

**P-06-1392 Reform of the additional learning needs Code of Wales 2021 –
Correspondence from the Petitioner to the Committee, 14 May 2024**



Dear Petition committee and wider Members of the Senedd,

Firstly, we would like to thank everyone for their time, kindness and respect during our campaign for Reform of the ALN process. On our visits to the Senedd we have been greeted by exceptional staff members, from the security team who were welcoming, the reception staff and the gentleman who was running the café. The facilities available for those with different needs not only provide what is needed, but would provide a level of calmness and reassurance that is often unavailable to many when they access the wider community.

Our visit to the Senedd on Wednesday, 8th May 2024, to hear the debate of our petition was extremely emotional. Not only because of the amount of time and effort we have dedicated to our campaign, but the weight of the thousands of families across Wales is a heavy responsibility to shoulder. Hearing people, in a position of power, speak of the struggles families like ours face makes 'you feel heard', and while the issues are not yet fixed and there is much to be done, being heard is something that is so desperately needed as a part of the solution.

We are grateful to those who took time out of their normal schedules to attend one of the 5 presentations we delivered, and no, in case anyone is wondering, Vicci did not fully overcome her lack of IT skills by the end of the month!

Before getting to the breakdown of the debate, we would like to put on record our sincere thanks to the Petition Committee clerking team and to Catherine Mckeag for looking after us and ensuring that we were able to deliver what we felt was necessary to get all the information across to you.

Despite all the positive things we can say about our experience of the debate, we returned to our homes with a thud. The fairytale experience came to an end and the reality of ours and the lives of the thousands of families hit hard as soon as we returned to our normal lives. WE are extremely concerned and saddened to have been approached by two separate families on our return with desperate cries for help. One, the mother of a child, who has 1:1 support during school, being told that her child will likely lose their place at breakfast and after school club due to a new

policy brought in by Wrexham BCC. The devastating effect of this would be that she would have to give up work, as a first language Welsh speaking teacher in a Welsh medium setting this would have a significant impact on this educational setting. We heard during the debate Heledd Fychan speak of the importance and recognition that the Welsh Language needs not only protecting but must be accessible to all. How can this be achieved when the most valuable resources being teachers providing access to learning in the medium of Welsh, must leave their roles due to lack of support for their ALN children. Teachers and Nursing staff are leaving in their hundreds across Wales due to lack of support for their ALN children. These are sectors which can not afford to lose staff.

Another family, of a young boy, not yet of compulsory school age but in a maintained school setting with the cognitive and development age of a 12-month-old, left without adequate support and not initiation from the school to start the ALN determination process. Mum being unaware of how to start the process. Her child being a huge safety risk as he tries to abscond from the school setting. Her fear as she leaves him for just a few short hours, not knowing how safe he is. As a campaign our next goal is to encourage ALL schools in Wales to adopt a better system of informing ALL parents of how they can reach out for support if they feel their child has ALN. A further goal is to encourage ALL childcare settings to adopt a proactive approach to ensure that children are under compulsory school age have the right documentation and evidence prior to attending school, so that the right support can be put in place before they set foot into a school building. What then, is the Cabinet Secretary going to do about this specific issue? We are grateful for her comments identifying this area of need and that she is 'listening' but we and the thousands of families like ours need to know exactly what her plan is to address this issue.

During the debate the cabinet secretary commented on the importance of a whole school approach to identify a learners needs- can she please elaborate on this? The framework to emotional and wellbeing guide 2021, it uses terminology such as universal provision. Which given the conflict of this term and its contradictory definitions leaves families confused.

During the debate the cabinet secretary stated that implementation of the ALN process is taking longer than thought, what is their contingency of dealing with children's needs in the meantime? While this process is being rolled out, children are getting older, needs are getting bigger, and high number of children are missing out on education. Is the Welsh Government prepare to simply 'right off' generations of learners while they roll out a new system?

The Cabinet secretary said she is focusing on 2 things.

- 1) Research of the law and code research – what timeframe is she allowing for this?
- 2) Discussions with Local Authorities, how will the information in these meetings be cascaded directly to schools? What will be put in place to ensure that this information has been cascaded? How will the Welsh Government hold Local Authorities to account? Previous implementation has told us that there has been a lack of quality assurance, who will she ensure that this is addressed and prevented in the future?

The Cabinet Secretary announced an allocation of £20 million for resources allocation for ALN. How do you intend to allocate this to schools? According to stats Wales (22/23), there are 1463 schools in Wales so that equates to just over £13,670

per school. How will she ensure this money is ringfenced specifically for ALN resources?

It is reported that £56 million has been allocated, this year, was to protect education reforms. Why then, are there stories of so many children having their funding for TA support being removed? Schools are currently receiving letters from Local Authorities stating that there is no budget for ALN. This information is contradictory.

While some resources may be allocated directly to schools, if staff are under pressure and don't have the time, how are these resources being used efficiently and able to meet the child's individual needs? How will the Cabinet Secretary ensure there is support for teaching staff to protect the time they need to use these resources to their fullest?

Does this budget include funding the training she mentioned for child development, neurodivergence and mental health or is there other money ringfenced for this training?

Education continues to form a behaviour management approach and we heard the Cabinet Secretary use the term 'behaviour' many times during her speech. There are many children who require a trauma informed approach (e.g. care experienced and neurodivergent) how will she ensure that these children receive this type of approach and not the behavioural approach which is so detrimental to those children? Will she ensure that all teaching staff completed mandatory training to protect these children from well meaning but harmful methods, which are then later seen in the 'school-based trauma' learners who are unable to access any form of education? When will this training be made available?

What action will the Cabinet Secretary take regarding the letters sent out to parents in all areas of Wales, stating that ALN children will not be supported as documented in their IDP's?

We heard from members in an earlier session the acknowledgement by members that outdoor learning and life skills is prevalent to the success of learners. However, the response from the cabinet Secretary suggested that this provision should be a part of the new curriculum for Wales and delivered in a mainstream setting. What action will the Cabinet secretary take to promote a wider range of provision for those learners who, quite simply CAN NOT cope in mainstream environment? What support will she pledge to ensure that options such as EOTAS are supported correctly as a means to ensure learners are able to learn, make progress and thrive. Ensuring they have both the skills and good mental health in order to progress into their community as adults who can make valuable contributions.

There is a rise in concerns from parents of the lack of impartial advocacy, leaving parents stressed and unable to appropriately navigate the system. What will the cabinet secretary do to stop and hold accountable those Local Authorities who refuse parents to have impartial advocates in meetings? How will she ensure that the parents voice is not only heard but respected?

We were please to hear many of the members voice their concerns of the lack of consistency in approach and that the delays in time frames of the process being put in place. While we are grateful that the Cabinet Secretary agreed that these issues exist, and her agreement that this should not be the case. What will she be putting

in place to ensure that these issues are addressed, and accountability is at the forefront of addressing these issues?

During the debate both members and the Cabinet Secretary agreed that better working between health and education was necessary. With health services taking on the terminology adopted by education around universal provision, what will she do to ensure that better working will take place and that health will remain impartial and not adopt tactics such as recommending universal provision?

What will the Cabinet Secretary do to ensure that the transition from primary to secondary schools and then onto further education is more seamless? Currently the practice is to transfer an IDP from primary to secondary school without a change in provision or support. The learner is then left for 12 weeks before a review. There is no acknowledgement in this process of the significant difference in environments and available provision.

More and more families are being forced to seek out private assessments. This is due to a number of reasons including; teachers not understanding 'what they are seeing', resulting in a refusal to refer for professional opinion and families then having to take that on themselves; waiting lists being so long that the learners presentation and ability to access education is severely affected and continues to deteriorate. Despite these assessments being carried out by qualified and registered practitioners, under NICE guidelines, these assessments are often refused to be accepted. To the detriment of the learner. What action will the Cabinet Secretary take to ensure that, when families end up doing what is meant to be done by statutory services, the evidence is not denied and that the recommendations of those professionals is upheld?

Parents of children are often called the 'expert' in their child, and in their child's needs. However, the reality is that parents are blamed for much of the difficulties their child experiences. When, the truth is, their child being exposed to the wrong strategies and the wrong environment is the issue. What will the Cabinet Secretary put in place to ensure that the 'team behind' the learner is inclusive of the family and that when a family raise concerns, they are respected and listened too? This is seen in the approaches with attendance. Where 'blaming the parent' for not forcing their child into setting is seen as the norm, instead of recognising the learners needs and acting accordingly.

There is a common ideology that 1:1 support is detrimental to a learner. This is nothing more than a 'scape goat' approach to deny support given the cost implications. Children are being left vulnerable to their own difficulties with lack of safety awareness and being open to school-based trauma due to lack of meaningful relationship with dedicated staff, which are there to improve confidence and work towards more independent learning. What will the Cabinet Secretary put in place to change the narrative, resulting in an understanding that supporting with high level, quality intervention and reducing accordingly is a much better approach than to deny in the first instance?

We were pleased to hear from the ALN Team, Children's Committee and Cabinet Secretary that the use of universal provision (or similar) is not the way forward in understanding the legal definition of ALP and the appropriate test for ALN determination. As a campaign we have written a letter for parents to present to their schools or Local Authority to appeal against this. What action will the Cabinet Secretary take to ensure all the learners refused ALN determination under the excuse of 'universal provision' is addressed, without those families having to wait a further 7-14 weeks for a re-assessment?

The Cabinet Secretary suggested that she was already in talks with Local Authorities to prevent the universal provision' excuse being used as a reason to deny ALN. Given the time frame between the ALNET informing her of this issue and this petition committee meeting, will the Cabinet Secretary confirm that she has completed this task? ALN Reform Wales own research in the last couple of days indicate that this information is still not understood by teaching staff. With one ALNCO following the campaign reporting that, while she understands this, her ALN child is left unsupported as a result. The ALNO at the child's school refusing to take onboard this information from not only the child's parent but a fellow ALNCO,

What action will the Cabinet Secretary take to ensure that ALNCO's are given time away from teaching to perform the duties they must to ensure ALN learners are appropriately supported?

What support will the Cabinet Secretary put in place to ensure that learners, whose needs are not met in school and are therefore unable to attend full time, are not met with sanctions due to poor attendance?

Will the Cabinet Secretary commit to making training around ALN mandatory for all teaching staff?

Given the lengthy remaining unanswered questions, while acknowledging the positive aspects of the debate, ALN Reform Wales believe the petition is still valid. We ask the petition committee to keep the petition open until sufficient clarity is given and stakeholders are reassured that action is being taken. To close the petition now would give the opportunity for these issues to be swept under the carpet to the detriment of thousands of learners in Wales.

ALN Reform Wales

14/5/2024