
ADDDITIONAL LEARNING NEEDS AND EDUCATIONAL TRIBUNAL (ALNET) ACT 2018 – PROGRESS REPORT

Purpose of Report

1. This report provides Members with the opportunity to consider and review the an update on the work undertaken across the region to prepare for the Additional Learning Needs and Educational Tribunal Act 2018 (ALNET) (copy attached at **Appendix A**) and how the Local Authority is preparing for it through a Central South Regional Implementation Plan 2018-2019 (copy attached at **Appendix B**).

Background

2. 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 ALNET Act 2018 on 24 January 2018. The Act 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; and
 - a fair and transparent system for providing information and advice, and for resolving concerns and appeals.
3. It is expected that the ALN system set out in the ALNET Act will be fully implemented over a three-year period. The implementation period is

expected to run from September 2020 to August 2023. The 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.

4. The ALN Transformation Grant is 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 ALNET Act, and to ensure financial accountability.
5. The conditions of the grant spend stipulate that there has to be in place the following:
 - regional implementation plan;
 - state of the region summary document, detailing areas to focus on in preparing for transition to the new ALN system; and
 - Multi-agency regional ALNET Act training plan.
6. The ALN Transformation Lead for the Central South Region has prepared a report updating members on the work undertaken across the region to prepare for the Additional Learning Needs and Tribunal Act (2018), (copy attached at **Appendix A**) together with a copy of the regional implementation plan 2018-2019. (attached at **Appendix B**)

Issues

7. 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 local authorities adopt a person-centred approach and develops systems and plans that mirror the principles of the ALNET 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.

8. Priorities for Central South Consortium are outlined in the implementation plan. The focus is upon seeking to secure coherent and collaborative regional working in relation to the identified key priorities.
9. The Central South Consortium ALN Project Board, ALN Transformation Steering Group, Central South Consortium Directors of Education and Central South Consortium, will work together over the next three years, (until March 2021), in partnership with Welsh Government to prepare all stakeholders.
10. The Welsh Government is currently consulting on a Draft Additional Learning Needs Code and Regulations, Jennie Hughes, Senior Achievement Leader Inclusion, will provide a short presentation on the implications of the proposed Code.

Scope of Scrutiny

11. The scope of this scrutiny is for Members to:
 - Consider and review the contents of the report, **Appendix A**, the Central South Regional Implementation Plan 2018-2019 **at Appendix B**.
 - Pass on any observations, comments or recommendations to the Cabinet Member for Education, Employment and skills, Director of Education and Lifelong Learning and The ALN Project Board.

Way Forward

12. Councillor Sarah Merry (Deputy Leader and Cabinet Member for Education, Employment and Skills), Liz Jones ALN Transformation Lead

Central South Region, Nick Batchelar (Director of Education and Lifelong Learning) and Jennie Hughes (Senior Achievement Leader, Inclusion) will present the report to the Committee, and will be available to answer any questions Members may have.

13. This report will also enable Members to provide any comments, concerns or recommendations to the Cabinet Member and ALN Project Board.

Legal Implications

14. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters there are no direct legal implications. However, legal implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any legal implications arising from those recommendations. All decisions taken by or on behalf of the Council must (a) be within the legal powers of the Council; (b) comply with any procedural requirement imposed by law; (c) be within the powers of the body or person exercising powers on behalf of the Council; (d) be undertaken in accordance with the procedural requirements imposed by the Council e.g. Scrutiny Procedure Rules; (e) be fully and properly informed; (f) be properly motivated; (g) be taken having regard to the Council's fiduciary duty to its taxpayers; and (h) be reasonable and proper in all the circumstances.

Financial Implications

15. There are no direct financial implications arising from this report. However, financial implications may arise if and when the matters under review are implemented with or without any modifications.

RECOMMENDATIONS

The Committee is recommended to:

Review the information contained in the report and Central South Regional Implementation Plan 2018-2019 and attached at **Appendices A & B**, together with information presented at the meeting and provide any recommendations, comments or advice to the Cabinet Member, Director of Education and Lifelong Learning and ALN Project Board.

Davina Fiore

Director of Governance and Legal Services

8 January 2019