

Additional Learning Needs Education Tribunal (Wales) Act

The current legislative framework for children with Special Educational Needs (SEN) is based on research from over 30 years prior and has been deemed no longer fit for purpose (Welsh Government, 2018b). The Welsh Government developed an additional learning needs (ALN) transformation programmes that highlighted the ways in which the new legislation will affect children and young people with ALN as well as the practitioners that work alongside them (Welsh Government, 2018a). The Additional Learning Needs Education Tribunal (Wales) Act (ALNET) was published in 2018, rolled out in certain location across Wales since 2020 and will be fully in place by August 2023 below (SnapCymru, 2018). This is shown in the image at the bottom of the poster. The ALNET Bill is a new statutory framework for children and young people aged between birth and 25 who have ALN; the objective of the bill is to create a unified and legal framework to support children and young people in an integrated way that allows for collaborative work from outside agencies and local authorities (Education and Public Services Group, 2017). Whilst the ALNET Bill will be a legal requirement, SnapCymru (2018) highlights that those practitioners working with children should still regard the SEN Code of Practice for Wales (2004) as well. The Bill highlights 11 areas of change that will be implemented across settings for children and young people with ALN; the three areas being discussed today are: the unified plan of an IDP, increased collaboration, and the increased participation of children and young people.

Unified IDP

Individual Education Plans (IEPS) = Individual Development Plan (IDP) (Autism.org, 2020).

IEPs are not universal meaning that it can come down to individual settings choice or local authorities on how they look or what they are called. The ALNET Bill will remove the ambiguity of IEPs and will enforce a unified plan called an Individual Development Plan (IDP) as well as replacing Statements of Special Educational Needs (Welsh Government, 2018c). The IDP will include information about the child such as their one-page-profile, how best to support the child, and an action plan (snapcymru, 2014); the IDP is required to be reviewed annually however it is suggested by Welsh Government (2018b) that it could be reviewed every six months. The NAHT (2018) highlighted concerns that having a plan is not enough if there is then no funding to fully carry out what is suggested in them. In the ALN Code Consultation responses (Welsh Government, 2019a), many practitioners had concerns of IDP reviews and changing over to IDPs stating that it placed significant pressure onto teaching staff to complete paperwork and potentially stop them from being able to engage with the children throughout the day due to the additional admin work. SnapCymru (2014) suggest that the IDP is simpler compared to previous plans and allows for quicker response for meeting the needs of children and young people with ALN. The ALNET Bill gives the Welsh Government the power to put in to place a universal template to ensure that all IDPs are the same and can be transferred when a child leaves one setting to move to another (Senedd, n.d.); however, this is only if the Welsh government choose to therefore the idea of a universal IDP may not happen but will be down to individual local authorities still. Local authorities will have the responsibility of reviewing IDPs for looked after children, However, with over 400 children looked after by local authorities with ALN, practitioners may be limited with what information they receive within a time frame which may hinder the support they are able to offer the child.

Increased Collaboration

The ALNET Bill focuses on the increase of collaboration with multiagency and working together to benefit the child (Welsh Government, 2018b); this supports the Children Act 2004 in which the sharing of information for children's safeguarding, including children with ALN, is deemed as essential to their wellbeing. The Bill places new responsibility on the local health boards to identify what services the child would benefit from along with a description of what it entails. This will be located in the IDPs which will include an action plan that states which agencies are responsible for delivering each individual element (Welsh Government, 2018c); this responsibility aims to ensure clarity and certainty for early years practitioners regarding which agency is providing necessary provisions (Education and Public Services Group, 2017). Early years professionals may experience the opportunity to learn from other professionals in both informal and formal situations which can help with professional development and providing the best practice in early childhood (University of Melbourne, n.d). Atkinson, Jones & Lamont (2007) proposes that multi-agency work can lead to conflicting professional opinions which can then cause support to be delayed as well as agency commitment due to funding issues. Siraj-Blanchford & Manni (2007) demonstrated that multi agency collaboration could become problematic and lead to conflict due to numerous barriers each agency face when locating funding and staff. Palaiologou (2012) argues that with multi agency work comes common aims and objectives which can lead to building up a larger case to receive necessary funding for individual children with ALN and support practitioners to receive relevant training. Education and Public Services Group (2017) maintains that all plans regarding an individual child should be reviewed and revised at the same time by all parties involved to ensure that duplication is avoided; this aims to enable alignment and integration of planning which could be deemed separate. However, this requires all agencies and parties to be able to arrange a window of time when it can be done (Department of Education, 2011).

Increased Participation of Children and Young People

The ALNET Bill provides the children and families with ALN to have their wishes, views and feeling included in the planning and decision making surrounding their education and provisions (Education and Public Services Group, 2017); this supports practitioners to ensure that their following the UNCRC rights of the child, in particular, article 12 of respecting the views of every child. Estyn (2018) focuses on the importance giving the child and their parents a role in decision-making for their needs. It is the practitioner's role within the early years setting to ensure that the learning environment is inclusive of the child's needs where appropriate and that a clear effort has been made to ensure their wishes have been met or considered (Isle of Angelsey, n.d). This is highlighted in the ALNET bill in which it states that an additional learning plan (ALP) will need to be created by practitioners to include the child's wishes and needs (Welsh Government, 2018d). Welsh Government (2019c) suggests that providing the children and families with this opportunity is welcomed but they can often lack knowledge of what support is available or suitable leading to conflict of interest. It could be argued that without having this information for parents, the responsibility of informing the parents falls on the practitioners which many believe they are not adequately trained for leading to stress of providing wrong information or failing to mention relevant information (Hartley, 2010). Practitioners are encouraged to use the views of the child or young person to help them highlight areas where the child recognises they may need extra support which the practitioner may not be aware of (Department for children, schools, and families, n.d). The ALNET Bill encourages practitioners to include children in their own reviews to advocate for their own views and wishes if they are able to do so; this could mean that practitioners are required to make 'child friendly' copies of the review to ensure that the child is able to understand what is being written down (NHS England, 2017). The use of one-page-profiles are widely used across Wales with practitioners demonstrating that they gave children with ALN the chance to voice their view on what they liked, what they did not like, and what support they believed helped them thrive and be as independent as possible (Welsh Government, 2019b).

Conclusion:

The Welsh Government designed the ALNET Bill to give children with ALN an updated statutory framework which gives practitioners legal requirements to provide support for them and include their views and wishes (Welsh Government, 2019c). The practitioners appear to have been given a clear framework that benefits them by removing the ambiguity of providing support and replacing it with a clear and unified plan. Whilst this bill shows clear positive implications for practitioners, there appears to be a few negative implications of the bill which may be due to planning from the Welsh Government. Once the bill is rolled out fully and all settings in Wales are following the framework, the implications on practitioners may become more apparent.

The Implementation Timeline of ALNET Bill

ALN implementation timeline



(Welsh Government, 2018a)