



SCRUTINY COMMITTEE REPORT

Date Written	30 th October 2019
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To: Chair, Ladies and Gentlemen

The Additional Learning Needs and Education Tribunal (Wales) Act

1.0 SUMMARY OF THE REPORT

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

2.0 RECOMMENDATION

2.1 The report is discussed and noted.

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 12th December 2017 and after receiving Royal Assent became the Additional Learning Needs Education Tribunal (Wales) Act 2018 (ALNET) on 24th January 2018.

The ALNET aims to create:

- a unified legislative framework to support all children of compulsory school age or below with 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; and
- a fair and transparent system for providing information and advice, and for resolving concerns and appeals.

4.0 WHERE WE WERE

- 4.1 Working collaboratively across the region the two grants for the financial years, 2016/17 and 2017/18, were utilised to develop:
 - 4.1.1 Training materials on mediation and dispute resolution to produce the following outcomes.
 - 4.1.2 Transition planning between education settings, out of education and into social care, and into adult life to produce the following outcomes.
 - 4.1.3 Establish a working group of ALN Co-ordinators (ALNCOs) to develop consistent, multi-agency approaches for the development of Individual Development Plans (IDPs) to produce the following outcomes.
 - 4.1.4 The capacity of specialist schools to act as specialist support to mainstream schools to produce the following outcomes.
- 4.2 In April 2018, the ALN Transformational Lead for the Central South Consortium (CSC) region was appointed and funding of £783,000 was allocated to the region to further enable meeting the requirements for the ALN Act. Between March and July 2018 analysis was carried out by the Learning Department in Merthyr Tydfil to identify strengths and areas for development.
- 4.3 In order to support the implementation of this new system the Welsh Government has provided financial assistance through the ALN Transformation Grant for two years. The money is delegated via a host local authority, Rhondda Cynon Taf, acting on behalf of the five local authorities in the region, corresponding to the same footprint as the Central South Consortium.

5.0 WHERE WE ARE NOW

- 5.1 On 17th September 2019 the Minister for Education, Kirsty Williams, announced that there would be a need to revise the timeframe for the implementation plan (Appendix 1). This would mean that the statutory roles created by the ALN Act are to commence in January 2021, but that the new ALN system will commence, on a phased basis, from September 2021. The Code and regulations will be laid for National Assembly approval in 2020.
- 5.2 The ALN Initial Readiness Survey is based on the requirements of the Additional Learning Needs and Education Tribunal Act. It is a self-evaluation tool for local authorities, schools, further education institutions and health boards to judge current practice and identify improvement priorities. After the initial completion in 2018, it was then revisited in July 2019 (Appendix 2 'Initial Readiness Survey'). Details of what has been achieved across the region to date can be found in Appendix 3. The survey focuses on eight key themes. What has been achieved locally is identified below.
 - A. Implementing a unified plan for children and young people with additional learning needs.
 - B. Putting in place policies to support the implementation of a single, unified plan for children and young people aged 0-25.
 - C. Clear and consistent rights of appeal.

- D. Increasing participation of children and young people.
- E. High aspirations and improved outcomes.
- F. Increased collaboration.
- G. Avoiding disagreements and early disagreement resolution.
- H. A bilingual system.

The following have been key areas of focus locally.

- Awareness raising of developments have been shared with LA colleagues, schools and the college.
- Communication Strategy has been shared and posted on the website.
- ALNCO Cluster Leads have been appointed to disseminate information and products.
- ALNCO Forum cascades information to ALNCOs in Early Years, schools and the college.
- Resources for parents and pupils have been drafted with the aim of being shared in the spring term in 2020.
- Sub groups have been established to develop products. Merthyr Tydfil has led on those for Person Centred Practice (PCP), Mediation, Provision Mapping while also being a part of the groups focusing on defining ALN and Additional Learning Provision, exemplar IDPs, Welsh Medium resources and awareness raising and rights of appeal.
- Training continues to be delivered for PCP where required.
- Mediation training has been delivered to all schools, colleagues in Early Years, Health, governors and the college.
- A timetable has been drafted for the transferring of statements to Individual Development Plans.
- Guidance for the transition for Early Years has been drafted and piloted.
- Guidance for the transition for Post 16 has been drafted.
- Work is being undertaken around a map and gap analysis of future post 16 pupils with ALN.

This has allowed for an increase in collaboration between schools, the LA, Early Years and the college. This has resulted in an increase in the sharing of expertise and knowledge.

6.0 WHERE WE WANT TO BE

6.1 We need to be able to demonstrate that:

- the implications of the Act and Code are clearly understood by all parties;
- there are robust processes in place for effective joint working with other agencies through all phases of the ALN learner's education;
- there are effective working relationships with parents and carers;
- all practise is child focused;
- planning for workforce development builds capacity;
- there is a quality assurance process to identify good practice;
- services are developed flexibly to meet needs;
- there are review arrangements in place by the LA and governing bodies of maintained schools in Merthyr Tydfil, for pupils with ALN, in order to assess and respond to future needs;
- processes and procedures are developed in advance of implementation date(s); and

- any other developments within Merthyr Tydfil re: ALN services/provision will be compliant with the Act.

The information contained in Appendix 3 shows that improvements have been made across all of the key areas. These have been as a result of collaboration between the LAs in the region, and as a result of improved professional working relationships between LAs, Health Boards and FEIs.

7.0 WHAT WE NEED TO DO NEXT

- 7.1 Merthyr Tydfil must be prepared to implement the new system in line with the prescribed timescales starting in September 2021, with the complete system becoming operational from September 2024. It is essential that LA and educational setting staff continue to aspire to a person centred approach and develop systems and plans that mirror the principles of the Act without compromising the current systems. The delay has allowed for further time to embed operational practices and to implement a timetable for the conversion from statements to IDPs. We do not want to lose the momentum gained and as such there will be two systems operating from 2020-2023. This has been agreed across the region and certain groups have been identified for the first tranche for transfer. The LA will need to ensure the continued effective work with colleagues, parents and children to manage this transition.
- 7.2 We must secure the appointment of an officer to the statutory Early Years post by January 2021.
- 7.3 Areas for development across the region have been identified in Appendix 3 - Key Messages from the Region.
- 7.4 The Central South ALN Project Board and its various sub groups, Central South Education Directors and School Improvement Consortium, the CSC, will continue to work together over the next three years in partnership with the Welsh Government to prepare all stakeholders. There remains a continuing need to improve strategic and systematic joint working practices across all agencies in order to enable the delivery of all that which is prescribed in the ALN Transformation Programme.

8.0 CONTRIBUTION TO WELLBEING OBJECTIVES

- 8.1 The on-going work around the preparedness for the ALNET Act connects directly with the Best Start Wellbeing Objective – children and young people get the best start to life and are equipped with the skills they need to be successful learners and confident individuals.
- 8.2 The ALNET Act is consistent with the five ways of working as prescribed in the Wellbeing of Future Generations Act 2015:
- 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.

SUE WALKER
CHIEF OFFICER, LEARNING

COUNCILLOR LISA MYTTON
CABINET MEMBER FOR LEARNING

BACKGROUND PAPERS		
Title of Document(s)	Document(s) Date	Document Location
Readiness Survey Letter from Kirsty Williams, WG	17.09.19	Learning Department
Key Messages from the Region	Sept 2019	
Does the report contain any issue that may impact the Council's Constitution?		No