

Impending changes to SEN/ALN Legislation in Wales

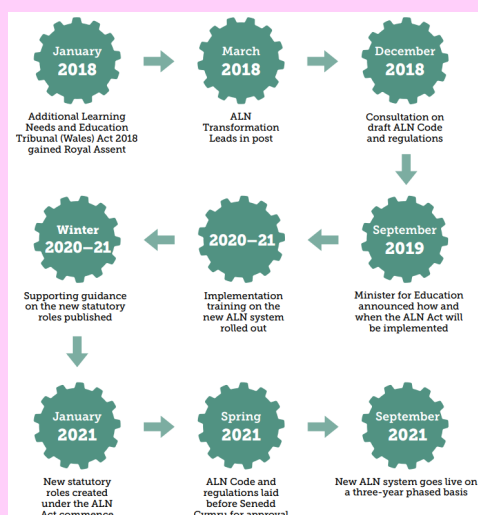
Introduction to the Additional Learning Needs and Education Tribunal (Wales) Act 2018

The Additional Learning Needs and Education Tribunal (Wales) Act 2018 is the new statutory support system for children and young people with special educational needs living in Wales (Legislation.gov.uk, 2018). The Act has drafted a new code to replace the Special Educational Needs Code of Practice for Wales, with a new reformed and updated system (Williams, 2021). A key issue with the previous Special Educational Needs Code of Practice for Wales was that it was very outdated, as it came into practice in 2002 (Welsh Government, 2017; Welsh Government, 2004). The Welsh Government (2004) maintains that it no longer meets the needs of children and young people's needs in today's society.

The Welsh Government (2020) maintains that the new Act together with the code and regulations made under the Act will establish a legislative framework to better the planning and delivery of provision, with an individualised approach to recognise children's needs early, implementing efficient support and monitoring, to improve outcomes for children and young people (Welsh Government, 2021 a).

The Welsh Government (2020) points out that approximately 22% of learners in maintained schools in Wales have ALN and their academic achievements compared to other learners is poor. However, they maintain that the new reform will support practitioners to administer a fully inclusive education to all learners, so that they can reach their full potential. (Welsh Government, 2020).

Implementation Timeline



(Source: Welsh Government, 2021 b)

SENCo to ALNCo

Current Special Educational Needs Coordinators (SENCo) will become an Additional Learning Needs Coordinator (ALNCo) (National Deaf Children's Society, 2017). SENCo's roles and responsibilities have expanded, therefore the new ALNCo role has been developed further with a larger workload (ALN Wales, 2019). ALNCo's should be a senior member of staff (Pembrokeshire County Council, 2019) and will acquire extra responsibilities such as identifying learners with ALN, devising Individual Development Plans (IDP's), securing relevant services for children, keeping up to date with current legislation, policies and procedures, to contribute to staff training (Welsh Government, 2018). However, this could further impact on ALNCo's, as the National Association of Schoolmasters Union of Women Teachers (NASUWT) (2021) indicate with current surveys that ALNCo's already have substantial teaching obligations, with 81% of ALNCo's reporting that they have inadequate time to satisfy their ALN role and responsibilities. NASUWT (2021) suggests that ALNCo's are already finding the workload strenuous, causing apprehensions about teacher's wellbeing.

A Unified Plan >

Individual Development Plan (IDP)

Statements of Special Educational Needs and Individual Education Plans (IEPs) will be replaced by an Individual Development Plan (IDP). A legal document which creates a unified plan for children with ALN (National Deaf Children's Society, 2021) implementing equal rights for all children in terms of legal rights, whatever the level of ALN (Welsh Government, 2019). The Welsh Government maintains that the IDP will be a more simple way of meeting the needs of children with ALN, with a more responsive system (Snap Cymru, no date).

However, an IDP testing phase from a Welsh Government pilot project, indicated that over half of the practitioners involved in the trial specified that the IDP was notably more time consuming than the current process. An example of the workload is that schools will need to increase from just over 20,000 children and young people with a statement of educational needs, to over 100,000 children and young people with ALN who will all need and be entitled to an IDP (Stats Wales, 2020).

There are further concerns from Cerebra (2017 a) that there is no national template for IDPs meaning that schools and local authorities could interoperate the guidelines differently, which could cause inconsistencies across Wales.

A Bilingual System

The Act maintains a bilingual system (Welsh Government, 2018). It states that in some cases, an Additional Learning Provision (ALP) and/or services for children may need to be provided for in Welsh (Welsh Government, 2020). According to Welsh Government (2018) professionals and practitioners have a duty to take all reasonable steps to secure support in Welsh where needed and should specify this on the child's IDP.

However according to Heuvel et al. (no date) research collected cooperatively by the Welsh Language Commissioner (WLC) and the Children's Commissioner for Wales, indicated that Local Authorities are having difficulties providing Welsh medium support for children with ALN.

The Welsh Government (2017 a) has identified the need of having Welsh speakers in Wales and aims to reach a million Welsh speakers by 2050. According to the Welsh Government (2017 a) to achieve this, a priority is to develop robust language skills in the education workforce of Wales, with training in the Welsh Language.

Conclusion

Some key issues have been identified in relation to the Act which are a heavier workload for ALNCo's, no clear templates for IDPs and difficulties sourcing a workforce to make it a truly bilingual system (NASUWT, 2021; Cerebra, 2017 a; Heuvel et al., no date). However, the new ALN reform encompasses a new and updated system which improves planning and delivery of provisions, with an individualised approach to recognise children's needs early. It implements efficient support and monitoring, to improve outcomes for children and young people (Welsh Government, 2021 a) whatever the level of ALN (Welsh Government, 2019).

Further Reading

- https://www.legislation.gov.uk/anaw/2018/2/pdfs/anaw_20180002_en.pdf