

SEN/ALN impending legislation changes in Wales.

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Introduction

The current Special Educational Needs (SEN) legislation within Wales needed reform, it is currently based on a model that was introduced more than thirty years ago, and is no longer fit for purpose (Welsh Government, 2018a). A series of reviews found that the SEN provision was too complex, and reform of the current legislation framework was overdue (Estyn, 2020). It will be replaced by the Additional Learning Needs and Education Tribunal (Wales) Act 2018 (Welsh Gov, 2018a). The changes will be implemented over the course of three years from September 2020 to August 2023. During the implementation, the SEN system will be used in parallel with the new ALN system, gradually phasing out the SEN system over the three years (Welsh Gov, 2018a). As written in the Education Act (UK Government, 1994) a child has special education needs if they have significantly higher difficulty in learning than majority of children their own age or has a disability that prevents them accessing educational facilities in the area that are provided for children of the same age (UK Government, 1994). The Equality Act (UK Gov, 2010) states that education in England and Wales should increase the extent which disabled pupils can participate in the curriculum and improve the physical environment of the school to allow disabled children to take advantage of facilities and education provided by the school.

Individual Development Plan (IDP)

Under the SEN framework children with ALN will have a statement and an Individual Education Plan (Welsh Gov, 2018). Under the new ALN legislation (Welsh Gov, 2018) statements will be removed and replaced with individual development plans (IDPs) these will be for children of compulsory school age and under. When transferring a pupil from SEN to ALN practitioners will convert their existing plan and statement into an IDP, when the IDP is in place, their existing SEN plan will cease (Welsh Gov, 2018).

An IDP will be given to any child or young person between the age of 0 – 25 that requires support that is additional to what is provided as part of the curriculum (Snap Cymru, 2019). This allows for a continuation of support plan irrespective of their age throughout school to higher education (Welsh Gov, 2018a and Dauncey, 2016). When the need for additional learning provision is recognised, the local authority, ALNCo, and place of education will be responsible for creating and maintaining the IDP, if a child does not attend a maintained setting the local authority will be responsible for the IDP (Welsh Gov, 2018). While creating IDP's there is emphasis to work with learners and families to ensure that plans are created in a person-centred way (Welsh Gov, 2019). However, due to IDPs being more time consuming than current processes, practitioners raised concerns of how they would cope with the increased workload (Holtom and Lloyd-Jones, 2014).

ALN implementation timeline



Source: (Erw, 2018)

SENCo to ALNCo

With the new legislation coming into force, the role of the current Special Educational Needs Coordinator (SENCo) will be replaced with an Additional Learning Needs Coordinator (ALNCo).

➡ The SENCo needed to be an individual member of staff or a SENCo team that were responsible for coordinating special education needs provision within the school. The SENCo worked closely with classroom teachers, parents and other external agencies in identifying pupils needs and implementing interventions that were required (Dauncey, 2016).

➡ The ALNCo will need to be a part of the senior management team and must also be a qualified teacher (Thompson, 2018). The ALNCo is now responsible for creating and reviewing the IDPs. ALNCo's must arrange training for learning support staff that work with children with ALN, learning support staff are an important resource to the ALNCo, they can provide specialist skills that support children with ALN, and offer both administrative and practical support (Welsh Government, 2021c).

Extending the age range to 0 – 25

Under the current SEN system, the legislation states that children and young people will be supported until they are at the age of 16 or up to 19 if they are still in full time education. The ALN Act (Welsh Government, 2018) will now provide learners with the same system for pre 16 and post 16, abolishing the current SEN and LDD system and providing all pupils with IDP's to ensure all learners have the same statutory plan, regardless of their age, ensuring an easy transition between school and further education (Dauncey, 2018, Dauncey, 2016 and Welsh Government, 2017). The new ALN system will now allocate support for children and young people with additional learning needs from birth to the age of twenty-five (Snap Cymru, 2019). The Welsh Government (2018a) propose that under the new legislation, outcomes for younger children will be improved by access to early intervention and support for children with additional learning needs, which may not be identified under the current SEN system. The new legislation will recognise the role that early year's providers have in supporting and identifying concerns and needs in the early years (Pacey Cymru, 2017). The Welsh Government (2018a) has stated that it will ensure that early year's practitioners are equipped with appropriate skills and tools to support young children with an ALN.

Conclusion

With the ALN framework in its infancy it would be expected that practitioners would greet it with some trepidation. The Welsh Government (2018) hopes that through a person-centered approach, with increased input from multi-agencies, will allow children and young people with ALN to overcome learning barriers. However, increase in workload has caused some concerns with practitioners (Holtom and Lloyd-Jones, 2014). The ALN Act will allow for continuity between early years settings, schools, and further education. However, Pacey Cymru (2017) state that training should be offered, and advice and information should be widely publicized of the role of the local authority and for professionals working with children in the early years sector.

Further Reading:

Additional Learning Needs and Education Tribunal (Wales) Act 2018: [61918 Welsh Act 2018 No. 2 Learning.indd \(legislation.gov.uk\)](#)

SNAP Cymru: [Person Centred Reviews \(snapcymru.org\)](#)