

Impending changes to the SEN/ALN Legislation in Wales.

The new legislation and why it is changing?

The current Special Educational Needs (SEN) Code of practice Wales (2002) is now considered outdated and is set to be replaced by the new Additional Learner Needs (ALN) and Educational Tribunal (Wales) Act (2020) which makes provision for the statutory framework for supporting children and young people with Additional Learning Needs. According to Welsh Government (2018a) 23 % of mainstream pupils have an ALN and these children currently have a lower attainment than the rest of the pupil population, therefore, it is the aim of the new transformed system to identify needs quickly as well as implementing and improving the planning to support to children 0-25 years of age. The new ALN Legislation for Wales intends to take the needs and wants of the individual into account and place these at the centre of the process ensuring the new legislation offers a person-centred approach. (Welsh Government, 2018a).

The process of change.

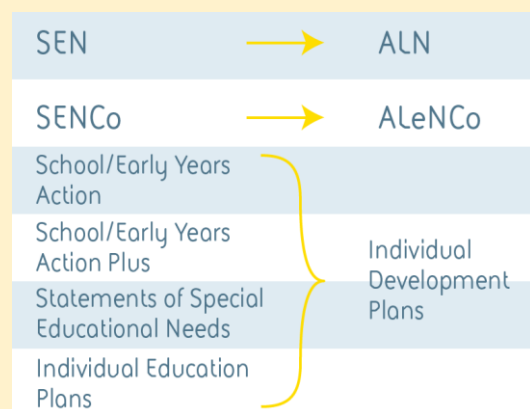


image: Cerebra (2018)

Person-centred Approach.

The person-centred approach places the child, parents or person at the centre of the decisions, both children and parents will be involved in the design of the Individual Development Plans (IDP) (Emanuel, 2015). This seeks to improve the process and fosters a greater trust and confidence in the process (Welsh Government, 2018b). School staff feel that having the families involved in this decision-making process allows for a more collaborative and informal process and should reduce the risk of any disagreements or disputes (Welsh Government, 2018b). Having the parents and pupils present provides an opportunity to raise any concerns they may have and have their questions answered promptly (Welsh Government, 2018c).

Individual development plans (IDP)

Individual development plans will be replacing the statement of special educational needs. All children or young people between the age of 0-25 who have an additional learning need will have an IDP. The IDP will have a standard format and will be specific to the child's needs. These IDP's will be developed by the school or further education institute. When a child or young person has a complex ALN or those who are "Looked after" it will be the duty of the Local Authority to complete these IDP's. (Snap Cymru, 2019). The development of the IDP's will be a collaborative task between the ALNco, the child and family and a team of professionals who know the child best (Snap Cymru, 2019 and Welsh Government, 2016). However, should a family not be in agreement with the content of the IDP they can make an appeal to the Education Tribunal for Wales (Welsh Government 2020).

Age range 0 – 25.

The new system is introducing a single legislative system to support children and young people aged 0 – 25. This will replace the two systems that are currently operating (Welsh Government, 2018a). The responsibility of post 16 support currently rests with Welsh Ministers under the Learning and Skills Act (2000) when the new system comes into effect this responsibility that will transfer to local authorities. This ensures that all decisions regarding educational provision for young people will be carried out by people who have knowledge and understanding of how best to support the individual (Welsh Government, 2020). Welsh Government (2021) suggest that by having this unified system it helps to remove any inconsistency and unfairness.

However, the act does not provide continuous education up to the age of 25, rather it just helps to provide access to training or education (Welsh Government, 2020).

Conclusion.

To conclude I believe that having a person-centred approach essential as the child or young person's needs are paramount when trying to establish a plan to best support their needs. For this reform to really work and enable us to holistically support the child or young person to reach their full potential. For this to happen there needs to be sufficient funding available to employ and train the support staff that will be required to fulfil these requirements. Also, the thought of IDPs being complied by a team that know and have the best interests of the child at heart sounds good in theory. However, I do believe that time may be an issue for ALNco's when trying to complete IDPs. According to Welsh Government (2021b) it is essential that schools take into consideration the numbers at the education setting and that the ALNco should be given sufficient time and resources to enable them to fulfil their responsibilities effectively. According to the Children's commissioner for Wales (2018) Wales are very good at supporting the human rights of children and young people with learning disabilities. However, they also suggest that we are currently failing to support these young people as they progress into adulthood, hopefully with the introduction of the new ALN legislation supporting young people up to the age of 25 we can go some way to rectify this.