

2025.07.08

4.4 Deputy L.M.C. Doublet of St. Saviour of the Minister for Education and Lifelong Learning regarding Special Educational Needs support (OQ.163/2025):

Will the Minister advise what States-funded fee-paying schools and independent fee-paying schools are required to provide in respect of special educational needs support for primary and secondary school students?

Deputy R.J. Ward of St. Helier Central (The Minister for Education and Lifelong Learning):

I thank the Deputy for her question. States-funded fee-paying schools listed as provided schools in the Jersey Education Law must adhere to the Jersey Code of Practice for pupils with S.E.N. (Special Educational Needs). For those pupils who they offer a place, it is important to note that States-funded fee-paying schools manage their own admissions. Emissions, that is carbon dioxide. It is recommended that grant-funded schools adhere to the guidance of the Jersey S.E.N. Code of Practice, but it is not a legal requirement. But however, they do have to go through a process of providing a service level agreement if they applied for exceptional action, which leads to a record of need. It is recommended that private schools adhere to the guidance of the S.E.N. Code of Practice, but there is no statutory requirement for them to do that as they are entirely private.

4.4.1 Deputy L.M.C. Doublet:

I thank the Minister for his answer. He mentioned the Jersey Code of Practice for pupils with S.E.N. Are all schools adhering to this, and are they all given sufficient support to do so? **[Interruption]**

[10:30]

The Deputy Bailiff:

Is that someone who is remotely present? Yes, Connétable of St. Clement, we can hear you talking about something to somebody else. Perhaps you can mute yourself. Yes, can you repeat your question; the last part of it anyway?

Deputy L.M.C. Doublet:

I will, Sir. The Minister mentioned the Jersey Code of Practice for pupils with S.E.N. Can the Minister confirm that he is assured that all schools are adhering to this that are required to, and indeed are all schools given enough support to do so?

Deputy R.J. Ward:

I think the question around S.E.N. support and whether schools ever have enough is a very good question. As the Minister for Education and Lifelong Learning, I think it would be remiss of me to not always want more from my schools and for S.E.N. funding. As for the Code of Practice, it is clear to schools. I very much hope that they are adhering to the code of practice, if there are individual cases then of course they will be raised. Around the area of S.E.N. and the complexity, there will always be situations that are difficult and we always have to deal with those on a case-by-case basis, but all schools, I believe, strive to provide the best possible support that they can for their students.

4.4.2 Deputy I. Gardiner of St. Helier North:

As the Minister mentioned funding, would the Minister accept that when primary fee-paying schools receive only 23 per cent of funding for S.E.N. compared to the Government provided education, it does create a 2-tier system? Would the Minister agree that the funding should follow the child regardless which school the child attends?

Deputy R.J. Ward:

I do not agree with that. The funding of schools in A.W.P.U. (Average Weighted Pupil Unit) get the percentage from the Government. The other funding that they receive from fees and other ways to raise

money would also go towards funding the entire school, including S.E.N. provision. We cannot have a situation where because a child has special educational needs, the majority of the money raised for that school is not spent on that child. That is not the way to do that. If the funding model wants to change that is fine but we have to look very carefully at the number of factors that fund the school and so I think the 22 per cent figure in that way is just not accurate in terms of the way that the school funding model works.

4.4.3 Deputy I. Gardiner:

Has the Minister assessed the long-term financial impact on the States if the parents of S.E.N. children will withdraw them from the fee-paying schools due to inadequate support and enough funding, so will increase demand and cost on the public schools?

Deputy R.J. Ward:

Okay, a number of things on that, and I thank the Deputy. First of all, there should not be inadequate support in schools that are fee-paying. They receive a full fee and support from Government, so they have an income for their school. It is the decision of the headteacher and the management of that school on how they will spend that money. If they have children with S.E.N., then that would be part of the spending of that overall funding of the school and should be a significant part of it. I will remind the Deputy, I am sure she knows, but I will remind the Assembly, if a child has a record of need, which is a higher level of need and a very distinct need, all records of need are fully funded. Now, of the, I think, 3 ... I cannot remember the figure off the top of my head, just forgive me one second, I had a figure. There are 588 records of need across all of our schools, there are 8 of those in fee-paying schools. So the need across our schools is significantly different. Each record of need will attract a minimum of around £10,000 - that is a minimum of £10,000. So for those 8 children with a record of need in fee-paying schools, there is significant funding available as well. The spending of that funding is a decision for the school itself. If the school wants help on how that is spent, then we are open as a department to assist with that.

4.4.4 Deputy H.L. Jeune of St. John, St. Lawrence and Trinity:

The Minister has alluded a little bit to different areas in his last answers, but would the Minister set out specifically what his department is required to provide in terms of special education needs support to state-funded fee-paying and independent fee-paying schools?

Deputy R.J. Ward:

Thank you. The A.W.P.U. is provided and then fees are raised on top of that which goes ... have been increased above inflation and within that then the special educational needs need to be addressed within that school. Again, if a record if an exceptional action is taken for, I think it is, a term and a half then we can move on to the record of need process, which is fully funded in a separate funding model. So there is funding within the schools to meet the needs of all children in private schools ... not private schools in States-funded schools, who take fees, fee-paying schools ... sorry, so I always get these confused, in fee-paying schools. I believe what needs to happen is there needs to be a discussion with the school itself if it is not perceived that they are meeting the special need of a child, why that is the case. But if what we are going to say is we are going to have additional need for funding in some schools that are fee-paying schools and not others, then where are we going to take that money from? Is that going to come from the schools where there is the vast majority of special educational needs? We already have issues in terms of that level of funding and I would always want more funding for that, as the need increases. I think the funding model of the A.W.P.U. is the funding model of the A.W.P.U., and the schools are very aware of that funding model.

4.4.5 Deputy H.L. Jeune:

The Minister mentioned there that there was need, maybe, for discussions with the schools to make sure that the funding that is received from other means, but also from the department and his department, is spent on special educational needs specifically. Will the Minister agree that he and his department will look into this and talk to the schools to ensure that there is the right level of support?

Deputy R.J. Ward:

The school review framework takes account of how special educational needs is being addressed in schools, so that would be happening through the school review framework as, if you like, a formal process. There is always an ongoing dialogue with schools as to what support they might need for their children with educational needs and also I think we have to be careful because the range of need within the identification, and I am careful with the wording there because it is not about labelling young people, it is about identification. You know the identification of special educational needs, there is a huge range and they can be from normally available provision with quality teaching, it may need one-to-one support, it may need group support, it may need a particular place for a child to be able to go to at break times. There is a myriad of need there, and that is what we will address. But in terms of the funding model, it is clear, it is a decision for the headteachers of the schools to say how they will meet the needs of those children. They are in charge of the admissions themselves, they are very aware of the needs of the children they have within those schools.

4.4.6 Deputy L.K.F. Stephenson of St. Mary, St. Ouen and St. Peter:

Does the Minister believe that S.E.N. students are being treated the same in fee-paying and independent fee-paying schools as they are in States schools and, if not, is that acceptable in his view?

Deputy R.J. Ward:

I do not think that any child with educational needs will be treated the same. I think each case is individual. Each case for a child is about meeting their individual needs. I would suggest that the duty to meet the needs of a child with an identified need, whatever level that is, is the same for fee-paying schools and the same for our States schools. The funding models are different, but the funding models are different in other areas as well. Our States schools identify low prior attainment, Jersey Premium students, those with English as a second language, all of these things as well. So if we are going to change all of the schools into the same funding model, that is fine, but we need to look at the implications of the intake of those schools who have smaller numbers of children, which I believe could be manageable and should be manageable within the funding mechanism that they have. The decision on how that money is spent is for the school to take on board. If there are individual cases where you believe those needs are not being met, I would suggest parents contact their headteacher of that school and make clear what they think is wrong in terms of what is being met for those children.

4.4.7 Deputy L.K.F. Stephenson:

I appreciate that every case is individual. The question I was really trying to get at was about standards and that children and families are entitled to be able to expect a certain level of standard regardless of which school they go to, and that is why it links to the law. Does the Minister believe that all schools are meeting that standard currently and families and the children with S.E.N. can expect a certain level of standard of care when they are at school?

Deputy R.J. Ward:

Yes, let me be really clear. I believe that all schools should be providing that standard care. Yes, it should be. Whether they are or not, when we have a look at the funding that we have across our schools and the demand that is there, it would be naïve of me to say that every child's need is being met perfectly in every single school, because we are always striving to improve that. We are changing the models of support, the identification of needs, there are changes in terms of what need actually means to different children. I am not going to say it is perfect. It would not be a good idea for me to say it is perfect because then when I am arguing for more money I would lose my own argument. However, I think the commitment from every single school and the wish for every single school to support that need is there. If there are specific examples of where a parent or somebody believes that school is not doing that, please speak to the headteacher of that school. There is a procedure for complaints, if that is necessary. However, I will say it was also very important for the parents to work with schools and work with children so that we can provide the need the best we can. I will also say, from my experience of dealing with children from all types of backgrounds, sometimes it takes time for things to kick in and for things to be successful. I was not being flippant when I said every child is different. I meant that you have to

recognise that every child's needs might be met at a slightly different time. So let us not throw everything away and make absolutes about things not working at all.

4.4.8 Deputy L.M.C. Doublet:

Given that the Minister has expressed that there is a need for increased funding for pupils with S.E.N. across States schools and fee-paying private schools, will the Minister be bidding for more funds to address this in the future Budget, and does he believe this will be supported by the Council of Ministers?

Deputy R.J. Ward:

I am fortunate in the past, following, for example, the Mason Review that asked for, I think it was £10 million and got about £4 million, there is not a great record of that. I think there are a number of things that we need to do with special educational needs. As we look at the future of our schools, the structure of our education system, and the level of provision we can provide, I think we can better target where that need is. There is work ongoing, we are undertaking - is the word I am looking for - at the moment within the department to look at the way in which schools are supported in terms of their special needs in schools themselves. So one of the things I think we can do to improve is to get the help where it is needed, when it is needed and simplify the processes that we have. So that is one of the things. In terms of budget requirements, it is going to be a very challenging year because there are so many things I would like to do. The C.S.P. (Common Strategic Policy) requirements, for example, are the things that we need to get forward for next year. Yes, it will be a challenge, whether I would be successful in that, I cannot tell. It is as simple as that.