



SCRUTINY COMMITTEE Report

SUBJECT: ADDITIONAL LEARNING NEEDS AND EDUCATIONAL TRIBUNAL (ALN ET) ACT

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1.0 SUMMARY OF THE REPORT

1.1 The purpose of this report is to update members on the work undertaken across the region to prepare for the Additional Learning Needs (ALN) and Tribunal (Wales) Act (2018).

2.0 RECOMMENDATION(S)

2.1 It is recommended that members note the contents of the report.

3.0 INTRODUCTION AND BACKGROUND

3.1 The Additional Learning Needs and Education Tribunal (Wales) Bill was passed by the National Assembly for Wales on 12 December 2017 and after receiving Royal Assent became the Additional Learning Needs Education Tribunal (Wales) Act 2018 (ALNET) on 24 January 2018.

The ALNET aims to create:

- a unified legislative framework to support all children of compulsory school age or below with additional learning needs (ALN) and to support young people with ALN who are in school or further education (FE)
- an integrated, collaborative process of assessment, planning and monitoring which facilitates early, timely and effective interventions
- a fair and transparent system for providing information and advice, and for resolving concerns and appeals.

3.2 It is expected that the ALN system set out in the Act will be fully implemented over a three-year period. The implementation period is expected to run from September 2020 to August 2023.

This transformed system will:

- ensure that all learners with ALN are supported to overcome barriers to learning and achieve their full potential;



- improve the planning and delivery of support for learners from 0 to 25 with ALN, placing learners' needs, views, wishes and feelings at the heart of the process; and
 - focus on the importance of identifying needs early and putting in place timely and effective interventions which are monitored and adapted to ensure they deliver the desired outcomes.
- 3.3 For the time being, local authorities and all those who work with children and young people with SEN, must ensure that they continue to comply with the duties placed upon them by the Education Act 1996. They must also continue to have regard to the SEN Code of Practice for Wales (2002).
- 3.4 In order to support the implementation of this new system the Welsh Government is providing financial assistance through the ALN Transformation Grant. This is the second year of the four financial years that the grant will be available. The money is delegated via a host local authority acting on behalf of the authorities in the region, using the same footprint as the four regional education consortia. The grant must be used on a regional strategic basis and consideration should be given to regional sustainability beyond the life time of the grant.
- 3.5 The ALN transformation grant should be used by the host local authority to employ a regional ALN transformation lead. The transformation lead is responsible for the delivery of a strategic programme of work agreed by local authorities to support preparation by consortia, maintained early years settings, schools, further education institutes and local health boards of the duties conferred to them by the Additional Learning Needs and Education Tribunal (Wales) Act 2018, and to ensure financial accountability.
- 3.6 The conditions of the grant spend stipulate that there has to be in place a:
- regional implementation plan,
 - state of the region summary document, detailing areas to focus on in preparing for transition to the new ALN system,
 - multi-agency regional Additional Learning Needs and Education Tribunal (Wales) Act training plan.
- 3.7 The work undertaken to date demonstrates that the Central South Region has accurately analysed needs and identified strategic priorities to support the transformation programme and, in doing so, has met the pre-conditions for authorisation of grant spend.
- 3.8 Members are requested to consider the progress to date and to be aware of the continued expectations on local authorities and other strategic partners to deliver against the wide-ranging transformation programme.

4.0 WHERE WE WERE

- 4.1 Between March and July 2018 extensive analysis was carried out across the region to identify strengths and areas for development. Full co-operation was obtained between all five local authorities, four further education colleges, two health boards and the Central South Consortium. Following these activities a summary document detailing the state of the region was created as well as a consequent regional implementation plan.

5.0 WHERE WE ARE NOW



- 5.1 On September 4th the regional plan was ratified by the Directors of Education with the subsequent inaugural meeting of the ALN Regional Project Board taking place on the 17th September. A copy of the plan is attached for further information. The plan aligns support to the objectives of the Additional Learning Needs and Education Tribunal Act so that local authorities, the consortium, schools, further education colleges and local health boards collaborate to transform the expectations, experiences and outcomes for children and young people with additional learning needs.

The identified regional priorities include:

1. Creating a multi-agency, multi-disciplinary regional implementation plan that underpins the successful transition to the new way of working
 2. Delivering an awareness raising programme that ensures all professionals, parents, carers, children and young people and the third sector receive timely information about the reforms and associated timescales.
 3. Implementing a comprehensive workforce development plan that is compliant with the ALNET Act and complementary to the wider national education reforms.
 4. Developing support and provision for post compulsory-aged learners through identifying local offers and where possible consider regional solutions to meet complex needs.
 5. Ensuring that the new statutory expectations for early years are understood and delivered and that appropriate support is provided to increase capacity in early years' settings.
 6. Improving strategic engagement with health to support the establishment of the statutory role of the Designated Educational Clinical Lead Officer and develop shared expectations and supportive working practices.
 7. Reviewing Welsh medium provision and specialist support to increased regional capacity through the development of best practice Welsh language learning pathways.
 8. Supporting the rights of the child and young person with ALN through the development of user-friendly practices that clearly explain and promote their rights of appeal.
- 5.2 A multi-agency, multi-disciplinary steering group is in the process of being formed. Governance structures are in place as are performance management processes to ensure that the project remains on task, within the confines of the grant spend recommendations and monitors financial accountability.

6.0 WHERE WE WANT TO BE

- 6.1 All local authorities need to be able to demonstrate that:
- the implications of the Act and Code are clearly understood.
 - there is promotion of effective joint working with other agencies; taking account of good practice; using resources efficiently; encouraging flexibility and creativity and being solution focussed.
 - there are effective working relationships with parents and carers.
 - services are developed flexibly to meet needs and keeping under review the arrangements made both by the LA and governing bodies of maintained schools in our area, for pupils with ALN, in order to assess and respond to future needs.
 - processes and procedures are developed in advance of implementation date(s).
 - any other developments within the LA re: ALN services/provision will be compliant with the Act.
- 6.2 All local authorities can demonstrate progress in complying with the requirements of the ALNET Act as measured on the LA ALN Readiness Survey.



7.0 WHAT WE NEED TO DO NEXT

- 7.1 Local authorities must be prepared to implement the new system in line with the prescribed timescales starting in September 2020, with the complete system becoming operational from September 2023. It is essential that LAs adopt a person centred approach and develops systems and plans that mirror the principles of the Act without compromising the current systems. There will be two systems operating from 2020-2023, therefore the LA must ensure effective work with colleagues, parents and children to manage this transition.
- 7.2 Priorities for the Central South region are outlined in the ALN Regional Implementation Plan and the focus is on seeking to secure coherent and collaborative regional working in relation to the identified key priorities.
- 7.3 The Central South ALN Project Board, ALN Transformation Steering Group, Central South education directors and school improvement consortium, the CSC, will work together over the next 3 years (to March 2021) in partnership with the Welsh Government to prepare all stakeholders.

8.0 CONTRIBUTION TO WELLBEING OBJECTIVES

- 8.1 The well-being goals and principles prescribed for within the Well-being of Future Generations Act 2015 connect directly to the objectives of the ALN ET Act. The ALNET Act is consistent with the five ways of working as defined within the sustainable development principle and more specifically as follows:
- Collaboration – a fundamental principal of the Act focuses on improving collaboration and creating a unified system.
 - Involvement- ensuring that pupils, parents and carers are at the heart of the system
 - Long term – the Act focuses on meeting the needs of children from 0-25
 - Prevention – the focus of the Act on early identification of need and ensuring appropriate provision to meet needs.

9.0 EQUALITIES ACT

- 9.1 The Act and Code clearly articulate the Equalities Act (2010) statutory requirements.



The purpose of this project is to ensure that the Central South Region is able to meet the requirements of the Additional Learning Needs and Education Tribunal Act in transforming expectations and outcomes for children and young people with additional learning needs (ALN). Implementation of the new requirements will begin in September 2020 and be completed by the end of 2023.

This transformed system will:

- ensure that all learners with ALN are supported to overcome barriers to learning and achieve their full potential;
- improve the planning and delivery of support for learners from 0 to 25 with ALN, placing learners' needs, views, wishes and feelings at the heart of the process; and
- focus on the importance of identifying needs early and putting in place timely and effective interventions which are monitored and adapted to ensure they deliver the desired outcomes.

The Central South region will do this by:

1. Creating a multi-agency, multi-disciplinary regional implementation plan that underpins the successful transition to the new way of working
2. Delivering an awareness raising programme that ensures all professionals, parents, carers, children and young people and the third sector receive timely information about the reforms and associated timescales.
3. Implementing a comprehensive workforce development plan that is compliant with the ALNET Act and complementary to the wider national education reforms.
4. Developing support and provision for post compulsory school-aged learners through identifying local offers and where possible consider regional solutions to meet complex needs.
5. Ensuring that the new statutory expectations for early years are understood and delivered and that appropriate support is provided to increase capacity in early years' settings.
6. Improving strategic engagement with health to support the establishment of the statutory role of the Designated Educational Clinical Lead Officer and develop shared expectations and supportive working practices.
7. Reviewing and improving Welsh medium provision and specialist support to increase regional capacity.
8. Supporting the rights of the child and young person with ALN through the development of user-friendly practices that clearly explain and promote their rights of appeal.

This project plan is funded by the Transformation Grant, allocated on a formula funding basis (70% pupil numbers and 30% school numbers). The grant is available for 4 years and is currently in its second year. The Central South region has £783,000 for this financial year to support the above priorities.

This project plan is underpinned by more detailed operational plans for each priority which include measurable outcomes, milestones and costs. The progress of the project is monitored by the Regional Project Team and the Regional ALN Steering Group.



Summary of strategic priorities and objectives

PRIORITY 1: Create a multi-agency, multi-disciplinary regional implementation plan that underpins the successful transition to the new way of working

Objectives:

Funding allocation £35,000

1.1	Establish a steering group to provide strategic direction in developing a joint and shared vision for effective multi-agency collaboration for the new way of working.
1.2	Develop strategic partnerships with local health boards
1.3	Develop collaborative working arrangements with children's and adult social care services
1.4	Improve strategic links at a regional and local level with further education colleges to develop an agreed vision for inclusion and supporting the needs of learners with additional learning needs.
1.5	Create a multi-disciplinary ALN Transformation Project Board to ensure a consistent and regional approach to local implementation.
1.6	Increase capacity within the region to develop effective principles, policies and working practices to meet needs of the Act.

PRIORITY 2: Deliver an awareness raising programme that ensures all professionals, school governors, parents, carers, children and young people and the third sector receive timely information about the reforms and associated timescales.

Objectives:

Funding allocation: £25,000

2.1	Develop an agreed communication strategy to support the implementation of the ALNET Act
2.2	Ensure consistency in approach by creating capacity at a regional level to co-ordinate the communications strategy
2.3	Ensure that all activities, materials and documentation are provided bilingually.
2.4	Continue to use a range of strategies to engage and raise awareness of all partners working with children and young people with additional learning needs.
2.5	Promote effective practice in relation to ALN and Inclusion by working with all partners, identifying best practice, developing case studies and sharing through local and regional systems.



PRIORITY 3: Implement a comprehensive workforce development plan that is compliant with the ALNET Act and complementary to the wider national education reforms.

Objectives:

Funding allocation: £373,000

3.1	Develop a coherent and comprehensive professional learning offer for staff working with pupils ALN.
3.2	Develop school-led collaborative improvement models for ALN.
3.3	Increase the capacity of professionals to become research-engaged and well-informed about good practice in meeting the needs of pupils with ALN.
3.4	Develop support for schools to implement the principles of schools as learning organisations to include the needs of all pupils.
3.5	Ensure that all school improvement professionals are competent in supporting schools to implement the new way of working.
3.6	Ensure that LA-based staff are well-informed about the ALN Transformation Programme and how it supports the wider educational reforms.



PRIORITY 4: Develop support and provision for post compulsory-aged learners through identifying local and potential regional offers.

Objectives: Funding allocation: £100,000	
4.1	Work in partnership with further education colleges to scope what is available at a local level and identify gaps in provision.
4.2	Work collaboratively with strategic partners to consider the feasibility of regional specialist provision for learners with complex needs.
4.3	Create guidance for young people detailing the local offer.
4.4	Identify professional development needs of further education staff to meet learner needs.
4.5	Implement the transition protocols developed by each LA to improve transition to further education.
4.6	Support innovative pilots to enhance transition arrangements from schools to colleges.

PRIORITY 5: Ensure that the new statutory expectations for early years are understood and delivered and that appropriate support is provided to increase capacity in early years' settings.

Objectives: Funding allocation: £50,000	
5.1	Secure engagement from strategic partners to improve multi-agency working and develop a shared understanding of assessment and evidence-based practice to meet needs.
5.2	Develop a regional approach to the early years' ALN lead role to secure compliance by 2019
5.3	Develop a regional training plan that covers raising awareness of the ALNET Act, trains practitioners in PCP, identifies and disseminates good practice in early years' provision across the region.



PRIORITY 6: Improve strategic engagement with health to support the establishment of the statutory role of the Designated Educational Clinical Lead Officer and develop shared expectations and supportive working practices.

Objectives: Funding allocation: £70,000	
6.1	Map and gap analysis undertaken across each local health board to identify strengths and areas for development.
6.2	Formal strategic liaison mechanisms established between local health boards and LAs to develop joint assessment approaches.
6.3	Develop and promote shared understanding of preventative approaches and evidence-informed interventions.
6.4	Identify training needs of health professionals in relation to the ALNET Act.
6.5	Provide support for appropriate health professional to develop person-centred-practice.

PRIORITY 7: Review and improve Welsh medium provision and specialist support to increase regional capacity.

Objectives: Funding allocation: £12,000	
7.1	Conduct an analysis of the prevalence of ALN and level of need in the Welsh medium sector in each LA.
7.2	Map Welsh medium provision and support available across the region.
7.3	Increase sharing of good practice for ALN in the Welsh medium sector.
7.4	Analyse pupil transfers from Welsh medium to English medium settings and establish if they are related to ALN.
7.5	Ensure that the regional ALNET Act transformation implementation plan supports and complements regional WESP priorities.



PRIORITY 8: Support the rights of the child and young person with ALN through the development of user-friendly practices that clearly explain processes and what support they can expect to receive as well as promoting their rights of appeal.

Objectives:

Funding allocation: £118,000

8.1	Embed the practice of ensuring that all pupils with ALN have a say in what is important for and to them.
8.2	Establish parent forums and consultative groups of children and young people to actively seek views of how best to provide support about the new ALN system.
8.3	Ensure that children and young people are fully consulted on developing easily accessible mediation and dispute resolution services that meet their needs.
8.4	Work with schools, early years' settings and colleges to develop a shared understanding of the role of informal mediation at the most local level possible.
8.5	Develop mediation and dispute resolution pathways for children and young adults who wish to challenge the contents of their IDPs or its provision