

Introducing The Additional Learning Needs and Education Tribunal (Wales) Act 2018 ('the Act').

Student Number: 1905069

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Introduction The Additional Learning Needs and Education Tribunal (Wales) Act 2018 ('the Act') (ALNET) introduces new legislation that aims to ensure the equitable education of children with ALN (Welsh Government, (WG) 2018a). This unified legislative framework provided by the Welsh Government replaces the previous Special Education Needs Legislation that Dauncey (2018 p.1) suggests is "no longer fit for purpose"

It will support all learners with ALN to overcome their learning barriers between the ages of 0-25 to develop to their full potential (SNAP Cymru 2021).

Practitioners must continue to comply with the Education Act 1996 follow the SEN Code of Practice for Wales (2004) until ALNET is introduced (WG, 2018a). This will be done gradually and was initially aimed to begin in September 2020 to be fully implemented by 2023 (WG, 2018a). However, due to reasons thought to be related to the drafting of the Code and regulations to accompany the reforms has been delayed by a year and will now be introduced in September 2021 (Cerebra, 2019). This could suggest that there may be some confusion for practitioners in the crossover urging them to diligently develop their own practice to promote the optimal outcome for children's best interests (WG, 2019a).

£20 million will be provided to deliver the transformation effectively. Most of this funding will be used to promote practitioners understanding of the changes so that they can meet the learners needs effectively (WG, 2019).

However, during consultations proposing the ALNET there were significant number of concerns about the level of funding and if it was enough to provide sufficient training. although schools in Wales are developing their staff training, practitioner's knowledge may need to be strengthened further (WG, 2019; OECD, no date).

ALN implementation timeline



(Education through Regional Working (ERW), 2021).

Increased participation of children and young people. Children, young people and their parent's (cypp) should be considered by practitioners when using the ALNET (2018). Children may not be capable of understanding how to implement their rights, and can be appointed a person to support them and make decisions on their behalf (Dauncey, 2018). This may result in practitioners ensuring that cypp recognise their rights. Children's Commissioner for Wales (2021) provides examples of lesson plans that can help practitioners promote children with ALN's knowledge and understanding about their rights. Simplified documents could also support children, young people and parents to better understand the ALNET (WG, 2019).

It could be difficult for practitioners to effectively make time for families wanting to discuss their ALN needs, and the number of families wanting to meet may increase with the new ALNET that aims to provide all children with ALN additional learning provision (WG, 2019c; Ward, 2013).

Unmet or unrealistic expectations could lead to challenging relationships between practitioners and cypp. Local authorities should have arrangements in place to avoid and resolve disagreements that could occur, and an independent person should be available if necessary.

It should be explained that any participation in arrangements does not affect a right to appeal to Education Tribunal for Wales. Practitioners may benefit from training so that they fully understand the dispute process and how to avoid and resolve any disputes so that an appeal to the tribunal is avoided unless necessary (2019a; WG, 2019c).

A simpler, less adversarial system. Dauncey (2018) suggests that the existing system of statements and non-statutory provision led by schools is complicated and not accessible to all. During the three-year introduction of the ALNET the existing SEN system will be used alongside the new Individual Development Plans (IDPs) until it is eventually phased out. Practitioners will be required to continue their duties under the Education Act 1996 and continue to have regard to the SEN Code of Practice for Wales (2004) (WG, 2019c). ALNET will positively impact practitioners as it should be a simpler system to deliver. Section 25 of the ALNET states that any plans relating to the same child should be reviewed at the same time as IDPs as this reduces confusion and effort and allows for a closer planning process (WG, 2018a; WG, 2018c).

It may also end the distinction that currently exists between school led interventions and local authority statements and continue the same plan throughout until children become 25 (Welsh Gov, 2018a).

All learners in Wales with ALN will have the right to statutory plans for their ALN provision (WG, 2019c). They are not limited to those with severe needs as before.

There may be unrealistic expectations to receive diagnoses for children leading to excessive referrals and confusion over health and education needs (The Welsh NHS Confederation, 2017). There could also be inconsistency between schools relating to the recognition of ALN (WG, 2019b).

Minimum standards and structure may alleviate concerns that IDPs lack distinction (Snap Cymru, 2021). The practitioners will have to be well qualified and experienced as it is a strategic role working with the senior leading team so will therefore require specialist training (WG, 2019a).

The financial pressures could also affect practitioners as a majority of ALN funding will be delegated to the schools (WG, 2019b). Therefore, they may be required to do all that they can to ensure the IDP provision is delivered to a high standard. This may put pressure on them as Welsh Government expects local authorities to evaluate their practice (SNAP Cymru, 2021).

A lack of defined time or workforce numbers to keep IDPs up to date with children's changing needs is possibly adding to practitioner's responsibilities and work pressure (WG, 2019a; The Welsh NHS Confederation, 2017). Appeals to the Tribunal could increase if there are unrealistic or unmet expectations. This suggests it may impact practitioners as it increases their workload and responsibilities possibly leading to difficulties fulfilling the positions (WG, 2019b). Agreements should be made about who should be present to agree to decisions (The Welsh NHS Confederation, 2017).

Increased collaboration. The introduction of the ALNET encourages collaboration and information sharing between agencies. This aims to achieve positive outcomes for children with ALN by ensuring early identification of their needs and providing them with the correct support. The statutory requirements also enable consistency across Wales (WG 2018a; The Welsh NHS Confederation, 2017). The practitioner appointed as ALNco will be the school's point of contact with relevant outside agencies and will be responsible for various roles within the process of delivering optimum support for those with ALN (Provision Map (2017). All practitioners will be required to develop core skills, therefore they will be required to undertake training (WG, 2019a). Continuous professional development may be expected from practitioners (Welsh Gov, 2019a). Health boards will be required to employ a Designated Education Clinical Lead Officer (DECLO) to deliver effective collaboration between agencies and this positive engagement with health practitioners may result in ALN needs being addressed more quickly (WG, 2018c). This increased collaboration may also cause resistance to amendments if young people, parents, or other professionals believe that support will be withdrawn by healthcare practitioners. This may result in children being supported for longer than necessary as the provision is statutory' and this along with an increase in IDPs due to the extended age range could lead to practitioners dealing with frustrations and a possible increase in IDP complaints. It cannot yet be determined exactly how many complaints will be expected extending strains on healthcare and education collaboration (WG, 2018c).

A lead officer will be appointed to coordinate ALN in the Early Years setting (WG, 2019a). Transitions between nurseries and schools may be improved by these multi agency links (WG, 2018c). However, it could negatively impact practitioners as there are concerns that the job role needs clarification and that the duties may be too much for one person (WG, 2019a).

Conclusion. The ALNET aims to afford all children with the support they require to achieve their optimal outcomes in society.

However, it could be considered from the delayed introduction of the ALNET that it could be a confusing process and the further training that is expected to be available to practitioners would enable practitioners to play a more active role in supporting children with ALN achieve an equitable education.