

## EDUCATION AND LIFELONG LEARNING COMMITTEE

### POLICY REVIEW: SPECIAL EDUCATIONAL NEEDS

#### 1. Introduction

1.1 At the meeting on 18 June 2003 the Committee agreed to undertake a policy review of special educational needs (SEN), starting in the autumn term. The purpose of this paper is to present draft terms of reference, programme and various related matters for consideration by the Committee.

#### 2. Priority and Draft Terms of Reference

2.1 The Committee has identified four policy topics within the broad field of SEN. Suggested terms of reference for each topic are given below. It is suggested that these reviews be undertaken in the following order of priority:

- Early identification and intervention;
- Audit Commission report '*Statutory Assessment and Statements of SEN: in need of review?*' - link to summary report given at end of this paper.
- Welsh-medium provision;
- Transition from primary to secondary school.

#### 2.2 Early Identification and Intervention

- To review what support is provided by local authorities and other agencies to assist parents and teachers in the early identification of SEN;
- To identify good practice in cross-agency working in the early identification of SEN and the provision of appropriate intervention strategies;
- To take account of recommendations in the '*Review of Services for Children with Special Health Needs*' undertaken by the Assembly's Health and Social Services Committee and the response issued by the Welsh Assembly Government in February 2003;
- To make recommendations to the Assembly Minister on how existing services might be improved so that more children with SEN are identified in sufficient time to enable effective intervention strategies to be developed and implemented.

#### 2.3 Audit Commission Report on Statutory Assessment and Statements

- To consider what changes should be introduced to the statutory framework to:
  - Ensure that all children who would benefit from it are able to access assessment at the appropriate time;
  - Ensure that all children 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 children's needs at the earliest opportunity;
  - Create positive incentives for schools to review class and school-wide policy and practice, to ensure that children with SEN are able to participate fully;
  - Provide parents with assurance that their child's needs will be met in school;

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- Provide additional safeguards for the most vulnerable children and those with the highest levels of need;
- Make the best use of skills and resources.
- To make recommendations to the Assembly Minister on how to improve the statutory framework for SEN.

#### **2.4 Welsh-Medium Provision**

- To review the appropriateness and effectiveness with which local education authorities, schools and early years settings are applying guidance set out in the '*Special Educational Needs Code of Practice for Wales*' regarding provision of services through the medium of Welsh ;
- To identify barriers to provision of SEN advice and support through the medium of Welsh;
- To make recommendations to the Assembly Minister on how to improve the provision of SEN advice and support through the medium of Welsh.

#### **2.5 Transition from Primary to Secondary School**

- To review the appropriateness and effectiveness with which local education authorities and schools are applying guidance set out in the '*Special Educational Needs Code of Practice for Wales*' regarding the transition of children with SEN from primary to secondary school;
- To consider whether additional support is required to assist local education authorities, schools, children with SEN and their parents during this transition process;
- To make recommendations to the Assembly Minister on how to improve the process of transition from primary to secondary school for children with SEN.

### **3. Draft Programme**

3.1 Assuming the review of Early Identification and Intervention is carried out first, the following programme is suggested:

- Issue consultation letter in mid September, with responses required by mid November 2003;
- Clerk to arrange analysis of responses, for consideration by Committee before the Christmas recess 2003;
- Receive oral evidence from October 2003 to February 2004;
- Clerk to prepare draft report for consideration by Committee immediately following the Easter recess 2004;
- Aim to publish report in June and hold a plenary debate before the summer recess 2004.

3.2 Each review would have similar activities but different duration as follows:

- Early Identification and Intervention - 9 months
- Audit Commission Report - 12 months
- Welsh-Medium Provision - 6 months
- Transition from Primary to Secondary School - 6 months

3.3 It is unnecessary to determine start times for subsequent reviews at this stage.

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#### 4. Expert Advice

4.1 Members are referred to the Presiding Officer's guidelines on appointment of expert advisers by committees - in accordance with standing order 8.14. These guidelines are at Annex 4 of the '*Handbook on Committee Procedure*'. Before deciding whether an expert adviser may be required, Members should:

- Be clear about what information and advice they require; and
- Consider whether there are alternative sources of that advice.

4.2 Sources of advice could include:

- Briefing by Members' Research and Committee Services (MRCS);
- Briefing by Assembly officials;
- Submission of evidence by external organisations or individuals.

4.3 The Clerk has already commissioned briefing from MRCS and Assembly officials to provide Members with background on the four policy areas described above and also to provide an overview of SEN initiatives outside Wales. In addition, the Minister has agreed that her officials will prepare a position paper on SEN to set the scene, for consideration by Committee in the autumn term. Before the autumn term, the Clerk will prepare a programme of evidence to be submitted by external organisations and individuals.

4.4 The Clerk has discussed the matter of providing external specialist advice with members of the Welsh Advisory Group for Special Educational Needs (WAGSEN). It is felt that an expert adviser (possibly a different person for each review) would be appropriate for the third and fourth options listed in paragraph 2.1 - because these are relatively concise topics. But as the first two options would involve exploring a broader range of issues, it is considered that an external reference group would be more appropriate. This would:

- Provide access to a wider and balanced range of expertise in the field; and
- Facilitate partnership between the Committee and those with an interest in this subject.

4.5 It is considered that it would be inappropriate for WAGSEN to be the Committee's external reference group, as this body was set up to advise the Assembly Minister and there might be conflict of interest. However, WAGSEN could be invited to nominate a representative to form part of the Committee's external reference group.

4.6 It is suggested that the Chair and three other Committee Members should be on the external reference group and that for the first review, remaining members should be drawn from the following established bodies:

- Association of Directors of Education in Wales SEN Group (ADEWSEN)
- National Association of Principal Educational Psychologists
- Basic Skills Agency in Wales
- Wales Pre-School Playgroups Association
- Mudiad Ysgolion Meithrin
- Special Schools Headteachers Group
- Welsh Advisory Group for SEN (WAGSEN)

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- Health Visitors
- Social Services Directors in Wales
- Care Standards Inspectorate Wales
- Portage Workers
- Paediatricians
- Primary School Headteacher
- Nursery School Headteacher
- Cymorth (including Sure Start Wales)
- Estyn
- Assembly officials (Pupil Support, Children and Family, Health Policy)

## **5. Health and Social Services Committee**

5.1 It is suggested that Health and Social Services Committee be invited to nominate a representative to participate in this policy review, as SEN is a crosscutting issue. The previous ELL Committee was represented when the previous HSS Committee undertook a policy review of children with special health needs.

## **6. Recommendations**

6.1 That the Committee considers the issues raised in this paper and reaches a view on the following points:

- The priority order of the four policy reviews (paragraph 2.1);
- The terms of reference for the first review (paragraph 2.2);
- The draft programme (paragraph 3.1);
- The need for expert advice and approval for the Clerk to establish an external reference group (paragraph 4.6); and
- Approval to invite Health and Social Services Committee to nominate a representative to participate in this review (paragraph 5.1).

**Note: Link to Audit Commission report referred to in paragraph 2.1 -**

<http://www.audit-commission.gov.uk/Products/AC-REPORT/D3265D20-FD7D-11d6-B211-0060085F8572/brsenpolicyfocus.pdf>