



EDUCATION SCRUTINY COMMITTEE 21ST SEPTEMBER 2021

SUBJECT: ADDITIONAL LEARNING NEEDS

**REPORT BY: CORPORATE DIRECTOR EDUCATION AND CORPORATE
SERVICES**

1. PURPOSE OF REPORT

1.1 This report provides an update for Members regarding the progress of the Local Authority (LA) in relation to the implementation of the Additional Learning Needs (ALN) and Tribunal (Wales) Act (2018).

2. SUMMARY

2.1 The Additional Learning Needs and Education Tribunal (Wales) Act (2018) was given Royal assent in January 2018.

2.2 The purpose of the Act is to create the legislative framework to improve the planning and delivery of additional learning provision by creating a unified process for children and young people 0-25. This focuses on a person-centred approach to identifying needs early, putting in place effective support and monitoring, and adapting interventions to ensure they deliver desired outcomes. The aim is to ensure improved outcomes through a simpler and less adversarial system.

2.3 The Act is supported by secondary legislation and the Additional Learning Needs (ALN) Code which was finalised in 2021.

2.4 Recent events have resulted in changes to the initial implementation timeline presented by Welsh Government. Changes have been made as recently as July 2021. Implementation commences in September 2021 linked to any new identification of ALN. The roll out is to take place in phases over a three year period. The second phase (specific cohorts begins in January 2021).

2.5 All activity to date is in preparation for implementation. The LA has worked across the South East Wales consortia region (SEWC) to promote a coherent and collaborative regional approach. This has taken the form of a regional implementation plan. Work has been supported by the regional transformation lead (Welsh Government funded) and also since May 2021 by a secondment to a local transformation lead (part funded by Welsh Government).

- 2.6 There has also been a focus on local need recognising where the LA's have worked at a different pace.
- 2.7 Ongoing work with partners in Social Care and Health has been critical in ensuring all elements of the Act are implemented as per the Welsh Government implementation plan from September 2021, such as the enforced changes to the Social Services and Wellbeing Act (Part 6) in relation to Children who are Looked After (CLA).
- 2.8 The LA has utilised part of ALN grants to support developments.

3. RECOMMENDATIONS

- 3.1 Members are requested to note the contents of the report and support the LA's practice in embedding the ALN Act.

4. REASONS FOR THE RECOMMENDATIONS

- 4.1 Members are asked to support the approach of the LA in order that the statutory duties of schools / education provisions and the LA are met and all children with ALN have their needs identified and met with appropriate provision.

5. THE REPORT

- 5.1 Since the introduction of the ALN and Tribunal Act in 2018 the LA has been working regionally and with partners with a focus on four key areas, outlined in a regional implementation plan:
- Early years
 - Schools
 - Post 16
 - Collaboration - SEWC, Health and Social care
- 5.2 Since 2020 the focus has developed to include local implementation acknowledging different stages of development in LA's and issues locally.
- 5.3 At a regional level examples of activity links to:
- Early years***
- Completing the developing of and implementing new systems and processes to support early years;
 - Introducing the statutory role of the early years (additional learning needs coordinator (ALNCO));
 - Introducing and embedding person centred practice across all early years settings;
 - developing an early years training programme
 - creating provision maps;
 - introducing Individual development plans (IDPs);
 - developing an early year's transition protocol;
 - establishing an ALN lead in settings;
 - developing and delivering the early year's training package (13 modules) for all settings and child minders. This was led by Caerphilly, through a seconded part

time post, to support the regional early year's teams. Due to Covid restrictions the training package has been converted to an online training offer with a mix of recorded sessions and training modules available as TEAMS sessions;

- developing the 0-3 Communication Pathway, led by the regional early year's teams in collaboration with Health (speech and language therapy) and COMiT (the regional speech and language support service) and piloted in regional settings. This has been adopted Welsh Government and made available nationally.

Schools

- developing and embedding a model of cluster working to support ALNCO's;
- development and delivery of an extensive four year training programme for ALNCOs, based on ALNCOs identification of their training and support needs. This programme has been developed to include a SWC ALN Transformation Network on HWB, which currently has over 1,000 members. The network gives access to all training modules and additional information to support ALNCOs and schools;
- introduction of the National Middle Leadership professional learning programme, to support their professional development and the move to the new statutory role of ALNCo, supported by the EAS. 2 cohorts of Caerphilly ALNCOs (23) have undertaken this training;
- development of a toolkit for ALNCOs, and training for new and aspiring ALNCOs;
- introduction of a regional job description for ALNCOs, and a framework for senior leadership teams to support them in their new roles;
- introducing a clear set of expectations for Head Teachers including outlining roles and responsibilities with the staff group and for Governors;
- providing Governor training;
- coaching and mentoring provided by the education Achievement Service (EAS) to support the national ALNCO Progression Pathway which will be available online in September 21, and will be freely available to all existing, new and aspiring ALNCOs from September 21;
- partnership working with the EAS to ensure high quality teaching and learning for those with ALN,
- providing guidance and resources to facilitate schools to implement the new IDP system;
- supporting every school to map out how they will meet the needs of their pupils with ALN (provision mapping) .

Post 16

- working with college leads, health and education to develop a set of principles to meet the needs of the majority of ALN students;
- working with college ALNCOs to develop common approaches to the creation of IDPs and person centred practice;
- support for colleges identifying and sharing their provision maps identifying additional and universal provision available at college;
- developing a post 16 transition protocol and process to ensure that students are identified and supported to make a successful transition to college. A Post 16 LA, multi-agency steering group for has been established and meets regularly;

- access to a training programme for all college lecturers, which has included input from regional and LA specialist teachers from the regional sensory service and Caerphilly Autistic Spectrum Service (SENCOM, CASS);
- bespoke transition packages for pupils with the most complex needs including hearing impaired and visually impaired students;

Collaboration

- establishing a group led by the Caerphilly working with the regional Principal Educational Psychologists to map out the role of the educational psychologist and how the role will evolve to support ALN Transformation;
- developing an ALN accountability framework (regional Inclusion leads and transformation lead), agreed with schools and partners including EAS, to monitor and evaluate school's ALN practice and to share best practice across LAs and regionally;
- producing the regional Personal Education Plan (PEP) and Individual Development Plan (IDP) for children who are looked after;
- collaborative working with partners including Health and Social Care, through a variety of groups, including the Health Gwent Consortia Meeting and the Social Care ALN leads meeting, which have additional planning processes developed to support multi-agency working. Caerphilly have officers who attend and contribute regularly to influence practice. Gwent Attachment Service (ABUHB) have delivered online training for ALNCoS which has been accessed by over 900 teaching and support staff across the region. Q and A sessions are provided monthly to all schools and have covered various topics including, speech and language, developing gross and fine motor skills, and early years;
- establishing a regional statutory officers group who meet regularly to share best practice and develop common processes and systems to support transformation;
- establishing a regional parent forum with Special needs advise service (SNAP), LA and parents to enable co-construction and consultation, problem solving and input into transformation developments;
- establishing termly SNAP parent Q and A sessions with Health and Education, the topics are chosen by the parents and have included addressing sleep problems, managing anxiety, how to improve social communication and diet;
- development of an online presentation by the regional youth forum to inform other children and young people about ALN. This will be available online from September. The young people have also been trained in presentation skills by the UCAN charity so that they can deliver their presentations to pupils in schools across the region.

5.4 The above work has been a collaboration between the regional transformation leads and Inclusion officers and as appropriate in partnership with EAS. Caerphilly has lead on the early years work, the work of the Principal Educational Psychologists group and the development of the regional PEP.

5.5 The above activity has been undertaken in preparation for the implementation of the Act from September 2021. Statutory posts are in place and extensive training across all sectors has resulted in increased awareness and understanding and an impact on practice in schools such as the introduction of person centred practice and one paged profiles for children with additional learning needs. In some instances teachers have used this approach to further their understanding of the needs of all children and developing person centred classrooms.

- 5.6 Parental forums have enabled LA's to ensure increased awareness amongst parents and carers.
- 5.7 In order to support local and regional developments Caerphilly has developed the online IDP process and the removing barriers to learning matrix (a pupil centred, online tool which identifies the complexity and interrelationship of difficulties that require Additional Learning Provision (ALP)). The matrix has been piloted by schools across the region and the feedback from this pilot has been very positive. Health will add their resources to support during the summer and the matrix will be available to all regional schools via an online format by September 21.
- 5.8 Locally through use of the ALN grant we have used a seconded post to develop a pupil voice toolkit which will be available to all schools to support the gathering pupil views with a particular focus on the most complex children. This development of placing the learner at the heart of the ALN Reforms supports fully the Welsh Government vision for the ALN ET Act and the IDP process.
- 5.9 The work of the ALNCO cluster leads at a local level has been supported through regular meetings identifying the needs of clusters and developing cluster and individual school planning to support ALN transformation. Recently the appointment of the local transformation leads has facilitated further development work with all Caerphilly schools to identify where support is required.
- 5.10 Despite significant focus on this area of work there are a number of associated challenges across the region and for Caerphilly.
- the impact of Covid leading to capacity to engage;
 - a delay in implementation guidance being issued by Welsh Government;
 - capacity of LAs and schools to deliver training to support implementation, when transformation funding ceases in March 22.
 - engagement with the Special Education Needs Tribunal for Wales (SENTW) and the need for clear understanding of ALN reform developments for the Tribunal;
 - demands on Health and Social Services staff;
 - capacity for Social Care engagement and statutory teams. A rise regionally in numbers of CLA will impact on work load especially with the new Code requirements that all children who are looked after will have to have an LA maintained IDP and changes to the Belongings regulations.
 - IT systems development to enable an online IDP and the new statutory processes to be developed.
- 5.11 Seeking solutions to the above are built into the work of the regional transformation lead and officers at a local level as appropriate and will delivered through the regional implementation plan, Health Implementation plan and the Social Care work plan for 21/22.
- 5.12 **Conclusion**
- 5.13 The ALN and Tribunal Act (2018) provides the legislative framework for the identification of and provision for children with ALN, i.e. the statutory duties placed on the LA, schools and other partners. The LA has worked with regional partners and locally to ensure that all schools have appropriate knowledge to understand their statutory responsibilities in relation to identification of ALN and the development of the provision required to meet the needs of all pupils and to embed practice in line with the ALN Code.

- 5.14 The first phase of implementation begins in September 2021 and will continue in line with the Welsh Government implementation plan for the next three years. This will be supported at a local and regional level through the ongoing development of systems, training and monitoring and evaluating progress.
- 5.15 Over this period the LA will continue to work with schools to embed the legislation, review provision, and evaluate impact.

6. ASSUMPTIONS

- 6.1 In considering the recommendations the following assumptions have been made:
- Meeting the ALN of children and young people 0 – 25 years is a key statutory duty of the Council and as such must be reported to scrutiny to ensure that members are kept informed.

7. SUMMARY OF INTEGRATED IMPACT ASSESSMENT

- 7.1 This report provides information and therefore an integrated impact assessment has not been completed at this time.

8. FINANCIAL IMPLICATIONS

- 8.1 Welsh Government has provided funding to LA's to support the implementation of regional plans and has in March 2021 provided some funding to support LA's with a local transformation post for one year. LA's have also been provided with ALN grants which can be used to support this work. Indications are that there is no permanent funding to schools or LA's to support the responsibilities of LA's or schools linked to the Act for example development of systems, workforce development, increased age ranges, provision, placements or any support linked to appeals to The Special Educational Needs Tribunal for Wales (SENTW). Costs over the implementation period are difficult to estimate. If there are cost pressures these are likely to be linked to central teams and schools.

9. PERSONNEL IMPLICATIONS

- 9.1 In order to ensure compliance with the Act and ALN Code the existing statutory team has been developed to address potential capacity issues of managing both a new and existing system over a period of implementation (three years). The Educational Psychology Service is mindful of the pressures in terms of the role of the EP as outlined in the ALN Code and where possible utilises grants to add capacity. Within the Education Directorate there may be additional pressures linked to work within early years, responsibilities linked to CLA, responsibilities linked to EOTAS, elective home education and post 16 provision. This will have workforce development implications and an associated cost.
- 9.2 There is no indication that additional funding will be available from Welsh Government to support with the development of statutory roles or the broader workforce development over and above the initial investment linked to the transformation and grants.

10. CONSULTATIONS

10.1 The report reflects with views of the consultees.

11. STATUTORY POWERS

11.1 Additional Learning Needs and Tribunal Act (Wales) 2018
Well-being of Future Generations (Wales) Act 2015
Education Act 1996
Equality Act 2010
Social Services and wellbeing Act (2014)
United Nations Convention on the Rights of the Child.

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