



Report of the Cabinet Member for Education Improvement, Learning and Skills

Education Scrutiny Performance Panel – 15 March 2022

Additional Learning Needs Reform - Update

Purpose:	To update the Education Scrutiny Performance Panel on Additional Learning Needs Reform
Content:	An update on the progress of Additional Learning Needs Reform
Councillors are being asked to:	Consider the information provided and to forward views
Lead Councillor:	Councillor Robert Smith, Cabinet Member for Education Improvement, learning and Skills
Lead Officer & Report Author:	Alison Lane, Head of the Additional Learning and Inclusion Team E-mail: Alison.Lane2@swansea.gov.uk

1. Background

- 1.1 The Additional Learning Needs and Inclusion Team (ALNIT) provides a statutory service, prescribed by the Education Act 1996, the SEN Code of Practice 2002, the new Additional Learning Needs and Educational Tribunal (ALNET) Act 2018, Additional Learning needs Code 2021 and regulations.
- 1.2 The ALNET Act will replace the SEN Code of Practice 2002 through a phased implementation that began in September 2021. The legal frameworks inform the work of ALNIT and other key stakeholders such as educational settings and the Local Health Board (LHB).
- 1.3 During its implementation phase, pupils will follow either the SEN legislative system or the ALN system until full implementation takes place, this is determined by Welsh Government guidance.
- 1.4 The ALNET Act aims to improve the planning and delivery of support for learners from 0-25 with Additional Learning Needs (ALN) by adopting a more person-centred approach to planning and delivery of support in order to meet the needs of children and young people.

1.5 In addition to its statutory functions the team also provides support and training to early years setting, schools, Further Education Institutions (FEI) to meet the needs of children and young people with Additional Learning Needs (ALN).

2. Briefing/Main body of report

2.1 In 2019 a robust ALN Strategy was developed for Swansea to outline the transformation programme required to implement the ALNET Act successfully. This was developed with key strategic partners and overseen by the ALN Strategic Board. The strategic board's membership includes: head teachers; councillors; FEI colleagues, local health board colleagues, Designated Education Clinical Lead Officer (DECLO), Social Services, early years sector.

2.2 The strategy was developed under six key themes which were broken down further into individual projects led by senior leads within the Additional Learning Needs and Inclusion Team with input from a number of key stakeholders:

- Transition
- Capacity
- Provision
- Quality
- Partnership
- Assessment

2.3 It was agreed that in order to ensure a robust, joined up approach from the national, regional and local work we would invest grant funding to secure Cluster Additional Learning Needs Coordinator (ALNCo) leads, these would be the link between all of the above work streams and educational settings (including FEI, Pupil Referral Unit (PRU) and early years settings). The ALNCO cluster leads have been a great asset to the transformation programme as we have been able to build up processes and practical guidance documents from those that will be utilising them. It has enabled us to develop expertise within all clusters to ensure that good practice and school to school support can be maximised within the guidance and direction of the ALNIT.

3. Transition

3.1 School-age transition arrangements are well established in Swansea and have been further developed. ALN cluster leads, linked to regional work, have developed guidance documentation to share good practice and as a guide to ensuring transitions are well planned and ensure that children and young people are given every opportunity to make successful transitions into school, transition within phases, transition to secondary, EOTAS transition as well as onto further education opportunities and beyond.

3.2 An early years panel has been developed that includes representation from the early years team as well as the new statutory post of Early years Additional learning needs lead officer (EYALNLO). This panel considers the needs of pre-school pupils who are not yet attending a school environment and ensures that provision is made to meet their needs. This process will enable the EYALNLO to better inform receiving schools of the needs of learners on entry to school

nursery or reception classes and therefore enable smoother transition arrangements.

- 3.3 ALNIT have been involved in developing regional multiagency transition planning and policy development as well as developing policy on transitions within the local health board provision.
- 3.4 Further work is planned for developing additional opportunities for Post-16 learners with ALN and transition documentation will be further updated to reflect these changes.

4. Capacity

- 4.1 Prior to the pandemic a restructure was agreed for the team in response to the changing needs of the service due to ALNET reform. This restructure progressed during the pandemic and new appointments were made. Further adjustments were made following a review of the impact of the team and additional guidance received from Welsh Government. The team now consists of the following teams: Educational Psychologists, Learning Support, Statutory processing, partnership and data and Quality assurance.
- 4.2 The ALN Caseworker team was introduced as part of the initial restructure. Largely these posts have been successful in improving communication and reducing/ resolving legal challenge.
- 4.3 There has been a successful appointment of the new statutory post of Early Years Additional Learning Needs Lead Officer (EYALNLO), who leads on the pre-school statutory process. The EYALNLO has developed clear processes for this age range and provided quality guidance and support for this sector.
- 4.4 In response to WG guidance that was produced following the initial restructure. New posts of Designated Coordinators (DESCOs) were created to lead on the coordination of Local authority maintained Individual Development Plans (IDPs) that replace a Statement of SEN. The demand for this team was largely unknown and three temporary positions were initially developed funded through grant subsequently two posts were secured as permanent into the structure and there are plans to further strengthen this team.
- 4.5 Legal resource has been included in the restructure and has enabled the team to have dedicated legal support and advice whilst developing the new statutory processes as well as to advise on any disputes and appeals at the earliest opportunity. This has considerably reduced the tribunal appeals from 29 in the year 2016-17 to 7 in the year 20-21 (5 of which were withdrawn by the parent and two were resolved outside of SENTW). We have received no tribunals in the year 2021-22 to date. This reduction in tribunals can also be attributed to a change in approach to planning for provision and the introduction of the ALN Caseworker Team. The focus is working in partnership and collaboration with families to jointly agree the best provision for learners.

- 4.6 Whilst the significant work for planning and preparing for the implementation has continued it has undoubtedly been affected by the Covid-19 pandemic. Nevertheless, a comprehensive training menu continues to be offered to a schools, early years setting and FEI. Attendance at these training events has been excellent. The change in the way that training has been delivered due to the pandemic has enabled far more capacity at training events and therefore more staff have been able to attend online training. The development of the training menu has been informed by schools annually completing a readiness survey which identified that focus areas for training for the year ahead.
- 4.7 Alongside the training menu, resources have been developed for all settings to manage the new statutory processes. This ensures consistency across the local authority and reassurance that letters, processes and guidance documents have been agreed with legal. These along with online training that can be accessed independently are shared with schools via the ALN Schools' Network Hwb Group.
- 4.8 A principles document has been developed and consulted on with schools. This document sets out the principles of which Swansea local authority and its schools will work together to meet the needs of learners with ALN. Schools have requested that the delegated budget is maximised and in response will meet the needs of all learners within their school that are identified as having ALN. The LA will develop IDPs for LAC learners but the provision will be made from the schools delegated budget. It has been agreed that the LA will maintain the IDPs of all learners who have access to specialist placements and preschool learners.
- 4.9 Further work is needed in the area of Post-16 once we have further guidance and clarification of the implementation of the Act for this age range. Work has been undertaken with the external funding team, pupil support, school improvement and social services to begin to develop a strategy for Post-16 provision across Swansea. We have also developed a joint provision with Gower College to enable learners to access an internship with teams within Swansea council to further their employability opportunities.

5. Provision

- 5.1 Additional placements have been created at Pen y Bryn special school to increase provision for learners with significant needs across the local authority.
- 5.2 There is a project in progress to review specialist teaching facility placements to ensure there are sufficient specialist places in Swansea. Workshops with stakeholder representation is in place with the aim of strengthening provision going forward.
- 5.3 There has been a successful grant funded Social Communication Champion project undertaken with all schools. The aim of this project is to develop a Social Communication Champion in all schools. This person will have received intensive training and support to enable them to be the lead person within the school with expertise in supporting pupils with Social Communication Difficulties (including ASD).

- 5.4 A pilot provision Ty Fedw was developed at Birchgrove Comprehensive School to address a need for additional provision for learners with Social Emotional Behavioural Difficulties (SEBD) with ALN. This pilot has been extremely successful at meeting the very individualised needs of the learners placed there and have enabled them to access suitable education within their locality. Due to its success it has been secured as a permanent provision within Swansea.
- 5.5 Principles for a new funding formula have been agreed with head teachers. Further work is required on securing the agreement on detail of the funding formula, although agreement has been secured that the formula will be phased over a five year period.
- 5.6 Swansea Teachers of the Deaf have been instrumental in working with Welsh Government to develop the new curriculum for British Sign Language (BSL). Swansea have further committed to this area of work by funding a project to develop training packages and resources for schools to roll out the BSL curriculum. We have also provided funding for school staff to access BSL accreditation according to their current abilities to further expand the expertise of BSL across the local authority, thus enabling an increased offer of BSL support for learners.
- 5.7 We continue to work with the Local Health Board to agree roles and responsibilities and seek solutions to the differing degrees of readiness in our organisations.

6. Quality

- 6.1 ALNIT in collaboration with ALNCO cluster leads and key stakeholders have developed guidance materials and documentation such as letters. These documents have been coproduced with the Parent Carer Forum, legal and other key stakeholders to ensure that they are accessible and in line with legislation requirements.
- 6.2 ALN Cluster leads regularly meet with ALNIT staff and work on key themes of development, information sharing and training to ensure that expertise is developed in each cluster that will provide support to colleagues within the cluster.
- 6.3 Moderation of the new statutory documentation, Individual Development Plans (IDPs) is taking place in order to ensure that there is a consistency of approach across the LA.
- 6.4 Good quality governor training is being provided on the ALNET Act to ensure governing bodies are aware of the act and its implications for schools.
- 6.5 School improvement advisors (SIAs) have been trained to support monitoring of ALN provision on their visits and it has been agreed that this will be included in all school visits. There are greater links between ALNIT and the SIA team and the school profiler identifies where there are schools of concern for ALN provision as well as to celebrate the excellent practice.

- 6.6 Training has been provided for schools on how to deliver high quality, differentiated teaching to ensure that staff tailor their learning opportunities to meet the needs of learners.
- 6.7 Processes have been refined and improved for the SEN system to improve efficiency, whilst developing the new processes for the ALN system to ensure efficiency is maximised.
- 6.8 All pupil paper files have been digitised so that they are accessible online. This has been a fundamental change in the way that we work as a team and has enabled staff to work from home during the pandemic.
- 6.9 A digital tool (Impulse) has been developed to meet the needs of staff across Swansea. This will support the statutory processes that are required at both the school and LA level and will enable the LA to better monitor provision across the whole of Swansea. The system enables direct access for parents and other professionals and will cover the age range 0-25 years. It aims to streamline the workload of ALNCO's and ensure greater transparency of the process.

7. Partnership

- 7.1 The number of collaborative groups meet regularly including the ALN Strategic Board and ALN Crossphase Headteacher Group A dispute resolution service (DRS) has been commissioned through SNAP Cymru to enable an independent space for disputes to be resolved. This has been a few times over the past few years and has enabled a resolution between parents and the LA.
- 7.2 Links have been developed with mental health services via the Emotional Health Psychological Wellbeing (EPHW) group with representation from Educational Psychology, wellbeing, third sector, youth service and CAMHS. The purpose of the forum is provide a reflective space for schools to discuss emotional health and wellbeing related issues. It is a multiagency forum so guidance can be offered to schools from different professional perspectives. Early Help Hubs in Swansea have three Emotional Health and Wellbeing officers appointed by Health to support primary age learners.
- 7.3 Swansea council website for ALN is being reviewed and significantly developed to improve access to information.
- 7.4 The new legislation places greater responsibility on local health boards to secure provision for learners with ALN and further work is required to strengthen the partnership with SBUHB as a key delivery partner We are currently working closely with SBUHB to ensure that there is clarity of roles and responsibilities.

8. Assessment

- 8.1 Assessments have been secured to extend the ALNITs ability to assess a wider range of needs, this includes the extended age ranges of assessing adults up to 25.

8.2 Accredited assessment training and materials have been provided to schools to ensure that they have the resources and expertise to identify and plan for a wider range of needs within their schools.

8.3 Significant resources have been secured for learners to support sensory and communication needs

9. Conclusions/Key Points Summary

9.1 Despite the challenges faced over the last couple of years, there has been significant change and progress to ensure readiness for the ALNET reform. The team have led on key project developments as well as continuing with business as usual of managing the SEN legislation and the new ALN framework. Extensive professional learning opportunities have been provided for schools as well as early years and FEI setting. Awareness raising sessions have also been provided for all key stakeholder groups.

9.2 Collaboration and multiagency working has improved and engagement has generally been enhanced by the use of online platforms.

9.3 There have been significant challenges for the Local Health Board as a result of the pandemic which has impacted on readiness for implementation, however there is an appetite to work collaboratively to develop a shared vision and principles for joint working for the future.

10. Legal implications

10.1 There are no legal implications from this report. It is for an update only.

11. Finance Implications

11.1 There are no legal implications from this report. It is for an update only.

12. Integrated Assessment Implications

12.1 The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, and must in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Acts.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.
- Deliver better outcomes for those people who experience socio-economic disadvantage
- Consider opportunities for people to use the Welsh language
- Treat the Welsh language no less favourably than English.
- Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

- 12.2 The Well-being of Future Generations (Wales) Act 2015 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.
- 12.3 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.
- 12.4 An IIA Screening Form has been completed with the agreed outcome that a full IIA report was not required for the following reasons:
- This is a report to share information. The summary of impacts is low. No mitigation is required.
 - This is a report to share information regarding the implementation of the Curriculum for Wales, which is linked to the corporate objective of improving education and skills.
 - This is a report to share information. No risks have been identified and no impact is envisaged.

Background papers: None

Appendices:

Appendix A – IIA Screening Form