

**Cyflwynwyd yr ymateb hwn i ymchwiliad y [Pwyllgor Plant, Pobl Ifanc ac Addysg i weithredu diwygiadau addysg](#)**

**This response was submitted to the [Children, Young People and Education Committee inquiry into Implementation of education reforms](#)**

**IER 05**

**Ymateb gan: Llywodraeth Cymru**

**Response from: Welsh Government**

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## **Introduction**

The additional learning needs (ALN) system is central to creating an inclusive education system and reforming the special educational needs (SEN) system in Wales. The Additional Learning Needs and Education Tribunal Act 2018 (ALN Act) is a core component of these reforms.

The ALN Code was published in March 2021 and went live from September 2021. September 2022 is the next key milestone in the legislative timetable, when orders will provide for children to move from the SEN system to the ALN system by August 2024.

Commencing the ALN Act is just the start of the journey of reform, which aims to create a system that better meets the needs of all children and young people. Alongside the roll out of the new curriculum, we will drive forward our cross-government ambitions to narrow inequalities and attainment gaps and transform expectations, experiences and outcomes for children and young people with additional learning needs (ALN).

Children are moving from the old SEN system to the new ALN system between September 2021 and August 2024 and young people will enter post-16 education already on the ALN system from September 2023. The approach to implementation was informed by the views of stakeholders responding to the public consultation<sup>1</sup> on how the ALN Act should be implemented. The consultation found strong support for mandating a phased approach to implementing the ALN system, and that national timeframes for transferring specific groups of children to the ALN system would be the most manageable and consistent approach.

To prepare for the implementation of the ALN system, there has been a transformation programme focused on developing policy, workforce development,

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<sup>1</sup> [Options for implementing the Additional Learning Needs and Education Tribunal \(Wales\) Bill](#)

awareness-raising, and stakeholder engagement. Regional Transformation Leads worked with delivery partners and education establishments to support services to prepare for the changes and to develop closer multi-agency and cross-sector working practices. This was in parallel with the creation of new statutory roles in local authorities, schools and the health service, a programme of awareness raising, and professional learning and development.

## **What is the ALN Act and what is it expected to achieve?**

The ALN Act<sup>2</sup> creates:

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

In order to achieve these three overarching objectives, eleven core aims were established, within which the provisions within the ALN Act have been developed.

- The introduction of the term additional learning needs (ALN)
- A 0 to 25 age range
- A single legislative system
- A unified plan
- Increased participation of children and young people
- High aspirations and improved outcomes
- A simpler and less adversarial system
- Increased collaboration
- Avoiding disagreements and earlier disagreement resolution
- Clear and consistent rights of appeal
- A mandatory code
- A bilingual system.

## **Key implementation milestones**

- On 4 January 2021: the duties commenced under the Act to designate staff to the statutory roles which included Additional Learning Needs Co-ordinators (ALNCos), the Early Years Additional Learning Needs Lead Officers (the Early Years ALNLOs) and the Designated Education Clinical Lead Officers (DECLOs). Having statutory roles in post ahead of the new system provided statutory bodies with additional expertise and strategic oversight to support the roll out of the ALN reforms.

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[2 Additional Learning Needs and Education Tribunal \(Wales\) Act](#)

- On 1 September 2021: the ALN system commenced for all children up to, and including, Year 10 who were newly thought to have, or were newly identified as having ALN on, or after, 1 September 2021. It also commenced for children up to, and including, Year 11 who were detained.
- On 1 January 2022: the ALN Act commenced for another group of children - those up to, and including, Year 10 who have special educational provision (SEP) via school action/school action plus and who attend a maintained school or a PRU. Between January 2022 and August 2022, schools and local authorities were required to move children who fell into the following years: Nursery Years 1 or 2, Year 1, Year 3, Year 5, Year 7 and Year 10.
- March 2022: we decided<sup>3</sup> to extend the first year of implementation by one year. This means the end point for moving children in Nursery Years 1 or 2, Year 1, Year 3, Year 5, Year 7 and Year 10 onto the ALN system becomes August 2023 rather than August 2022 (this does not affect the duties placed on schools and local authorities to move children onto the ALN system in response to a specific request from a child, or their parent, to move the child onto the ALN system in the meantime). This was in response to the continued disruptive impact of covid on bodies responsible for moving children from the SEN to the ALN system and the need for more time in order to ensure an orderly transition.
- From September 2022: the ALN Act will come into force for children up to, and including, Year 11 in the 2202/23 school year who were not included in the groups above. These children will move to the new ALN system over the course of the 2022/23 school year and 2023/24 school year. The details are set out in the Practitioners Guide<sup>4</sup>.
- From September 2023: the oldest year group who will have been moved to the ALN system (which is those in Year 10 during the 2021/22 school year) will flow through to post-16 education.

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<sup>3</sup> <https://gov.wales/written-statement-additional-learning-needs-and-education-tribunal-act-2018-implementation>

<sup>4</sup> [Implementing the Additional Learning Needs and Education Tribunal \(Wales\) Act 2018: practitioner guide](#)

## **Progress so far**

### Commencement

Children have started to receive their first individual development plan (IDP), along with all the associate rights created by the ALN Act. This is a considerable achievement for the sector in light of the delays and demands placed on them as a consequence of the coronavirus pandemic.

### Supporting the sector

Guidance has been published to support the implementation of the ALN system. This includes a technical guide<sup>5</sup> and practitioner guide<sup>6</sup> to implementing the ALN Act. Further guides for parents and children to explain how the ALN Act will be implemented will be published in the coming months.

Between 2018 and 2022, the Welsh Government funded five ALN Transformation Leads to provide advice, support and challenge to local authorities, further education institutions (FEIs) and other delivery partners in preparing for and managing the transition to the new ALN system. School readiness surveys were undertaken to aid whole school improvement planning.

The ALN Transformation Leads delivered a wide range of awareness-raising information and activity to support effective transition.

### Workforce development

Transformation Leads delivered a shared workforce development and professional learning agenda for key delivery partners. Extensive professional learning opportunities were provided to schools across regions, and learning modules targeted at specific leadership roles within relevant sectors.

A National ALN Professional Learning Pathway, including recognised and/or accredited learning was made available in the Autumn of 2021. This was developed by a Welsh Government Steering Group, Transformation Leads, local authorities, school improvement consortia, schools, further education (FE) and higher education institutions (HEIs). All training and resources are available through the medium of Welsh.

Workforce development focussed on three levels of skill development for education practitioners: core skills for all practitioners to deliver the new ALN system;

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<sup>5</sup> [A technical guide to implementing the Act during the first year of implementation \(2021 to 2022\)](#)

<sup>6</sup> [Implementing the Additional Learning Needs and Education Tribunal \(Wales\) Act 2018: practitioner guide](#)

advanced skills through the role of ALNCos and; specialist skills development through post-graduate training for local authority-provided specialist support services available to education settings/schools, such as visually or hearing impaired sensory grant.

Most ALNCos have engaged in a raft of cluster led activities to share good practice, in addition to an ALN learning session aimed at those with statutory roles<sup>7</sup>. Local authorities have been supported to provide training to schools on developing effective IDPs.

An interactive ALN training course on Hwb<sup>8</sup> is helping those involved in delivery to understand the new legislative duties, and the rights it provides to children, their parents/carers, and young people.

Initial Teacher Education (ITE) has been designed to prepare student teachers to foster inclusive classrooms, and supporting learners with ALN is part of a student teacher's core studies.

Welsh Government funds Cardiff University to train and provide bursaries for 10 new trainee Educational Psychologist students per year on the three year Doctorate. A new contractual agreement from September 2023 will ensure students stay in Wales after graduation, to help to retain expertise and improve the talent pipeline.

### Transformation Funding

Welsh Government has invested £35m core funding to date in preparing the infrastructure with a yearly budget of £21m until 2025 to support system reform and increase additional learning provision. An additional £20 million was provided to schools and colleges in 2020/21 and 2021/22 to support ALN learners disadvantaged by the pandemic.

Welsh Government funding has been deployed to support schools and local authorities to prepare for, and move, children to the new ALN system. This is in recognition of transition costs associated with the movement of children from the existing SEN system to the new one. It is also supporting the skills development of the education workforce to help build capacity and ensure learners' needs can be met in a range of education settings.

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<sup>7</sup> [Additional Learning Needs \(ALN\) principles: online training for practitioners in statutory roles](#)

<sup>8</sup> [e-learning course: An introduction to the new additional learning needs system in Wales](#)

## **Looking ahead**

ALN Reform National Steering Group: my officials continue to engage with the sector and have established an ALN Reform National Steering Group to bring together key delivery partners and sector stakeholders. This will include representatives from local authorities, schools and the third sector, to provide strategic direction information, and advice to support ongoing implementation of reforms. The group will play a critical role in the development of robust implementation arrangements, identifying risks and opportunities and encouraging interagency working and collaboration.

National Implementation Leads: three new Implementation Leads are being recruited to provide national, FE and Welsh language implementation strategic support to the sector. They will act as vital links between Welsh Government and delivery partners to listen to the experiences of practitioners, parents and children and young people to understand the impact of the ALN reforms. These roles build on the significant work undertaken by Transformation Leads and will operate on a national footprint.

Post--16 specialist placements guidance: local authorities will be responsible for making decisions and securing placements at independent specialist post-16 institutions (ISPIs) for those who have moved to the ALN system. Guidance for local authorities on funding arrangements for these placements is currently being developed and further support will be provided as they begin to undertake their duties. The first group of young people under the ALN system will transfer to post-compulsory education in September 2023.

Engagement with parents, children and young people: a third sector grant will deliver communication and engagement sessions to strengthen learner participation, improve understanding and awareness of ongoing implementation and ensure the voice of learners and parents directly influence ALN policy.

## **Challenges**

We are still at the early stages of our journey of implementation of ALN reform and issues and challenges are being worked through in conjunction with partners.

Amongst the key areas of work are:

Consistency of Interpretation: as with any major reform, bodies responsible for implementing the ALN Act are still getting up to speed with understanding the detail of their new legal responsibilities. We continue to publish clear information and liaise with our delivery partners to mitigate risks of misinterpretation and support implementation.

Funding: the Regulatory Impact Assessment<sup>9</sup> set out expectations for the ALN system to result in a reduction in ongoing costs due to supporting early intervention, increased participation of children, their families, and young people, and early dispute resolution to reduce disputes and legal challenges which add significant cost and burden within the existing SEN system.

Additional funding has supported the period of transition from the SEN to ALN system. The ALN Reform National Steering Group will include consideration of the potential impact of the reforms on funding.

Welsh Language: we recognise there is a shortage of Welsh language resources for ALN and ALN teachers able to work through the medium of Welsh. The recruitment of a dedicated Welsh Language ALN Implementation Lead will work with delivery partners to map Welsh language additional learning provision. An additional lead is managing a co-ordinated regional and local approach to deliver the Welsh in Education Workforce Plan. Work is also underway to secure a licensing agreement for Welsh language versions of ALN resources, such as a dyslexia test and speech and language therapy resources.

ALN Numbers in Wales: this year's Pupil Level Annual School Census (PLASC) collection has seen a 20% fall in the number of pupils identified as having an SEN or ALN in mainstream maintained schools in Wales since last year. We are working with partners to understand the reasons behind this fall, provide challenge if relevant and to seek assurances that pupils with ALN are identified and their needs are met.

We currently understand this change is due to schools reviewing their SEN registers to accurately reflect the number of children who have SEN/ALN, in addition to reidentifying those classified with General Learning Difficulties. Local authorities tell us that more pupils are being supported through routine teaching, instead of via a School Action Plan (School Action and School Action plus learners were previously defined as SEN).

## **Research and Evaluation**

A four year research programme is currently in development, to evaluate the new ALN system against the intended outcomes for learners in Wales. This will include assessing effectiveness, identifying any barriers and facilitators to implementation and benefit realisation. Engaging parents and learners will be central to the research to gauge their experiences of the reform on their education and support needs to date.

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<sup>9</sup> [Additional Learning Needs and Education Tribunal \(Wales\) Act Explanatory Memorandum](#)

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Llywodraeth Cymru  
Welsh Government

Ein cyf/Our ref: MA/JMEWL/2095/22

Jayne Bryant MS  
Chair  
Children, Young People and Education Committee

1 July 2022

Dear Jayne,

Here is my [Annual Report on Curriculum Implementation](#) which I plan to publish on 1 July.

This report outlines our appraisal of the current position of reform; the actions we are taking to support schools and a forward look towards rollout. This report was a government commitment made during the passage of the Curriculum and Assessment (Wales) Act 2021 in the last Senedd. This process of annual reporting will now be the principal means through which we update the Senedd on curriculum implementation. I propose this report also forms the evidence paper in advance of my attendance at the Children, Young People and Education Committee on 14 July.

I would welcome the views of the Committee in due course regarding aspects of the reforms you would wish to see covered in detail in subsequent annual reports, particularly in the light of the Committee's ongoing scrutiny of curriculum implementation.

I am also sending copies of this letter to the Chairs of the Finance Committee and the Public Accounts and Public Administration Committee given their interest in ongoing resourcing for curriculum reform.

Yours sincerely

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