



Appendix A

SCRUTINY COMMITTEE Report

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

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1.0 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.

2.0 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.

3.0 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.

4.0 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.

5.0 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.

6.0 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.

7.0 EQUALITIES ACT

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