

This response was submitted to the Children, Young People and Education Committee consultation on Sixth Senedd Priorities

CYPE SP 79

**Ymateb gan: Dr Kirsten Jones, Swyddog Polisi (Cymru), Natspec
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Theme 1: School-age education

Natspec's vision is that all young people with learning difficulties and disabilities can access quality education and training which meets their individual needs and supports their aspirations for skills, work, and life.

In terms of school-age education, our priorities for the CYPE Committee focus on the Additional Learning Needs and Education Tribunal (Wales) Act 2018 and its role in overseeing the implementation of the reforms. The COVID-19 pandemic leaves the sixth Senedd facing unprecedented challenges and the CYPE Committee has a crucial role to play in ensuring the intentions of the Act are realised. Overall, we welcome the introduction of the new system, but believe the reforms present a real danger that children with complex additional learning needs (ALN) may not be given sufficient information and encouragement to pursue further education and training opportunities. It follows that in-school support for post-16 planning will be critical to individuals' life chances.

The Additional Learning Needs (ALN) code that accompanies the Act is ambiguous on how or if, the post-school education and training needs of young people with complex ALN should be met. Without intervention and support for local authorities, finance-driven rather than person-centred decision making is inevitable.

Ways the CYPE Committee may address the issues raised include working with Welsh Government to:

- ensure adequate support and accountability measures are in place so no child is discriminated against by the nature of their additional learning needs
- ensure children, young people and their parents or carers are given access to timely and sufficient information on post-16 options and the rights afforded them within the ALNET Act
- introduce measures for monitoring the efficacy of the ALN code in supporting the aims of the ALNET Act.



Theme 2: Further and higher education

We believe that equity of opportunity and improving transparency on the quality of further education provision for young people with learning difficulties and disabilities across Wales should be priorities for the CYPE Committee.

Welsh Government currently use discretionary powers to provide further education and training opportunities for young people with complex ALN who have stayed in special schools until they are 19 years old. Typically, these young people either progress to a regional further education institution (FEI) or a specialist further education college where they access an adult-orientated skills-based curriculum to best prepare them for post-college adult living. For those young people whose education and training needs cannot be met by a regional FEI, the new legislation does not explicitly uphold the maintenance of the discretionary powers currently used to facilitate placements at specialist further education colleges. We believe this will result in a postcode lottery of post-school provision for young people with the most complex ALN. As the pandemic continues to exacerbate existing inequalities, a commitment to safeguarding equitable access to further education is now urgently needed.

The CYPE Committee should consider the role it can play in increasing parity and transparency in the way the quality of post-school provision for young people with learning difficulties and disabilities is assessed and reported. Wales' specialist further education colleges are fully monitored by Estyn through annual visits and the scrutiny of a full inspection team in line with inspection cycles. All resulting judgements and reports are publicly available. In comparison, the quality and standards of provision for young people with learning difficulties and disabilities attending what are typically known as Independent Living Skills (or ILS) courses in FEIs is not assessed with anything like this rigour. As part of Estyn's inspection of post-16 providers, ILS provision may or may not be visited by Estyn Inspectors and no specific judgement is required of them on the quality and standards of provision for this group of learners.

As ALN transformation progresses, regional FEIs take on increased statutory responsibilities and are expected to meet the needs of learners with increasingly complex ALN. These learners do not typically achieve formal qualifications but use their time at college to build skills for adult life. Given the breadth of specialist teaching and learning approaches young people with complex ALN may need, we believe a more uniform and transparent approach is required to the assessment of quality within different providers.

In England, evidence given to the Education Select Committee's Special Educational Needs and Disabilities (SEND) inquiry demonstrated that the localism agenda is not fit for purpose in meeting the needs of young people with low incidence and high needs learning difficulties and disabilities. Measures include



low success rates for local authorities at SEND Tribunals (5%), the high percentage of Education, Health and Care Plans (EHCPs) upheld by the Local Government and Social Care Ombudsman, as well as the frequency by which Ofsted and the Care Quality Commission SEND inspections report serious weaknesses with local area EHCP processes.

Ways the CYPE Committee may address the issues raised include working with Welsh Government to:

- proactively avoid the pitfalls and failings of the English system outlined in the House of Commons Education Committee report on SEND (2019)
- ensure safeguards are in place so young people are not denied equitable access to post-school education and training due to the complexity of their ALN. Local authorities must be supported to maintain the use of discretionary powers for post-school education and training and funding for young people requiring specialist further education provision should be ringfenced
- increase parity and transparency in the way the quality of different providers of further and education and training for young people with complex ALN is assessed and reported.

Theme 3: Health and well-being, including social care (as they relate to children and young people)

We believe that priorities for the CYPE Committee should be to listen to the voices of children and young people and support the implementation of multi-disciplinary and person-centred systems.

Improvements to support health and well-being that young people in Natspec's Student Voice Parliament have told us they need are:

- more disability sport facilities and opportunities
- increased accessibility in different areas including transport, information (e.g. menus, leaflets, signs), IT and in future planning of communities
- more personalised education that builds on strengths and provides the right support where it is needed
- more meaningful social and employment opportunities and more ways to make a positive contribution to society
- increased disability awareness amongst the general public
- policy and decision makers hearing the voices of young people with learning difficulties and disabilities.

Young people with learning difficulties and disabilities can often face cliff edge scenarios at the end of college placements with little or no provision in place to



ensure the maintenance and growth of personal and vocational skills. This has a profound and negative impact on the health and well-being of individuals and results in a loss of abilities as well increases in mental health problems.

We believe that the absence of post-college systematic planning for how young peoples' skills can continue to be built, and their aspirations realised, is symptomatic of a lack of ambition for Wales' young people with learning difficulties and disabilities. This is also exemplified by Welsh Government currently collecting no data on the achievements and post-college destinations of young people who have attended ILS courses at FEIs.

We also believe that through an increased focus on multi-agency collaborative working, the ALN reforms can impact positively on Wales most disadvantaged and vulnerable learners to increase life chances, reduce stress on families and positively impact the public purse.

Ways the CYPE Committee may address these issues include working with Welsh Government to:

- enable services and providers to work together to raise aspirations, expectations and opportunities for young people with complex ALN
- collate and monitor achievement and destination data for all post-16 learners with ALN.

Theme 4: Children and young people

Natspec welcomes the Committee's expressed commitment to engaging meaningfully with children and young people. In doing so, we urge that the voices of Wales' learners with the most complex additional learning needs in further education institutions and specialist further education colleges are appropriately sought alongside that of their non-disabled peers.

Natspec has a Student Voice Parliament and would welcome the opportunity to work with the CYPE Committee to facilitate tailored and appropriate consultations with young people with learning difficulties and disabilities across Wales.

