additional care needs.

For our SNA members the most effective way to achieve this objective would be to ensure that an SNA is only directed to work with those students who have a Student Support File which details specific additional care needs.

The Schools Inspectorate

The Inspectorate regularly reports that SET resources are not always utilised to meet the needs of SEN students. Fórsa would welcome further dialogue with the Inspectorate on how best to ensure that SNA resources in schools are used solely to meet the needs of students with additional care needs including the potential for SNAs themselves to confidentially advise the Inspectorate where serious problems and misuse of resources occurs.

One example of the problems experienced by SNAs is the misuse of the band of 72 flexible hours which SNAs may be required to work during the year. Recent research conducted by Fórsa (available on request) earlier in 2020 amongst SNAs assigned to Schools in Kildare found that members were being asked to undertake following inappropriate duties during their 72 hours of work:

| Nature of the Duties Assigned to SNAs | Proportion of Sample Group assigned such work |
|--|--|
| Whole class material preparation | 56% |
| Cleaning the school using cleaning equipment | 56% |
| Secretarial and administrative work | 44% |
| Homework clubs | 22% |
| Moving furniture from one location to another | 22% |
| Conducting general school tours, washing uniforms, book sales, open evenings, supervisions | 11% |

This research encompassed the nature of the duties allocated to staff within the 72 hours, we have been concerned about the allocation of inappropriate work to SNAs for many years not only during their 72 hours but also on a routine weekly basis within the normal school day.

Just as SET resources should be utilised for the purposes intended, so should SNA resources, and we hope to be able to agree a mechanism to ensure that SNAs are directed to meet additional and secondary associated care needs as set out in DES Circulars.

Summary

The comments above set out the supports required for effective implementation along with the specific issues on which Fórsa suggests further clarification is required.

We would be grateful if any draft Circular could be forwarded to us as soon as possible. As the provisions of the new model will affect the appointment of staff it is our view that the relevant provisions of Section 24(3) of the Education Act 1998 apply to changes to the way in which SNAs are allocated or appointed to posts.

Fórsa supports the proposal to provide enhanced certainty and security to students, Schools and SNAs by moving to a new allocation cycle. We also support the proposal to allocate posts on a 0.5 WTE or 1.0 WTE basis.

The concerns we have regarding the effect of moving to this model on SNA staff numbers and other issues are set out above, the most significant concern is how best the valuable SNA resource can be utilised within individual schools for the intended purpose of meeting additional care needs.

As this is the most significant change to the Statutory SNA Scheme for many years we will be consulting our SNA members on their views of the new model once the relevant Circular has been finalised.

We remain available for further direct engagement on this issue and look forward to hearing from you soon.

Yours sincerely,



Andy Pike
National Secretary