



21 December 2017

Ms Mary Fitzpatrick
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Dear Ms Fitzpatrick

Thank you for your email concerning the proposed removal of the over age exemption for the ECCE Scheme.

It is important to be clear that there has been no withdrawal, or proposal to withdraw, any ECCE provision for children with disabilities. All children will be eligible for 76 weeks or 2 academic years of ECCE from September 2018 once the child meets the minimum age requirement. The new measures, from September 2018, will fully benefit those born from 2015 onwards, whilst those born previous to that will continue to benefit from the expanded programme announced in Budget 2016.

The Minister for Children and Youth Affairs announced on the 6th December 2017 that she has put a pause on this decision to remove the over age exemption so that further consultation with parents will occur. Until the consultation is complete, and both the Department of Children and Youth Affairs and the Department of Education and Skills have time to consider its findings, the overage exemption will continue to be available. In practice, this means that Department of Children and Youth Affairs is continuing to accept and approve applications for the September 2018/2019 ECCE year.

Since ECCE was introduced in 2010, approximately 500 children availed of the exemption each year, although for reasons set out below it is expected that much fewer than this would have applied in 2018. The Department hopes that this decision will bring the parents who planned to apply, some relief and the Minister encourages them to make sure their views are represented in the consultation that will occur over the coming months, the details of which will be published shortly.

The recent announcement of changes was designed to support the achievement of better outcomes for children with disabilities. No child would have lost out as a result of the overage exemption being removed.

Overage exemptions were introduced at the onset of the ECCE programme in 2010. At that time the ECCE Programme only operated for a 38 week period, or one programme year. For some children with special or additional needs attending preschool five days a week was not feasible and so an allowance was made to enable them split ECCE over 2 years. For example, a child may have availed of 3 days ECCE provision in year one and 2 days in year two. Their total ECCE provision remained at 38 weeks.

In order to facilitate this, in the cases where the child would have been over the age

limit for ECCE (5 years and 6 months when finishing ECCE), an overage exemption was approved. This flexibility was never intended to conflict with the legislative requirement to start school by age six. The law and policy on school start-age is clearly established in Ireland. Children should be in school by the time they are six and the primary school system has a variety of resources to support children with disabilities. If children are not in school by six, under the Educational Welfare Act, the Educational Welfare service of Tusla must be satisfied that the child is receiving a minimum standard of education in a place other than at a recognised school. (Tusla does this by sending Educational Welfare Inspectors out to the place of the child's education. Should this be required, this would be in addition to the Early Years Inspectorates funded by the Department of Children and Youth Affairs.)

Since ECCE was first introduced the Department has worked to improve the pre-school experience for children with disabilities and to optimise their early development. The two main enhancements are:-

- ECCE provision currently averages at 61 weeks, up from 38 weeks from September 2016, and it will expand further to 76 weeks from September 2018. This is in keeping with good international practice.
- The Access and Inclusion Model (AIM) has been introduced with 7 different levels of support for children with disabilities. Over 4,000 children have so far benefitted from targeted supports and many multiples of this from universal supports available under AIM.

Purely in the best interests of children, and for no other reason, a proposal was considered to remove the overage exemption of the upper age limit to the Programme. In order to give longer notice to parents and providers, the planned introduction was delayed until September 2018. The motivation underpinning this development is entirely evidence based. Children with a disability benefit from early intervention, high quality early childhood care and education and high quality primary school education. In this regard, the Department is complementing the work of the HSE's role in early intervention and the Department of Education and Skills' role in high quality primary school education by:-

- expanding the ECCE programme so that all children have access to a full 76 weeks, double what was available in 2010.
- providing access to the comprehensive suite of resources under the Access and Inclusion Model (AIM), introduced in September 2016.

The evidence is that children with a disability should start school with their peers once they have access to high quality and inclusive primary school education. The evidence is also that they should become teenagers with their peers and transition to secondary school with their peers.

This original decision to remove the overage exemption was made with the Department of Education and Skills (DES) and in close collaboration with members of the AIM Cross-Sectoral Implementation Group, which includes representatives from the National Council for Special Education, the National Disability Authority, the

HSE, a representative of parents of children with special needs and a representative of early years providers. The following was acknowledged in arriving at this decision;

- the very significant developments and improvements to free pre-school education in terms of ECCE being extended initially from 38 weeks to an average of 61 weeks and, from September 2018 to 76 weeks;
- the access to a range of supports under the Access and Inclusion Model (AIM);
- the very significant supports that are in place for children in primary schools;

In view of this there was broad agreement that the overage exemption would no longer support the overarching policy aim that children should transition to primary school with their peers. The decision acknowledged the supports provided by the relevant primary school, the National Council for Special Education and other bodies as required.

Notwithstanding the strong evidence base underpinning this proposal as being in the best interests of the children concerned, , the Minister is conscious of the need to listen further to those with concerns. To this end, as stated above, the Minister intends to pause the proposed change and consult more widely with parents of children with disabilities. The Minister is committed to having this consultation completed by mid-2018.

Yours sincerely



Lisa Hughes
Private Secretary to Minister Katherine Zappone TD