**Ensuring access to inclusive education for children with disabilities is one key way in which they can be empowered.**

1. **Please identify laws and policies in your country intended to ensure the inclusion of children with disabilities in the general education system and the transition from segregated to inclusive settings.**

In terms of The Education Act (Chapter 327 of the Laws of Malta), the right to education is guaranteed for all. A number of structures and procedures exist, in the Act and in fulfilment of the Act, in order to protect and promote such rights. Furthermore, a reform package targeting and adding to the Education Act is being executed, that will further contribute towards these aims. The Act itself will remain the key instrument regulating compulsory education, while a *Commission for Life-Long Learning* will be created as a regulator, carrying out internal and external audits. Furthermore, a *Council for Teaching and Allied Professions* would also be created, among other matters also being responsible for the licensing of Learning Support Educators (LSEs). Another important element of the reforms will be the setting up of a *Board for Educational Matters*, in line with the principle of the best interests of the child and of the child’s education, as embodied in the UN CRC, and in Article 8 of the Education Act. This would have jurisdiction to hear matters, such as a parent refusing to sign an Individualised Education Plan (IEP), or refusing a neurodevelopmental assessment — insisting that their child is simply ‘naughty’, rather than possibly on the autism spectrum — when all other attempts at dialogue would have failed.

The *Inclusion Directorate within the National Schools Support Service (NSSS)* at MEDE has *Educational Officers (EOs)* as its disposal, to assist School Principals and their staff, who are responsible for day-to-day decision making, by discussing such cases with their teams. This practice is employed with regard to each and every child, and not just children with disability, in line with Malta’s obligations under the UN CRC. This way, expertise can be twinned with a practical approach, in the best interests of the child. Towards this end, the situation is monitored through regular visits by *HODs (Heads of Department) – Inclusion* and Education Officers (EOs), who additionally have the right to spot-check schools if necessary. Furthermore, Schools are also subject to *mandatory internal and external audits on a regular basis*. External audits are carried out by the *Quality Assurance Department* currently within the MEDE’s Directorate for Quality and Standards, which is now *being designated an independent regulator* following amendments to the law.

*Legislation passed in connection with specific disability categories* in 2016 also contributed towards this end. The Maltese Sign Language Recognition Act (Chapter 556) designated Maltese Sign Language (LSM) an official language, bringing with it attached rights, while empowering the new Sign Language Council to also advocate in the field of education. The Persons within the Autism Spectrum (Empowerment) Act (Chapter 557) likewise places a key emphasis on education, including as one of the main goals to be addressed in the national autism strategy that the new Autism Advisory Council was tasked with drafting.

The Equal Opportunities (Persons with Disability) Act (Chapter 413), initially adopted in the year 2000 covers, in Article 11, the right to education of all disabled people, including children. This Act is an anti-discrimination statute, and aside from enunciating provisions to this end, also spells out procedures, remedies and sanctions that can be applied in cases of alleged discrimination. Furthermore, Malta signed and ratified the United Nations Convention for the Rights of Persons with Disabilities, in 2007 and 2012 respectively. It is now obliged to implement such Convention. Article 24 of the said Convention, dealing with the right for inclusive education for disabled persons, including disabled children, is already tackled, in as far as anti-discrimination provisions, by the Equal Opportunities (Persons with Disability) Act.

A National Policy on the Rights of Persons with Disability was established to promote and safeguard equality, self-determination, dignity and social inclusion of persons with a disability by enhancing their prospects of being treated as par with the rest of the society. This National Policy was established on the 3rd of December 2014. Currently the Government of Malta is working on a national strategy which will guide the implementation of the national policy. This is expected to be launched in the coming months. Malta’s National Curriculum Framework (NCF) for All (2012) aims at educating children to regard diversity as a key value in the development of the Maltese society. This learning outcome framework *s*eeks to instil values that respect diversity. The Framework for the Education Strategy 2014 - 2024 (2014) based on four main principles; equity, social justice, diversity and inclusivity. The framework places emphasis on students learning to live together[[1]](#footnote-1). Malta also implemented the Respect for All Framework (2014)[[2]](#footnote-2)[2] which addresses two pillars – 1) learning to be and 2) learning to live together.  It is based on a philosophy of value-based education. The work of the educator is to promote this philosophy through the different educational activities in a way that develops relationships and promotes positive human values.

1. **Please identify any specific measures or actions being taken in your country to empower children with disabilities in education settings, particularly children with disabilities with psychosocial and intellectual impairments.**

*Accessibility Measures*

Accessibility of educational buildings is guaranteed to children with disability. The Foundation for Tomorrow’s Schools is tasked with the design of new school buildings which are completely accessible for students with disability and also to undertake repairs and modifications to allow existing schools to become more accessible for children with disability. It is also ensured that older schools are made accessible. Where certain factors, such as premises being a protected building, are present, it must ensure that necessary steps are taken, such as that classes containing students using a wheelchair are located at ground floor level, and that all other adaptations that are possible are otherwise made to the school environment.

Facilities within schools must also be rendered accessible, such as ensuring that all worktops in laboratories are adjustable, and that equipment such as hand magnifiers is present. All interactive whiteboards in classrooms are also height-adjustable. It must be further ensured that at least 1 fixed computer is adjustable, with children being further ensured ICT accessibility through the use of adjustable tablets and assistive or AAC (Augmentative and Alternative Means of Communication) devices, as described later in this document, which children many times can also take home with them. This also prevents children being singled out. The Access to Communication and Technology Unit (ACTU) is responsible for providing the necessary support to students with physical disabilities, specific communication needs and learning difficulties to enable them to access the curriculum through the use of assistive technology. Students are assessed to establish the correct technology that is required. These recommendations are given to family members, support staff and school authorities. The unit imparts knowledge about the benefit of multi-modal modes of communication and promotes the educational inclusion of Augmentative and Alternative Means of Communication (AAC) users recommending instruction and interaction arrangements, expectations and support in all areas of the curriculum.

*Developmental Assessments and Interventions*

Children between the ages of 0 and 5 that are suspected of having a developmental delay may be referred to the Early Intervention Service, which is part of the Student Services Department in the Ministry for Education responsible for offering support on a number of levels. The aim of the Early Intervention Service is to provide a child-centred and family-centred, comprehensive support system with the goal of addressing developmental differences, and working together to tap into and reach a child's full potential. Additionally, there is a Child Development Assessment Unit (CDAU) under the remit of the Ministry of Health. CDAU has a multi-disciplinary team to assess children from 0 to 16 years of age, who face disability-specific challenges, particularly in connection with their cognitive or neurodevelopmental profiles, and impinging upon their physical, mental, emotional, educational and social functional development.

*IEPs and Statements of Needs*

Students with a disability requiring assistance to be able to fully access the education system are given support through the Statementing Process. An *Individualised Education Programme (IEP)* is proposed to address the additional needs of the child to allow full access to the National Minimum Curriculum. This plan is developed by the Head of School in conjunction with parents, teachers, LSEs and the student themselves. Learners with a Statement of Needs are assessed by a multi-disciplinary team, and individualised education programmes are tailored to achieve targeted curriculum and other developmental goals. The Statementing Moderation Panel, governed by the ‘Inclusive Education – Policy regarding students with a disability’ document, is required to ensure that the school has done everything that it can to accommodate the needs of the student in meeting their educational requirements.

*Services for Students with Social, Emotional and Behavioural Difficulties (SEBD)*

Students with *‘challenging behaviour’*, and those otherwise requiring specific supports, such as in the case of *sensory sensitivities* connected to neurodevelopmental profiles (ex. in the case of students on the autism spectrum), are referred to specialised teams of support professionals to ensure that the child is able to remain in the mainstream school system. *Nurture Classes* in primary schools and *Learning Support Zones* in secondary schools help students with social, emotional and behavioural difficulties (SEBD). If little to no progress is observed on completion of the tailor-made programmes within the Nurture Classes and the Learning Support Zones, the students concerned are referred to SEBD specialists who apply practical strategies and liaise with all the stakeholders involved.

*Measures for Hearing and Visually-impaired students/ Sign language measures*

In the mainstream schools, the Directorate for Educational Services provides *peripatetic teachers* for children with visual and/or hearing impairments. Learning Support Educators (LSEs) support regular teachers who have children with disability in their class. The education authorities are required to provide support services in mainstream schools as part of the application of the ‘least’ restrictive environment’ principle. Teachers in mainstream schools are trained in order to ensure that learners with disability are included in class and in curricular activities.

*Resource Centres*

There are currently 4 *Resource Centres* in Malta, offering services to a small number of children and young people. There is a primary, a secondary, a secondary/post-secondary and a post 16, Young Adult centre. The primary resource centre caters for children between the ages of 3 and 13. The National Curriculum is adapted to cater for children with different cognitive profiles. Learners who come from mainstream schools receive a morning programme, while spending the rest of the school week in their own school. The secondary resource centre caters for children between the ages of 11 and 16. This Centre also offers part-time programmes to learners from mainstream schools. The secondary/post-secondary resource centre caters for children with profound multiple learning disabilities, and the post 16 years Young Adult Centre caters for young people between the ages of 16 and 22. This programme aims to give learners a vocational and independence experience. A Special Unit in Gozo also caters for learners with complex needs. There are also 3 Learning Support Centres for children with social and emotional behaviour difficulties.

*Career Guidance and Transitions*

Students with disabilities are encouraged to pursue their education to tertiary level along with other non-disabled students. *Vocational training of children with disabilities* is also aimed, among other things, at leading them to an area of employment, and efforts are made to integrate this into their general education. Strengthening of further existing *career guidance initiatives* was also carried out. Examples include a one-week career exposure experience, whereby students with disabilities are exposed directly to the world of work, and the career portfolio exercise whereby students are guided individually to understand their interests, abilities and future possible careers.  These measures aim to further encourage students to continue with post-secondary opportunities, and to reduce the number of early school-leavers.

*Measures for educators*

The Foundation for Social Welfare Services (FSWS), in conjunction with the , the University of Malta, the Manchester Metropolitan University, and the Malta College for Arts Science and Technology (MCAST), had applied for European Social Fund financing, to train all their employees and improve front-line and professional services for disability issues.The Student Services Department within the Directorate of Educational Services also holds ongoing training for its professionals, in areas related to disability, including communication, access to communications and technology, ‘challenging behaviour’, mental health, hearing and visual impairment, and sign language. The department is also an active member of the European Agency for Special Needs and Inclusive Education.Heads of School and the Senior Management Teams (SMTs) are given annual training in the inclusion of students with disability, and research show that ongoing training of teachers and Heads of School are vital to ensure the success of a fully inclusive educational system. Such Continuous Professional Development, known as In-Service Trainings, is also offered to teachers. Furthermore, all initial teacher training, further to taught courses, conducted at the University of Malta, similarly contains such elements.

**5. Does your country have independent accountability mechanisms to monitor the situation of children with disabilities and their access to essential services, including to inclusive education in the general system without discrimination?**

The Commission for the Rights of Persons with Disability (CRPD) is the independent mechanism which oversees the implementation of the UN CRPD in Malta. Therefore, it is its role to monitor the situation of children with disabilities and their access to essential services, including inclusive education, and to address any form of discrimination on the basis of disability. Complaints concerning disability discrimination in the field of Education are also received by the Education section of CRPD’s Equal Opportunities Compliance Unit (EOCU), in terms of the Equal Opportunities (Persons with Disability) Act. Furthermore, complaints can also be received by the Commissioner for Education at the Office of the Parliamentary Ombudsman, who has, since September 2017, dealt with and resolved 2 such cases. The Commissioner for Education’s Office also held a conference for major stakeholders in the field of inclusive education on 29 November 2017. The legal and technical aspects impinging on the daily lives of persons with disability, especially those struggling with the challenges posed by barriers to education, were discussed. The Office also intends to hold a further session in autumn of 2018.

**6. Does your country monitor the inclusion of children with disabilities through disaggregated national data?**

1. **Please provide information on how the number of children with disabilities enrolled in education is recorded in national data**.

Currently, the main source of statistics relating to the disability sector in Malta is the *national census* conducted by the National Statistics Office, whereby data collected is segregated by impairment, age, gender, locality and highest level of education attained. Furthermore, the Commission for the Rights of Persons with Disability maintains a *voluntary register* of disabled persons, including children, categorised by impairment, for the purposes of issuing identification documents for disabled persons, also allowing them to access specific services. *Information on enrolment in education transpires incidentally from said registrations*, such as when the impairment registered is directly linked to a learning difficulty, or effected in order to be eligible to request specific services. Reforms are currently under way, whereby a *National Register*, in line with the UN CRPD and data protection legislation, will be compiled and maintained, through data gleaned from a unified disability functioning assessment procedure which is being developed.

1. https://education.gov.mt/en/resources/Documents/Policy%20Documents%202014/BOOKLET%20ESM%202014-2024%20ENG%2019-02.pdf [↑](#footnote-ref-1)
2. [2] https://education.gov.mt/en/resources/News/Documents/Respect%20For%20All%20Document.pdf [↑](#footnote-ref-2)