

Committee: **Education and Learning Scrutiny Committee**

Date of meeting: **14th September 2021**

Report Subject: **Inclusion Strategy and Review (2021-2022)**

Portfolio Holder: **Executive Member, Councillor Joanne Collins**

Report Submitted by: **Lynn Phillips, Corporate Director of Education and
Luisa Munro-Morris, Head of School Improvement and
Inclusion**

Reporting Pathway								
Directorate Management Team	Corporate Leadership Team	Portfolio Holder / Chair	Audit Committee	Democratic Services Committee	Scrutiny Committee	Executive Committee	Council	Other (please state)
✓	26.09.21	01.09.21			14.09.21	22.09.21		

1. Purpose of the Report

- 1.1 The purpose of the report is to outline plans to review the Inclusion Service during the period of September 2021 – August 2022, particularly in light of the requirements of the Additional Learning Needs and Educational Tribunal (Wales) Act 2018 (ALNET) (referenced in this report as ALN Act). The Education Directorate's Inclusion Strategy will be subsequently reviewed in September 2022.

2. Scope and Background

- 2.1 The ALN Act provides the legislative framework for the planning and delivery of additional learning provision. The ALN Act will be supported by regulations and a statutory ALN Code. The ALN Code and operational regulations were laid before the Senedd in March 2021 to support the commencement and phased roll out of the ALN Act from September 2021. However, due to the impact of the pandemic on ensuring the relevant processes and practices are in place, this roll out has been delayed until January 2022 for nearly all pupils, except pupils who are newly identified as having ALN (those pupils who have not already been identified as having a special educational need (SEN), or are not awaiting or undergoing a SEN assessment), who will still move to the new ALN system from 1st September 2021.
- 2.2 The Welsh Government has requested that the period between September and January is used to reflect on guidance, to begin preparatory work and to ensure that transition arrangements are in place for those pupils identified SEN (School Action or School Action Plus) to the new arrangements. To support with this work, the Welsh Government will publish technical and practitioner versions of the implementation guidance early in the Autumn term, to help navigate the processes and requirements for transition to the

new system. This time will be used to review and ensure the current inclusion and additional learning needs processes in the Council are fit for purpose.

2.3 The primary reason for this report is to outline the need for the Inclusion arrangements, policies and practices to be reviewed, specifically arrangements for supporting pupils with additional learning needs, in light of guidance from the Welsh Government (early Autumn term) and in light of the ALN Act, in order to ensure the Council is compliant and can meet the needs of all our school settings and learners. It is, therefore, proposed that the Education Directorate's Inclusion Strategy is subsequently updated in academic year 2021-22 and this will feature as a report to the Education and Learning Scrutiny Committee later in the cycle of meetings for full implementation from September 2022. The Inclusion Strategy will, however, involve the following priorities:

- 2.4
- Strategic review of Inclusion services to ensure that all requirements of the ALN Act are met, including the existing ALN Panel arrangements;
 - Review the policies and practices for supporting pupils with ALN;
 - Ensuring that Inclusion resources are aligned and targeted to meet learners' needs;
 - Review of the ALN Service Level Agreement (SLA) to ensure that schools are supported to meet the needs of all their learners, particularly those with ALN;
 - Work closely with partners, including schools, in particular Tredegar Comprehensive School, and the EAS, to ensure that all schools are supported to implement all aspects of the ALN Act; and,
 - Introduce a Blaenau Gwent common approach to developing and reviewing Individual Development Plans (IDPs) for learners.

3. **Options for Recommendation**

3.1 There are two options for consideration:

3.2 Option 1: to maintain the status quo

3.3 Option 2: to agree to the review of the Inclusion Service to ensure that the requirements of the ALN Act are met, this will include reviewing relevant resourcing, structures, job descriptions and ensuring that relevant arrangements are in place to fulfil the needs of the ALN Act.

4. **Evidence of how does this topic supports the achievement of the Corporate Plan / Statutory Responsibilities / Blaenau Gwent Well-being Plan**

One of the objectives in the Blaenau Gwent Wellbeing Plan aims for every child to have the best start in life. We seek to ensure that education provision is appropriate and able to meet the needs of all children and young people, so that their progress and performance is as good as it ought to be.

5. Implications Against Each Option

5.1 Impact on Budget (short and long term impact)

- 5.1.1 Option 1: Under this option, the statutory requirements of the ACT cannot be fulfilled and whilst there are no direct financial implications in maintaining the current position, there may be indirect consequences as a result of failure to meet statutory requirements.
- 5.1.2 Option 2: (preferred option) – A review of current roles and job descriptions within the Inclusion Service for the purpose of ensuring that all requirements of the ALN Act are met. It is not anticipated there will be any additional cost pressures on the Council, specifically the Education Directorate. Full Council agreed to support a £100,000 revenue cost pressure as part of the budget setting process for financial year 2021-22 and this will be fully allocated to the new resourcing and structural requirements.

5.2 Risk including Mitigating Actions

- 5.2.1 There is a risk that without a review of the Inclusion Service, the Council will be unable to fulfil statutory duties under the ALN Act. The Inclusion service is also a key component of the Estyn LGES Inspection Framework and the service needs to be fit for purpose.

5.3 Legal

- 5.3.1 The ALN Act provides the legislative framework for the planning and delivery of additional learning provision. The ALN Act is supported by regulations and a statutory ALN Code. The ALN Code and operational regulations were laid before the Senedd in March 2021 to support the commencement and phased roll out of the ALN Act from September 2021.

5.4 Human Resources

- 5.4.1 The Education Directorate's senior management structure was agreed by Full Council in November 2020, including creating the Head of School Improvement and Inclusion role. This post has been filled on a secondment basis in academic year 2021, however, a permanent appointment has been made and will start on a full-time basis in September 2021. Therefore, the review of the Inclusion service is timely with the new Head of Service in place. From a HR perspective, the two options detailed in the report have the following implications;
- 5.4.2 Option 1 – Under this option, the statutory requirements for ALN will not be fully met.
- 5.4.3 Option 2 – A review of the Inclusion Service is needed to fulfil the requirements of the ALN Act.
- 5.4.4 Discussion has taken place with OD for advice and guidance on the review of the Inclusion Service. The vacant Service Manager – Inclusion post is

currently going through the recruitment process, with a view to appointing early in the Autumn term.

6. Supporting Evidence

6.1 Performance Information and Data

6.1.1 The ALN Act will place additional responsibilities on members of the Inclusion team, including time needed to manage new IDP processes, gathering information, coordinating and running IDP meetings as well as the completion of statutory paperwork following IDP meetings and reviews. The initial IDP process involves a Person Centred Review meeting to confirm the child has ALN which requires additional learning provision. If agreed the Council has 12 weeks to gather necessary reports from all services involved, including the child and finalise an IDP.

6.1.2 All IDPs require an Annual Review, although those holding parental responsibility can call an early review if they wish. The Annual Review will need to take into consideration updating a Personal Education Plan, for pupils who are looked after (CLA pupils), and updating the IDP for all pupils. There can be significant planning required to identify suitable provision to meet the needs of pupils as identified in the IDP.

6.2 Expected outcome for the public

6.2.1 Pupils with additional learning needs are provided with high quality education, appropriate to their educational needs, to ensure they have the best chance of reaching their potential and improving their life chances.

6.3 Involvement (consultation, engagement, participation)

6.3.1 Welsh Government have carried out a full consultation on the ALN Act and Code.

6.4 Thinking for the Long term (forward planning)

6.4.1 The implementation date of the ALN Act and Code is from September 2021, although for most pupils this will now be from January 2022.

6.5 Preventative focus

6.5.1 Planning for the implementation of the ALN Act and Code will ensure that the statutory requirements for pupils with additional learning needs are met and that they have the best chance of fulfilling their potential.

6.6 Collaboration / partnership working

6.6.1 A review of the Inclusion Service will include collaboration and partnership working with Headteachers, ALNCOs, Pen y Cwm, in their capacity of managing the ALN SLA, Tredegar Comprehensive, in its capacity of

supporting senior leaders to implement the requirements of the Act, the EAS and relevant partners across the region.

6.7 **Integration (across service areas)**

6.7.1 The Head of School Improvement and Inclusion will take the strategic lead on relevant panels including the Complex Case Panel and Sensory and Communication Service to ensure appropriate information sharing. There will be monthly Inclusion team meetings, to ensure appropriate information sharing. All members of the inclusion team will be consulted and their opinions sought at all stages of the review process. The Head of School Improvement and Inclusion will work closely with the Service Manager-Education Transformation and Business Change and the Service Manager-Young People and Partnerships to ensure that the needs of all schools and learners are met.

6.8 **Decarbonisation and Reducing Carbon Emissions**

6.8.1 In all areas of review of provision for pupils with ALN, decarbonisation and reducing carbon emissions will be a priority consideration. For example, grant funding has been applied for to create new provision in Pen y Cwm, or another site, with the aim of supporting with information gathering as part of the IDP process, consideration will be given to the creation of this room in terms of materials used.

6.9a **Socio Economic Duty Impact Assessment** (complete an impact assessment to consider how the decision might help to reduce the inequalities of outcome associated with socio-economic disadvantage).

6.9b. **Equality Impact Assessment** (screening and identifying if full impact assessment is needed)

Ensuring that the Council are able to meet their requirements under the Act will ensure that the needs of all learners are able to be met.

7. **Monitoring Arrangements**

7.1 This work will be monitored e.g. through both the professional and political reporting management arrangements, including;

- Implementation of OD review processes;
- Consultation meetings with key stakeholders;
- Council/Directorate performance management arrangements; and,
- Reports to Scrutiny and Executive Committees.