



Consultation on the Additional Learning Needs and Education Tribunal (wales) Bill

Response of the Association of School and College Leaders (Cymru)

1. The Association of School and College Leaders (ASCL) represents over 17,000 heads, principals, deputies, vice-principals, assistant heads, business managers and other senior staff of maintained and independent schools and colleges throughout the UK. ASCL Cymru represents school leaders in more than 90 per cent of the secondary schools in Wales.
2. ASCL endorses the need for significant changes to the provision for children and young people with Additional Learning Needs in Wales. We fully support the intent to provide a system that is more flexible and responsive to the ongoing needs of the individual and less administratively bureaucratic.
3. ASCL supports the concept of a more straight-forward approach to ALN provision that removes the artificial layering that previously has led to disagreement and conflict.
4. ASCL supports the concept of greater participation of both parents and young people in the preparation of any plan.
5. We consider that there is a need for legislation to update and make fit for purpose the provision for students with ALN.
6. ASCL is concerned that the highly detailed nature of the ALN Code as published in its draft form, may result in more potential for disagreement as individuals attempt to interpret the code to fit the needs of their particular perspective; this may apply equally to schools as parents. Our view is that whilst it is right to do everything possible to ensure that the code is fully inclusive, in its present state it is unwieldy and could be the cause of conflict.

We would rather see a much shorter and more concise code that sets out the main duties and structures, rather than one that attempts to provide such a level of detail that it becomes impenetrable and open to interpretation.

A lot of the material currently contained in the Code document could be more appropriately published as Guidance documents, or as appendices to the code, which would allow for greater usability.

7. We are also concerned that, whilst the principle of involving other agencies is a very helpful one, the practicalities, given the number of schools and students involved may prove to be unmanageable. Our members report that, all too frequently representatives of other agencies are invited, but are unable to attend scheduled meetings, and our concern is that this could cause significant delays in the preparation of IDPs and further increase the workload of school staff.
8. We understand the financial implications of the Bill as set out, but are concerned that the model does not take into account the cost of a greatly increased workload on ALNCOs at a school level. If some of the savings created at a Local Authority level were passed on to schools, this might alleviate some of the problems that might arise from the need for schools to spend a greater proportion of ALNCOs' time on meetings with parents and students in order to create and keep up-to-date IDPs.
9. We are content that the powers in the Bill for Welsh Ministers to make subordinate legislation are appropriate.
10. We support the three over-arching objectives of the bill and consider that they are appropriate.
11. We would largely support the ten core aims, but would make the following observations.
12. *The introduction of the term Additional Learning Needs (ALN).* This is welcomed, but we would further hope that there is a commitment to ensure that the terminology is not changed further in the near future. This area of education has been subject to a plethora of acronyms over the years and we would welcome some longer term certainty and consistency.
13. *0-25 age range.* We feel this is appropriate. However, we note that the guidance is somewhat limited on the matter of appropriate support for young

adults after the age of 25 when in certain cases this may be essential to their wellbeing.

14. *A unified plan.* We would support this concept; however, we are concerned that the additional volume of work it will create for school staff has not been fully appreciated or taken into account in the impact assessment. Our members feel that there will be a significant financial impact felt at school level for staffing, and that ALNCOs will end up having to spend a significant proportion of their time dealing with assessments and creating IDPs, rather than working with students and implementing interventions.
15. *Increased participation of children and young people.* We welcome this commitment, and fully support the right of young people to be involved. However, there will inevitably be a cost in terms of increased time of school staff in order to ensure that young people and parents understand fully the implications of what is being proposed and have the opportunity to contribute fully. This again will add to staff workload and costs to the school (see comments in point 14 above).
16. *High aspirations and improved outcomes.* We would absolutely support this aim, which are central to the purpose of all schools.
17. *A simpler and less adversarial system.* We applaud this aim, and understand that the removal of various categories of support should create a simpler system and remove some of the potential for conflict. We are not certain how this will play out in the school context, and have some concerns that it may simply result in shifting the issues from the local authority to the school, once again creating more pressures on school staff.
18. *Increased collaboration.* We support the principle behind the core aim, but would refer to our comment in point 7 above. We welcome the creation of the DECLO role, but wonder how one person in each Health Board will have the capacity to deal with the needs of all the schools and young people within its remit.
19. We do have some concerns about the idea of ALNCOs being encouraged to achieve a master's level qualification. Whilst we fully support the idea of ALNCOs being fully trained and able to assume the role of "expert" in their field, we are not sure that a qualification at master's level would always be appropriate, and in certain situations might indeed act as a barrier to some very able and effective people assuming this vital role.

20. *Avoiding disagreements and early disagreement resolution.* We support this aim, although would point out that it will inevitably create further calls on the time and resources of schools.

21. *Clear and consistent rights of appeal.* We welcome the clarity of these proposals.

22. *A mandatory code.* We support the concept of the code; however, we would refer to our comments in point 6 above, in which we make the case for a simpler and more concise code with separate guidance documents.

23. We note in the section of the code on identifying children and young people's ALN there is only passing reference to needs being identified by teachers. We would consider it important that any ALN school policy should contain a section that encourages teachers to express any concerns they may have about an individual student's needs. Whilst this may be standard practice in most schools, it may be something that more inexperienced staff need guidance and support to ensure that no student with particular needs is missed.

24. We feel the code is quite clear about the process and responsibilities for developing and maintaining IDPs, and do not consider this needs any further exemplification.

25. As explained in earlier paragraphs we do have concerns about the capacity of the workforce to deliver the new arrangements. These concerns inevitably boil down to matters relating to funding. Our members feel that the requirements of the bill will involve greater staff time, and this in many cases will require additional staffing in order to ensure that the level of classroom support is maintained for ALN students. Currently there does not appear to be sufficient recognition of this in the impact assessment, and we would urge the Welsh government to take note of this and use some of the savings that the new arrangements will create elsewhere in the system to ensure that schools are able to their part of the process effectively and efficiently.

Conclusion

26. I hope that this is of value to your inquiry. ASCL Cymru would be happy to contribute to further discussions.



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Director of ASCL Cymru
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