



EDUCATION SCRUTINY COMMITTEE – INFORMATION ITEM

SUBJECT: ADDITIONAL LEARNING NEEDS

**REPORT BY: CORPORATE DIRECTOR FOR 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 There has been some changes to the initial implementation timeline presented by Welsh Government. Changes have been made as recently as March 2022. Implementation commenced in September 2021 and the roll out is taking place in phases over a three year period.
- 2.5 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 was 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 Work with partners in Social Services 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.
- 2.9 The LA is responding to ALN transformation in line with our vision and values, ensuring the LA and schools are:
- responsive to the introduction of Act / ALN Code
 - compliant with statutory responsibilities
 - responding to the duty to review provision
 - responsive to the expectations for LAs in line with the Estyn framework.

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 have been working with all stakeholders on the development of resources with a focus on the following key areas:
- Compliance with the ALNET Act and ALN Code
 - Early years
 - Support to Schools
 - Post 16
 - Ongoing collaboration - SEWC, Health and Social care.
- 5.2 Monitoring and reviewing reports from each sectors within education provide a position statement to the Senior Leadership Team (SMT) whilst working towards the targets as outlined in the LA's Education action plan.
- 5.3 Since September 2021 the focus has been on local implementation and the development of resources to support schools.
- 5.4 Examples of activities are as follows:

Compliance of ALNET Act and ALN Code

- Information (Bilingual) made available to families via the CCBC website and Hwb. This information is updated regularly in line with advice received from Welsh Government;

- On Line Case Management System (CMS) launched, which is a unified system that allows both schools and the LA to oversee the statutory IDP process and ensures compliance to timescales;
- Development of set of ALN principles;
- Realigning LA panels to one unified weekly ALN panel;
- Developing criteria for School / LA maintained IDPs;
- Reviewing the entry/exit criteria for specialist provision within the LA;
- Developing an online portal for workstreams relating to children looked after for both Personal Education Plans and Individual Development Plans (IDPs);
- Reviewing of ALN policies including specialist transport;
- Developing a process for Electively Home Educated (EHE) learners;
- Developing in-house reports using software such as Case Management System (CMS) and Power BI to track the progress of learners with ALN and to keep the LA's Additional Learning Provision (ALP) under review;
- Ongoing training for staff within the education directorate relating to new legislation such as the Armed Forces Covenant (Wales). The Armed Forces Covenant has come into law for Housing, Education and Health. Staff will apply 'Due Regard' in respect of the Armed Forces Community. LEI Services will support schools in achieving the education goals set out within the covenant.

Early years

- Developing of and implementing new systems and processes to support early years;
- Introducing the statutory role of the early years (Additional Learning Needs Lead Officer (ALNLO));
- Introducing and embedding person-centred practice across all early years settings;
- Developing an early years training programme;
- Creating provision maps;
- Writing 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 by Welsh Government and made available nationally.

Schools

- All schools have undertaken training around Quality First Teaching and differentiation and are working towards strengthening Universal Provision. Schools are now embedding person-centred practices within Schools; many have adopted One Page Profiles as a whole school approach;
- All schools have been encouraged by the LA to amend their school ALN policies and update their school websites with information regarding the ALN Education Tribunal Act Wales, a copy of their provision map, Person Centred Practices (PCP) and the introduction IDPs;

- Embedding the online Removing Barriers to Learning (RBtL) Matrix (developed by Caerphilly education staff and used regionally) which supports the sharing of resources. There is also a Bilingual version of this matrix;
- Embedding a model of cluster working to support ALNCO's;
- Developed the toolkit for ALNCOs, and training for new and aspiring ALNCOs;
- Ongoing training on the expectations for Head Teachers including outlining roles and responsibilities with the staff group and for Governors;
- Training delivered to newly appointed Head Teachers via the Caerphilly Headteachers Induction Programme (CHIP) meetings;
- Ongoing Governor training;
- Partnership working with the Education Achievement Service (EAS) to ensure high quality teaching and learning for those with ALN;
- Collaborative working with ALN Transformation Officer and ALNCOs providing support to embed the ALN code – this has included establishing an ALN moderation review of key documents such as ALN registers, IDPs, provision maps and sharing of good practice within schools;
- Provided ALN awareness training to NQTs which includes the ALN Code which has developed into an NQT network and a series of workshops in response to NQT feedback;
- Supporting ALNCOs with interpreting and applying implementation guidance, establishing common and consistent approaches to assessing ALN, IDP processes, PCP meetings, use of the RBtL Matrix and outcomes from ALN panel;
- Access for ALNCOs to the National Coaching and Mentoring Programme, facilitated by the EAS. This is a six-module programme to support ALNCOs in their leadership role and in working with parents and carers.
- Introduction of IT Cubes (Technology rooms) in schools to support children, young people and their families with access to services remotely. This has been developed by Education staff in Caerphilly and grant funding has allowed a roll out of six IT Cubes in the borough as part of a pilot scheme in line with the EAS Raising the Achievement of Disadvantaged Youngsters (RADY) project.

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;
- Establishing a Post 16 LA, multi-agency steering group with key representatives from Education (including the local colleges, Careers Wales), Special Needs Advice Service (SNAP), Health and Social Care;
- Development of a post 16 transition protocol and process to ensure that vulnerable learners are identified and supported to make a successful transition to college;
- Introduction of the protocol to the transition leads from Caerphilly secondary schools and alternative provisions;
- 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);
- Creation of bespoke transition packages for pupils with the most complex needs, including hearing impaired and visually impaired students.

Collaboration

- Working with stakeholders including Health and Social Care to aim to ensure they are following a consistent person-centred approach to supporting learners;
- Establishing and leading the regional Principal Educational Psychologists working group to map out the role of the educational psychology service in supporting ALN Transformation;
- Developed a phased model of educational psychology support for schools which aligns closely with the ALN reform;
- Developed 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;
- Produced the regional Personal Education Plan (PEP) and IDP for children who are looked after;
- Collaborative working with partners which has included 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. Linked to this, 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;
- Sharing best practice across the regional Statutory Officers group and developing common processes and systems to support implementation;
- Regional Implementation Leads meet to share good practice and develop common practice;
- A regional Parent Forum meet regularly with Special Needs Advice Service (SNAP), LA and parents to enable co-construction and consultation, problem solving and input into transformation developments and implementation;
- Consultation with a regional Youth Forum to capture the voice of the learner and the development of leaflet / correspondence to help inform children and young people about ALN. This has included an online presentation;
- Termly SNAP / parent sessions are held 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;
- Partnership working with Gwent Education Minority Ethnic Service (GEMS) to support ethnic minority groups through individual case work.
- Work with Welsh Government to develop an Elective Home Education and ALN sub-group.

5.5 The above work has been a collaboration between all stakeholders in partnership with EAS. Caerphilly continues to lead on the early years work, all elements of the statutory framework, the work of the Principal Educational Psychologists group and the development of the regional PEP.

- 5.6 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 profile documents 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.
- 5.7 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 was launched in September 2021 across SEWC. Since the launch Caerphilly has been approached by a number of LAs within Wales exploring the possibility to adopt the matrix.
- 5.8 Parental forums have enabled LA's to ensure increased awareness amongst parents and carers. Caerphilly will continue to lead on the development of the RBtL matrix in collaboration with the parent forum to produce an interface for families. The LA will also be developing the CMS online system to incorporate a Parent Portal to store and share documentation securely online relating to the statutory process of IDPs, providing families with instant access to their documentation.
- 5.9 A pupil voice toolkit has been developed through a seconded post funded through the ALN grant to facilitate the views of ALN learners (including those with the most complex needs) and training has been provided on the use of the toolkit to all schools. This development of placing the learner at the heart of the ALN Reform supports fully the Welsh Government vision for the ALN ET Act and the IDP process.
- 5.10 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. The appointment of the local transformation lead has facilitated further development work with all Caerphilly schools to identify where support is required.
- 5.11 The LA has used the ALN grant funding to support development of additional learning provision, support for complex needs learners and mental health and wellbeing support in schools. This has included funding training to schools for a range of interventions, obtaining assessment tools for working with post 16 learners, delivery of cognitive behaviour therapy groups, delivery of direct support for vulnerable learners and release time for ALNCOs to attend moderation and support exercises with the LA.
- 5.12 Despite significant focus on this area of work there are a number of associated challenges across the region and for Caerphilly, these include:
- changes to the implementation guidance issued by Welsh Government;
 - capacity of LAs and schools to deliver training to support implementation when transformation funding ceases;
 - capacity to understand manage the demands of implementing the ALN Act and ensuring statutory compliance across the schools in the context of other significant priorities such as the new curriculum for Wales;
 - engagement with the Education Tribunal for Wales (ETW) 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 within statutory teams. A rise regionally in numbers of CLA will impact on workload 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;

- workforce implications and associated costs.

5.13 Seeking solutions to the above are built into the work of the local transformation lead and officers and will be delivered through the LA's action plan and associated plans in Health and Social Care.

5.14 **Conclusion**

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 partners regionally and locally to ensure that all schools have appropriate knowledge to facilitate their understanding of 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.

5.15 The first phase of implementation has been extended in line with the Welsh Government implementation plan of three years. This is being supported at a local and regional level through the ongoing development of systems, training and monitoring and evaluating progress.

5.16 Over the implementation 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 In financial year 2022-23 the Authority has received ALN funding through the LA Education Grant 2022/23, details as follows:

- | | |
|--------------------------------------|----------|
| • ALN Implementation – LA allocation | £70,000 |
| • ALN Implementation – Schools | £286,068 |
| • ALN – learner provision | £564,946 |

The LA and school funding allocation is intended to support local authorities, maintained nurseries, maintained schools, special schools and PRU's to prepare for the phased commencement and full implementation of the ALN Act. Specifically, the funding must focus on 1. Increasing capacity to move children from the SEN to ALN System; 2. Develop Practitioner knowledge on ALN; 3. Building a national

implementation network. The allocation of funding for learner provision is for local authorities to increase provision of support for children and young people with ALN to deal with the impacts of the Covid-19 pandemic and is to be targeted towards the direct provision of enhanced and/or additional support for those learners, particularly learners with complex needs.

- 8.2 In terms of future funding the WG indicative grants table for 2022/23 (current) to 2024/25 shows indicative funding for ALN of £14.1m a year across Wales. The funding detailed above to Caerphilly is part of this funding. In 2022-23 £6.6m of the funding across Wales was specifically to support the move to the new ALN System. The programmes for ALN (£14.1m annually) are part of the LA Education Grant. The longer term the position remains unclear.
- 8.3 Welsh Government are also continuing to provide support to LA's through the ALN Transformation Grant. Funding of £1.98m across Wales in 2022-23 and in 2023-24 (indicative) has been identified.

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. Capacity pressures in this area are being monitored. In the short term some funding has been identified to support capacity on a fixed term basis however this will need to be reviewed as part of SMT discussions.

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.
Armed Forces Covenant (Wales)

Author: Sarah Ellis Lead for Inclusion and ALN
elliss@caerphilly.gov.uk

Consultees: Christina Harrhy, Chief Executive
Richard Edmunds, Corporate Director, Education and Corporate Services
Dave Street, Corporate Director Social Services and Housing

Rob Tranter, Head of Legal Services and Monitoring Officer
Steve Harris, Head of Financial Services and S151 Officer
Councillor Teresa Parry, Chair Education Scrutiny Committee
Councillor Jo Rao, Vice Chair Education Scrutiny Committee
Councillor Carol Andrews, Cabinet Member for Education and Communities
Keri Cole, Chief Education Officer
Sue Richards, Head of Transformation and Education Planning & Strategy
Sarah Mutch, Early Years Manager
Jane Southcombe, Finance Manager
Paul Warren, Lead for School Improvement
Ros Roberts, Business Improvement Manager
Kath Bevan, Lead for Wellbeing and Equity (EAS)
Nicola Barrett, Service Manager
Lisa Downey, HR Service Manager
Lynne Donovan, Head of People Services
Irene Yendle, Statutory Team Lead
Kyla Honey, Principal Educational Psychologist
Owen Barry, Deputy Principal Educational Psychologist
Lisa Jones, Transformation Officer