

Cynulliad Cenedlaethol Cymru | National Assembly for Wales
Y Pwyllgor Plant, Pobl Ifanc ac Addysg | Children, Young People and
Education Committee

Blaenoriaethau ar gyfer y Pwyllgor Plant, Pobl Ifanc ac Addysg |
Priorities for the Children, Young People and Education Committee

CYPE 83

Ymateb gan : Cynghrais Anghenion Ychwanegol y Trydydd Sector
Response from : Third Sector Additional Needs Alliance (TSANA)

The Third Sector Additional Needs Alliance (TSANA) is a group of voluntary organisations which seek to protect and promote the rights of children with additional needs in Wales. Members include:

Afasic Cymru
Barnardo's Cymru
Contact a Family
Children in Wales
Learning Disability Wales
Mencap Cymru
Mudiad Meithrin
National Autistic Society (NAS) Cymru
National Deaf Children's Society (NDCS) Cymru
RNIB Cymru
Sense Cymru
SNAP Cymru
The Down's Syndrome Association
Wales Pre-school Providers Association

TSANA's priority for the Children, Young People and Committee to consider during the Fifth Assembly

TSANA worked with the previous Children and Young People Committee in the Fourth Assembly during its pre-legislative scrutiny on the **Draft Additional Learning Needs and Education Tribunal (Wales) Bill**. This included working with the Committee Clerk to organise a Round Table event on 12th November 2015 which provided an open forum for stakeholders and practitioners to give their views/concerns on the draft Bill to Committee members. TSANA members and associated organisations found this open engagement with Committee members in an informal environment to be very beneficial. Three members of TSANA then gave formal evidence to the Committee later in the month. We were pleased that the members took onboard the issues we raised and that this was reflected in the Committee's subsequent letter to the then-Minister.

The Welsh Government has indicated that the Additional Learning Needs (Wales) Bill will be issued around November 2016. TSANA assumes that the Bill will be scrutinised by the Children, Young People and Education Committee and would welcome the opportunity to, again, work with the Committee. This would be in keeping with the role the Advisory Group made up of third sector representatives played in supporting the Health and Social Care Committee in the Fourth Assembly with its scrutiny of the Social Services and Well-being (Wales) Act 2014 during stage 1.

Key areas to be considered

TSANA has received indications from Welsh Government that the Additional Learning Needs Bill will include some elements from the draft Additional Learning Needs and Education Tribunal Bill. We believe it is imperative that the following issues identified in the draft Bill are addressed.

A wide ranging definition of learning that spans the 0-25 age range should be adopted that recognises a child or young person's social and emotional development, the role of play in learning and importance of learning skills for life. This will reinforce the fact that the reforms don't just apply to formal curriculum based learning of school aged children.

Early Years. Learning begins from birth and the reforms should consider the need of children from 0-3. The lack of detail about how the system will work in an early years context could result in this age group struggling to access appropriate support. Referral pathways for health visitors etc are required as is clarity on how the IDP process will operate in the early year's services. The Welsh Government is urged to consider the Early Support programme which offered improved coordination and multi-agency support for disabled children under the age of 5 and their families. Learning from this positively evaluated programme is being lost

Post Compulsory Education. There are wide ranging implications for the delivery of support to young people with ALN in Further Education Institutions (FEIs). Clarity on how the IDP process will work in an FE context is required and what expectations will be placed on the FEIs in terms of planning etc, when the young people move on. TSANA is disappointed that the IDPs will be limited to further education settings and those young people accessing apprenticeships will not be afforded the same support as their peers who are in further education.

Multi agency working. The duty placed on health under the current draft Bill is weak. A duty to work in a multi-agency way and to deliver multi agency services must be established. This should be underpinned by local protocols between health, social services and education to assess and deliver provision.

The Additional Learning Provision must also encompass the full range of multi-agency support children and young people may require to access learning. This includes meeting their physical and sensory needs and supporting their communication through speech and language therapy.

Individual Development Plan. A mandatory IDP template is required to ensure that the IDP is consistent and portable, legally accountable, and transparent across Wales. TSANA would welcome the opportunity to work with the Welsh Government on the development of such a template. One of the points we are keen to retain within the IDP is the ability for families to name their preferred school.

Training. In order to implement the reforms, professionals working with children and young people with ALN will require appropriate training. This must include general disability equality training as well as training on the specific disabilities of individual children and young people plus training on the IDP process, and person centred planning.

Involvement of specialists. Under the reformed system, schools will be responsible for identifying which specialist professionals need to be involved in a learner's assessment and in determining whether or not the IDP should be the responsibility of a local authority. It is important that this does not become a barrier to children with low incidence disabilities accessing specialists like teachers of the deaf due to a lack of awareness on a school level. Therefore, we urge that IDPs for low incidence needs be clearly reserved as the responsibility of local authority. We would also recommend that the development of disability specific pathways would help schools to identify when to pass IDPs on to a local authority and also which specialist professionals should be involved.

The duty to favour mainstream education "except where such mainstream education would be incompatible with the provision of efficient education for other children". This doesn't address the educational needs of children with ALN themselves who may require a specialist provision because their needs cannot be met in mainstream school.

The alignment with other legislation needs to be improved. The Social Services and Well-being Act talks about prevention and the social model of disability and “minimising the effect on disabled people of their disabilities.” This is not picked up within the ALN reforms. Neither do the reforms fit with the local authority duty to carry out an assessment of need under The Act.

The provision of information, advice, assistance and dispute resolution. More detail is required on the advocacy and dispute resolution services. It is important for consistency and transparency that such standards operate to minimum national guidelines and that they independently represent the views of children young people and their parents through independent support being available from the outset of their concerns about the child or young person.

Estyn should have a role in monitoring ALN provision, assessment, IDPs, support systems, complaints and disputes framework.