

# ELL(2)-01-05(p2)

## EDUCATION AND LIFELONG LEARNING COMMITTEE

### POLICY REVIEW: SPECIAL EDUCATIONAL NEEDS (STAGE 2)

#### Purpose

1. To consider the terms of reference and provisional programme for the next stage of the policy review of special educational needs (SEN).

#### Background

2. The Committee has previously agreed to carry out a policy review of SEN; split into three stages:

- Early identification and intervention;
- Statutory assessment and statements; and
- Transition through education and training to the workplace.

3. The Committee published its report on the first stage in November 2004.

4. The Committee agreed to consider the terms of reference and provisional programme for the next stage early in 2005.

5. Members have been given a companion briefing paper, prepared by the Members' Research Service, which gives background on:

- The current system for statementing in Wales and England;
- Arrangements in Scotland;
- A summary of the Audit Commission Policy Focus Paper - Statutory assessment and statements of SEN: in need of review;
- A summary of the Estyn report - Best Practice in the Development of Statements of Special Educational Needs and Delivery by Schools of the Action Agreed; and
- Information on the British-Irish Inter-Parliamentary Body (BIIP).

#### General Principles

6. When considering the terms of reference, it is suggested that the following general principles should be taken into account. Any improvements to the current statutory assessment framework should:

- Ensure that all children and young people with SEN who would benefit are able to access assessment at the appropriate time;
- Ensure that all children and young people with SEN receive the provision they need to make the most of their education, including support from other agencies;
- Create positive incentives for schools to intervene to meet the needs of children and young people with SEN at the earliest opportunity;
- Create positive incentives for schools to review their policy and practice, to ensure that all children and young people with SEN benefit from inclusive education;
- Provide parents with assurance that their children's needs will be met;
- Provide additional safeguards for the most vulnerable children and those with the highest levels of need; and
- Make the best use of skills and resources - both human and financial.

## Terms of Reference

### 7. The Committee will:

- Examine how local education authorities are having regard to the requirements of the SEN Code of Practice for Wales, concerning assessment and statements;
- Examine the implications of the distinction between those children and young people with SEN who have a statement, and those who have not;
- Examine how local education authorities create positive incentives for schools to review their policy and practice, to ensure that all children and young people with SEN benefit from inclusive education;
- Examine how local education authorities and schools provide parents with assurance that their children's needs are being met;
- Identify best practice in multi-agency working in the assessment of SEN;
- Consider whether the current assessment framework makes the best use of skills and resources - both human and financial; and
- Make recommendations to the Assembly Minister on how current arrangements for assessing SEN could be improved.

## Programme

### 8. The following programme is suggested:

- Agree terms of reference and provisional programme in January 2005;
- Carry out a written and web-based public consultation during spring 2005;
- Gather evidence, including formal presentations and informal visits, between April and July 2005;
- Clerk to prepare a draft report during the summer recess;

- Consider draft report during the autumn term; and
- Publish report and hold a plenary debate before Christmas 2005.

## Expert Advice

9. It is recommended that the Committee makes use of a reference group for independent advice. Organisations represented on the current SEN reference group have indicated that they are willing to continue.

## Health and Social Services Committee

10. It is recommended that Health and Social Services Committee be invited to nominate a representative to participate in the next stage of this review.

## Recommendations

11. It is recommended that the Committee notes this paper and agrees the proposed terms of reference (paragraph 7), programme (paragraph 8) and expert advice (paragraph 9).

12. Also, it is recommended that the Committee invites Health and Social Services Committee to nominate a representative to participate in the next stage of this review (paragraph 10).