



Cyngor Castell-nedd Port Talbot
Neath Port Talbot Council

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Education, Skills and Wellbeing Scrutiny Committee

24th October 2024

Report of the Director of Education

Matter for Information

Wards Affected:

All Wards

Report Title: Implementation of the Additional Learning Needs and Education Tribunal (Wales) Act 2018 (ALNET) in non-maintained settings, primary and secondary schools, all age schools and into Post 16.

Purpose of the Report:

This report will provide Members with an update on the progress to date with the actions that schools and the Local Authority (LA) have taken in meeting the statutory duties around ALNET implementation and the support schools have received.

Executive Summary:

The Additional Learning Needs and Education Tribunal (Wales) Act 2018, and the accompanying Additional Learning Needs (ALN) Code for Wales 2021, makes provision for a new statutory framework for supporting children and young people with Additional Learning Needs (ALN). This replaces the existing legislation surrounding Special Educational Needs (SEN) and the assessment of children and young people with learning difficulties and/or disabilities (LDD) in post-16 education and training.

The Act creates:

- a) A unified legislative framework to support all children of compulsory school age or below with ALN, and young people with ALN in school or Further Education (FE).
- b) An integrated, collaborative process of assessment, planning and monitoring, which facilitates early, timely and effective interventions.
- c) A fair and transparent system for providing information and advice, and for resolving concerns and appeals.

The increased statutory responsibilities to the LA as a result of the ALNET are as follows:

- Responsibility for Children and Young People (CYP) with ALN across the extended age range of 0-25.
- The replacement of all statutory plans (Statements of SEN) and non-statutory plans (Individual Education Plans) with a single statutory Individual Development Plan (IDP), which is appealable to the Education Tribunal for Wales (ETW).
- The development and maintenance of IDPs for all Children who are Looked After (CLA) and have ALN.
- The development and maintenance of IDPs for all Children with ALN who are dual registered.

- The implementation of effective arrangements for the early intervention and dispute resolution. These are to be provided free of charge to CYP with ALN and their parents/ carers at the point of delivery.

In addition to the increased responsibilities outlined above, the new legislation has also significantly reduced the statutory timescale, during which the LA must undertake the decision making process and produce new LA Maintained IDPs, from 26 weeks to 12 weeks. Furthermore, Welsh Government have introduced the requirement for all LAs to have an online IDP platform, which will ensure schools, CYP, their families and all relevant professionals have access to an electronic copy of the plan and are able to contribute to it through virtual means.

Welsh Government have adopted a phased approach to the implementation of the new statutory framework, which has run alongside delivery of the wider ALN Transformation Programme, in order for institutions and practitioners to understand the new system and effectively manage and transfer learners from the existing to the new system.

This phased approach commenced in September 2021 and spans a three year period. Therefore, by the end of this academic year (24-25), all learners with ALN should have transferred to the new ALN System and should have an Individual Development Plan (IDP) in place of the current SEN Statement, Individual Education Plan (IEP) or Learning and Skills Plan. As at January 2024, Pupil Level Annual School Census (PLASC) noted the number of pupils on roll of a maintained school in NPT was 20,741, of which 13.5% were noted to have ALN. This was above the national average recorded at this time of 11.2%.

Background:

The Neath Port Talbot Inclusion Service is part of the wider 'Early Years, Inclusion and Partnerships Service'. It comprises of a Coordinator, 6 Service Managers and over 100 core funded staff across a number of teams who support Children and Young People both within and outside of school settings. These include:

- The Educational Psychology Service (EPS)
- The School Based Counselling Service (SBCS)
- The Support for Learning Service (SfL)
- The Wellbeing and Behaviour Service (WBS)
- Education of Children Looked After (CLA)
- The Additional Learning Needs Support Service (ALNSS)

The overall purpose of the Inclusion Service is to:

“Support the creation of a fully inclusive education system where all children and young people are given the opportunity to succeed and have access to an education that meets their needs and enables them to participate in, benefit from, and enjoy learning.”

In order to achieve the above, the successful implementation of the ALNET Act 2018 and the ALN Code for Wales 2021, across both LA services and in schools within Neath Port Talbot, is key.

This report will seek to provide an update in relation of the above, outlining a summary of the activity undertaken and the impact measured to date.

Early Intervention

The Additional Learning Needs and Education Tribunal (Wales) Act 2018 introduced a new statutory 'Early Years ALN Lead Officer (EYALNLO)' role, whose responsibility it is to:

- co-ordinate the LA's responsibilities for supporting early identification of ALN in pre-school children;
- support the development of plans for children with severe and complex needs;
- assist in the provision of ALN training, awareness raising and advice in pre-school settings in NPT; and
- work collaboratively with partner services such as Health and Children's Services.

The EYALNLO has worked effectively with partner agencies to establish an Early Years Multi Agency Panel (EYMAP), which consists of both LA (Education and Social Services) and Health professionals. Children from as young as 18 months are discussed, supported and monitored. Support is provided to children and their families in a variety of ways.

Since its implementation, 559 children have been discussed at EYMAP and all have been provided with a level of support. 147 of those discussed have also been provided with a LA Maintained IDP, which clearly outlines their ALN and the ALP required to meet them. To date, there has been no appeal lodged to ETW for pre-school children therefore highlighting that the decision making process EYMAP performs is robust and the plans produced are of high quality.

Since January 2021, the ALNSS has also appointed 2 EY ALN Transition and Partnership Officers (TPOs), who have worked closely with the EYALNLO to ensure that children with identified ALN have targeted support to transition from home in to a pre-school setting/ school, or from a pre-school setting to school. These officers have supported 172 children to transition into school and 41 pre-school

children into childcare to date. Furthermore, these officers, along with the EYALNLO, facilitate EYs multi agency 'school starters' cluster planning meetings, which have been embedded across the school clusters, as part of the early identification support offer from the LA. The sessions run twice a year and identify cohorts of children going into a mainstream school who may have a developmental support need or identified ALN. So far 536 children across 53 schools have been discussed. The sessions are reported to be worthwhile and allow schools to effectively plan for their Inclusive Learning Provision (ILP) and ALP upon the child's transition to school. Questionnaires are sent to either the Head Teacher or ALNCo following the session, and 97% have reported they found the sessions excellent and a highly effective use of time. 100% have also reported that the sessions have assisted the school with planning for transition and provision.

In addition to the 2 EY TPOs, in October 2022, the ALNSS also appointed 3 EY ALN Support Officers. These are temporary, grant funded posts, whose focus is to provide strategic, systemic support across NPT pre-schools. This includes guidance in relation to new, innovative ways of working, along with the provision of advice and bespoke packages of support for those children who have identified or potential ALN. To date, these officers have had involvement with 168 children and feedback from settings has indicated that they have assisted the setting and practitioners to better understand the children's needs. 83% found that communication between the Support Officers and themselves was excellent, with 78% reporting that they feel strongly that the roles have made a positive impact on the child's development.

Alongside the recruitment of additional staff to increase the capacity of the ALNSS in relation to meeting the needs of the EY cohort, during 2023, the 'Caterpillars' ALN Playgroup was also successfully established. This is attended by pre-school children from as young as 15 months of age, who have had developmental delay/ emerging needs identified by the Health Visiting Service through their routine developmental checks. It runs on a weekly basis and is supported by a multi-agency team which includes representatives from ALNSS,

Portage, Speech and Language Therapy, Occupational Therapy, the EPS and the Childcare Disability Team (CDT). To date, 44 children have accessed this playgroup and of the feedback provided 100% of parents have reported that they found the sessions helpful and that their confidence in supporting and understanding their child's needs has also increased.

The increased capacity of the ALNSS in relation to the EY cohort has ensured that a strong training offer of support is available to childcare settings, parents / carers and nursery staff. This universal offer of support ensures consistent advice and strategies are provided, and staff within childcare settings have a good knowledge and understanding of new ALN legislation and processes, child development, and ALN. Training is offered flexibly and in response to need. Strong support is also provided to the sector through trained Person Centred Practice (PCP) practitioners and PCP Champions. The settings report the training to be informative and supportive.

Finally, the EYALNLO has a robust tracking and monitoring system in place, and this data feeds in strategically to the Education Directorate in terms of planned places pressures, allocation of resources and grants and creation of new posts, in order to fulfil the Council's statutory duties.

Conversion of Statements of SEN and IEPs

Conversion of Statements of SEN to IDPs

The responsibility for the conversion of Statements of SEN to IDPs sits with the ALNSS, who are currently adhering to Welsh Government's timeline for implementation and conversions. All learners in mandated cohorts with Statements of SEN have been identified and efficient processes have been established to ensure both the LA and schools are clear in their respective roles and responsibilities within these. Person Centred paperwork has also been produced to support these

processes, which ensures that the views and wishes of the CYP and their parents/ carers are at the heart of the decision-making process. Below is an overview of progress to date:

- During the academic year 2022-2023 there were 425 pupils in the mandated cohorts that required their Statements of SEN converted to IDPs. These have been successfully completed and all have an IDP in place.
- During the academic year 2023-2024, there were 229 pupils in the mandated cohorts that required their Statements of SEN converted to IDPs. To date, 46% have an IDP in place. Whilst it is acknowledged that the service has not reached the target set yet for the last academic year, there is a clear plan in place to ensure that all will have an IDP in place by the end of the autumn term. Furthermore, it is clear from discussions at both a regional and national level that this is a similar picture across Wales.

Looking ahead to the current academic year 2024-2025, it has been identified that there are 496 pupils in the mandated cohorts that require their Statements of SEN converted to IDPs.

Adhering to WG's timeline of conversion will continue to be a focus for the ALNSS and ALN Grant Funding has been allocated to create additional capacity within the ALNSS, on a temporary basis, to assist in the completion of conversions and ensure that all Statements of SEN are converted to IDPs by the end of the academic year 2024-2025.

Conversion of IEPs to IDPs

The Inclusion Service has worked collaboratively and purposefully to provide robust advice, guidance, support and high quality in-service training for Head Teachers, School Governors, teaching and non-teaching staff in relation to the implementation of ALNET and the roles and responsibilities placed on schools. In line with Welsh Government's requirements NPT have produced a 'Principles and Expectations' document, which clearly outlines these, along with what constitutes effective teaching in meeting the needs of learners with

ALN. Furthermore, the Inclusion Service undertakes a range of activities throughout the year to ensure that there is ongoing and meaningful dialogue with schools, which focuses on supporting schools in moving learners with SEN to the new ALN System. Such activities include:

The most recent data analysis by the IDP Systems and Process Officer confirms that, to date, the majority of learners (68%) who were identified as being in the mandated cohorts for conversion for the academic years 2022-2023 and 2023-2024 have been successfully transferred to the ALN System. Furthermore, qualitative data gathered during the 'Plan and Review' sessions evidence that most ALNCoS within schools now have a thorough understanding of their responsibilities under ALNET and feel confident in carrying these duties out.

The Inclusion Service has identified those schools who will now benefit from enhanced support in the term ahead, in order to ensure they adhere to the statutory timescales provided by Welsh Government.

Development of LA IDPs within statutory timescales

In addition to conversions, the ALNSS is also responsible for the development of new Local Authority (LA) Maintained Individual Development Plans (IDPs), and their subsequent maintenance and review. The LA has developed clear and robust decision-making processes to support these duties and a weekly Inclusion Panel operates to ensure that the CYP across the 0-16 age range, who have been identified as having the highest level of need, receive the right support via a LA Maintained IDP. Panel members are well supported in understanding their roles and responsibilities within this statutory decision-making process via the delivery of appropriate training.

The Council is required to develop IDPs within a statutory timeframe of 12 weeks. Performance Indicators (PIs) for the ALNSS for the period

1st January 2024 – 18th September 2024 highlights that where there were no 'exceptions', 100% of IDPs were produced within the statutory timescale. 'Exceptions' refer to those cases whereby it is 'impractical' for the LA to comply with the specified 12 week period, as either:

- The ALN and ALP cannot be described in a meaningful way, i.e. if a key piece of advice by the parent and/ or professional has not been provided to the LA within given timescales, thereby preventing the LA from describing the ALN and ALP in a meaningful way; or
- there are circumstances that are beyond the LA's control, such as where the child or young person is unavailable for a substantial period due to illness, school holiday periods etc.

With exceptions, 25.68% of IDPs were prepared within the specified 12 week timescale, which is a significant increase from the 1.82% of IDPs that were prepared within the specified 12 week timescale at the end of the January –September 2023 reporting period. However, this remains an ongoing area for improvement within the ALNSS and it is hoped that the increased capacity of the service, as a result of the re-structure, will continue to have a positive impact on the upward trajectory of this data.

Finally, as per Welsh Government (WG) requirements, the LA has successfully developed an online IDP platform, along with the support of a commissioned software company, which fully meets Welsh Government requirements. The ALNSS is currently in the process of embedding this system and any new LA Maintained IDPs are now produced using this platform. In terms of next steps, the parents', professionals' and schools' portals now need to become fully functional. A timeline has been developed around this and progress will be reviewed at the end of the academic year.

Development of a robust quality assurance framework in place to monitor and review the impact of Individual Development Plans (IDPs).

An integral function for the Inclusion Service in relation to improving outcomes for CYP with ALN is the development of high quality IDPs, at both a school and LA level, which are underpinned by PCP.

The service currently has 8 accredited PCP trainers who actively support colleagues within the wider directorate, school staff and partner agencies, such as Health, to understand what makes a good quality IDP.

This has ensured that PCP is now embedded across both Inclusion Services and schools within NPT, and this is demonstrated within the paperwork that is submitted to, and reviewed by, the ALNSS on a weekly basis. Furthermore, a recent thematic report produced by ESTYN, which reviews the implementation of ALN reform in Wales, highlights that PCP has 'enhanced' relationships between schools and families on a national scale.

In addition to the 8 accredited PCP trainers highlighted above, the ALNSS has also appointed a 'Lead IDP Systems and Process Officer' whose role it is to support schools in producing high quality school maintained IDPs. From September 2022, an IDP quality assurance activity has been undertaken on a half-termly basis, which has reviewed the samples of IDPs provided by schools and identified areas for development. This in turn informed the development of a comprehensive and effective training package, which was successfully implemented during the academic year 2023-2024 on a cluster basis.

In addition to the above, the IDP Systems and Process Officer also supports the Manager of the ALNSS to quality assure IDPs developed by LA staff on a weekly basis. This in turn informs future training needs and areas for development on both a strategic and operational level.

In terms of the impact of the above work, this can be measured by the very low number of appeals lodged against NPT with the ETW since

the implementation of ALNET. Since this time, only 3 appeals have been lodged to ETW. Two of these were withdrawn following successful mediation and 1 was upheld only in part following the Tribunal Process. Furthermore, feedback from parents and carers highlighted that nearly all felt that they had been listened to and treated respectfully throughout the IDP process.

The quality of IDPs can also be measured by the impact they make on the progress of learners with ALN. Since July 22, 24 schools across NPT have been inspected by ESTYN and analysis of the reports has highlighted that ALN provision is effective. Furthermore, as a result of this, most pupils with ALN in these schools have made positive progress in their learning from their varied starting points. In addition, 2 of the reports specifically referenced how well the schools had been prepared for the implementation of ALNET.

Working with partners to ensure the Local Authority fulfils its statutory duties in relation to post 16 provision for young people ALN.

Since the implementation of the Additional Learning Needs and Education Tribunal Wales 2018 Act the Coordinator for Inclusion has established and chaired a Post-16 Steering Group, which includes representation from SBUHB, NPT College and third sector providers. This group has facilitated purposeful work streams which have resulted in the development of a 'Post 16 transition protocol for young people with ALN', and an 'Enhanced Transition Framework' which includes a Multiagency Transition Screening Meeting (MATSM).

The aim of the MATSM is to ensure a co-ordinated approach to support for young people who need enhanced transition into post 16 provision. This may include young people who have ALN, face challenging circumstances, have mental health issues, and/ or who are disengaged from education or any other reason. This has been successfully piloted in two secondary schools to date and all NCY 11 learners in these schools last year, who were identified as being at risk of disengagement and in need of enhanced transition support during the process, were allocated a key worker who supported their transition to

their chosen FEI. Impact/ success will be measured in autumn term 24. The LA is now in the process of rolling out MATSM, with a view to all secondary schools participating in summer term 2025. Furthermore, there will also be a MATSM for learners who are Electively Home Educated (EHE).

Within the ALNSS, there is also an appointed ALN Lead Officer for Post 16, who has developed strong, productive partnership links with NPT College. This has ensured that not only is there consistent College representation in the Person-Centred Reviews (PCRs) of learners in years 10 and 11, but schools have a better understanding of the Universal/ Inclusive offer of support provided by college. This enables timely identification of:

- Those learners who will require an IDP that can be maintained by the FEI.
- Those learners who will continue to require a LA Maintained IDP when they attend a FEI.
- Those who will potentially require an Independent Specialist Post 16 Institution (ISPI).

Financial Impacts:

There are no financial implications associated with this report.

Integrated Impact Assessment:

There is no requirement to undertake an Integrated Impact Assessment as this report is for monitoring / information purposes.

Valleys Communities Impacts:

There is no impact or implications.

Workforce Impacts:

There are no workforce implications associated with this report.

Legal Impacts:

The update will assist the Authority in monitoring compliance with its Statutory duties.

Risk Management Impacts:

No implications.

Crime and Disorder Impacts:

No implications

Counter Terrorism Impacts:

No implications

Violence Against Women, Domestic Abuse and Sexual Violence Impacts:

No implications

Consultation:

There is no requirement for external consultation on this item.

Recommendations:

The report is for information.

Reasons for Proposed Decision:

Not applicable .

Implementation of Decision:

Not applicable.

Appendices:

None

List of Background Papers:

The Additional Learning Needs and Education Tribunal (Wales) Act
2018

The Additional Learning Needs (ALN) Code for Wales 2021

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