

P-06-1341: Accessible guidance for parents and schools to help develop plans to support children with additional learning needs

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Petition title: Accessible guidance for parents and schools to help develop plans to support children with additional learning needs.

Petition text: There are around 1,400 children and young people with type 1 diabetes in Wales. Children living with such disabilities need support in school to manage their condition and ensure they reach their full potential. As a mother, I'm one of many parents whose type 1 diabetic children don't receive the support they need because of a lack of understanding of funding to support the care required in school. I and others have experienced a deficiency of care support, and I am seeking to change this.

More details: I'm frustrated with the lack of access for dedicated support; without it, type 1 diabetes can have life-threatening complications. The Equality Act 2010 legally defines children with diabetes as people living with a disability. Education Institutions such as schools must ensure that students living with diabetes are not disadvantaged.

No matter how confident the child is, children are not able to be trained on insulin pumps until the age of eleven, and with children being diagnosed from birth onwards, support between Nursery to Primary School is even more essential to help manage their diabetes.

Additional Learning Needs and Education Tribunal (Wales) 2018 Act is a welcomed step; however, it is only now being implemented. The new



legislation has brought in a statutory measure called Individual Development Plans to support students by developing a supportive framework to ensure that their academic, physical, and support needs are met.

I'm asking our Government to review current guidance for the new ALN legislation to increase school/Local Authority participation by creating accessible format guides and support that reduces the barrier to access.

1. Summary

- This petition discusses two issues, which are distinct although related to some extent.
- Diabetes is a healthcare need, which needs to be managed so that it does not negatively affect a child's learning in school. The Welsh Government has issued guidance for schools, local authorities and health professionals on Supporting learners with healthcare needs. Some learners with healthcare needs have an Individual Healthcare Plan (IHP).
- Where a child meets the definition of Additional Learning Needs (ALN), they are entitled to an Individual Development Plan (IDP). A healthcare need, such as diabetes, may result in ALN although this will not necessarily be the case and only if the definition is met. This is that the child or young person has a significantly greater difficulty in learning than the majority of learners of the same age, or they have a disability which prevents or hinders them from accessing the education or training generally on offer; **and** this calls for Additional Learning Provision (ALP).
- There is therefore no automatic connection between diabetes and ALN. Schools should use the guidance on Supporting learners with healthcare needs to help them manage the impact that a child's diabetes may have on their education. Where the child also has ALN, schools and local authorities have duties under the Additional Learning Needs and Education Tribunal (Wales) Act 2018 and the Additional Learning Needs Code.

2. Supporting learners with healthcare needs

In 2017, the Welsh Government published [guidance on Supporting learners with healthcare needs](#). This includes both statutory guidance (which schools and local authorities must have regard to) and non-statutory advice. It replaced previous non-statutory guidance from 2010 and was published during the Senedd's scrutiny of the Additional Learning Needs and Education Tribunal (Wales) Bill (see section 2.3 of this briefing).

The guidance sets out the following key points:

- Learners with healthcare needs should be properly supported so that they have full access to education, including trips and physical education.
- Governing bodies must ensure that arrangements are in place to support learners with healthcare needs.
- Governing bodies should ensure that education setting staff consult the relevant professionals, learners and parents to ensure the needs of the learner with healthcare needs are properly understood and effectively supported.

The guidance also states:

Healthcare issues affect each learner individually and support from the education setting may have an impact on their quality of life and future chances. Therefore, governing bodies and headteachers should ensure arrangements focus on meeting the needs specific to the learner and consider how this impacts on their education, attainment and well-being. Arrangements should give learners and parents confidence that provision is suitable and effective.

2.1. Individual Healthcare Plans

Some learners with healthcare needs require an Individual Healthcare Plan (IHP). These set out what support the learner requires and the arrangements for this.

The guidance says "IHPs are essential where healthcare needs are complex, fluctuating, long term or where there is a high risk that an emergency intervention will be needed". It also includes a link to an [IHP template produced by Diabetes UK](#).

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According to the guidance, “it is vital that learners and parents are actively involved in the planning of support and management of healthcare needs”. It also says parents and learners should

be involved in the creation, development and review of an IHP (if any). The parent and learner may be best placed to provide information about how their healthcare needs affect them. They should be fully involved in discussions about how the learner’s healthcare needs will be met in the education setting, and contribute to the development of, and compliance with, their IHP.

2.2. Information guides

The Welsh Government has produced a [series of information materials](#) regarding support for learners with healthcare needs, including a guide for [teaching staff, parents and young people](#).

Senedd Research has recently published an [article on diabetes](#), which provides more general information.

2.3. Relevance to Additional Learning Needs

The relationship between healthcare needs, or medical needs as they are also referred to, featured in the [Fifth Senedd’s Children, Young People and Education \(CYPE\) Committee scrutiny of the ALN Bill](#) in 2017.

The Committee noted that the ALN system does not apply to pupils with healthcare needs just because of that healthcare need, and only if they have ALN. However, the Committee amended the definition of ALN in section 2 of the Bill (subsequently Act) to reflect that a child’s ALN may result from a medical need, although they would still need to satisfy the criteria within that definition of ALN.

For further discussion of this, see Senedd Research’s summary of [the Additional Learning Needs and Education Tribunal \(Wales\) Act 2018](#), the [CYPE Committee’s report on the Bill](#) and details of the [Senedd’s scrutiny of the Bill](#).

3. Additional Learning Needs

Pupils who have learning difficulties or disabilities that require Additional Learning Provision are identified as having Additional Learning Needs (ALN) or Special

Educational Needs (SEN). Under reforms made by the [Additional Learning Needs and Education Tribunal \(Wales\) Act 2018](#), the existing/previous SEN system is being replaced by the new ALN system.

The new ALN system is being introduced on a phased basis over four years (September 2021 to August 2025). All learners newly identified with ALN come under the new system, while those already supported with SEN are [transferring over in different years](#), depending on their year group and level of intervention (whether or not they have a statement of SEN). As such, both the existing/previous SEN system and new ALN system are operating side by side, until August 2025.

3.1. Defining ALN

Learners judged to have ALN are eligible for a statutory Individual Development Plan (IDP). The 2018 Act's [definition](#) of ALN is materially the same as that for SEN, whereby learners:

- have a significantly greater difficulty in learning than the majority of others of the same age (that cannot be addressed solely through differentiated teaching); or
- a disability (for the purposes of the Equality Act 2010) which prevents or hinders them accessing education or training that is generally provided for others of the same age; and
- the learning difficulty or disability calls for Additional Learning Provision (ALP).

The legislation states that a learning difficulty or disability may arise from a medical condition or otherwise. However, as set out in this briefing and in the Minister's letter, a medical condition does not automatically mean the child has ALN and the ALN system will only apply if the child requires ALP.

3.2. Information guides

The Welsh Government has produced a [series of information materials](#) on the ALN system, including guides for [parents](#) and [post-16 learners](#).

Every effort is made to ensure that the information contained in this briefing is correct at the time of publication. Readers should be aware that

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these briefings are not necessarily updated or otherwise amended to reflect subsequent changes.