**DEALING WITH PRIVATE REPORTS**

SENCos have reported a high rise in the number of private assessments/reports coming into schools diagnosing both medical conditions and other areas of SEN. Many of these are related to the transfer tests or for examination concessions at Post Primary. Schools should always be mindful of the credentials of any private practitioner and whether they are qualified or registered with a professional body. Post primary schools also need to be fully compliant with the JCQ regulations regarding the awarding of access arrangements.

Some private assessments ask for the school to provide information through completing questionnaires. Schools should be mindful of their duties around confidentiality in light of the provisions of GDPR and the Data Protection Act 2018 and ensure that the questionnaire is accompanied by signed consent provided from the parent (and the child themselves if appropriate), prior to sharing any information on the child. In the EA’s view, best practice would be to return the form to the parent to forward on to the assessor. It is also a matter for the parent to provide the assessor with copies of any recent school reports or a copy of the pupil’s statement.

The final assessment and/or report provided to the parent may be helpful in informing the work being carried out in school and should therefore be carefully considered and placed in the pupil’s file. However, the school is under no obligation to follow any advice or recommendations in private reports which in the teachers professional opinion and the schools experience of working with the child, are not appropriate for the child and/or conflict with the presentation of the pupil in school.

Nor is the school obliged to permit any private assessor into the school to undertake an observation, this is at the discretion of the principal and each situation needs to be considered on an individual basis.

**Determining needs in the school context**

Private practitioners and others from outside the school setting, are not always aware of school policies and what is normally available in and to a school. Whilst they may make recommendations, many of which can appear useful, it is important that these do not raise unrealistic expectations or damage the important relationships between the parent and the school when the internal school assessments do not concur with the private practitioner.

The purpose of a current EA external Stage 3 assessment from the EP when considering a child’s poor progress, is to determine whether a) the analysis of the child’s SEN by the school was correct and that the special educational provision put in place at stages 1 and 2 of the CoP appropriate, and b) that all reasonable efforts have been made to address the pupil’s identified needs prior to additional resources being provided by the EA. This ensures that children’s needs are being correctly addressed and that the EA is distributing resources in an equitable way. The second part of this assessment may not necessarily be provided in a private report which is why the EA will always seek the views of an EA Educational Psychologist appointed for this purpose.

**Considering the proposed arrangements in the new CoP.**

Under the current Code of Practice, pupils are placed at stage 1 while a determination of SEN is being considered and prior to an IEP and special educational provision being put in place at Stage 2. In contemplation of the statutory effect of the SEND Act (NI) 2016, it is proposed that all pupils placed on the SEN Register in the proposed new CoP, will have an identified SEN, a Personal Learning Plan and special educational provision at Stage 1.

In the revised arrangements for recording pupils with SEN, it is not just a diagnosis alone that determines whether or not a pupil should be placed on the SEN Register. It is the impact of the condition/diagnosis on the pupil *in the school environment*, the significance of their learning difficulties and their lack of responsiveness to school based interventions that indicates that special educational provision is required and that the pupil needs to be placed on the SEN Register.

**When a private report is not consistent with school based assessments and observations**

Should any private practitioner send their report to the school with observations and recommendations that do not match the schools experience/assessments of the child, the school may, (following consent from the parent to discuss their child with the external practitioner, or the child themselves if appropriate), wish to put their views on the record by writing to the practitioner (and copied to the parent/child) to

1. Acknowledge receipt of the report.
2. If appropriate put on record why the school is in disagreement with the assessment or recommendations

**NB If a child is undergoing statutory assessment and the parent submits a private report from a clinical or educational psychologist (EP) to support their parental advice, this must be forwarded to the EA Psychology Service for their consideration (CoP 1990, p38, 3.58). The EA EP must consult with the private psychologist if they have relevant knowledge of or information relating to the child (Reg 9 Education (Special Educational Needs) Regulations NI 2005.**

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