

Committee: **People Scrutiny Committee**
 Date of meeting: **30th September 2022**
 Report Subject: **Review of Inclusion/ALN Strategies, Policies and Practices**
 Portfolio Holder: **Cllr. Sue Edmunds, Executive Member for People-Education**
 Report Submitted by: **Lynn Phillips, Corporate Director of Education**
Luisa Munro-Morris, Head of School Improvement and Inclusion

Reporting Pathway								
Directorate Management Team	Corporate Leadership Team	Portfolio Holder / Chair	Governance & Audit Committee	Democratic Services Committee	Scrutiny Committee	Executive Committee	Council	Other (please state)
✓	08.09.22	16.09.22			30.09.22	14.10.22		

1. Purpose of the Report

- 1.1 The purpose of the report is to provide Members of the People Scrutiny Committee with an opportunity to consider the Inclusion/ALN Strategies and service policies and practices, in line with the Additional Learning Needs (ALN) and Educational Tribunal (Wales) Act 2018 and the associated ALN Reforms.
- 1.2 The strategies, policies and guidance will be taken through the democratic governance process, prior to re-issuing these policies to Governing Bodies for adoption by schools.

2. Scope and Background

- 2.1 The Education Directorate’s purpose is to deliver ‘Better Schools, Better Citizens and Better Communities’ through child centred approaches and supporting learners with ALN is fundamental to improving life chances for our children and young people. A previous report, presented to the Education and Learning Scrutiny Committee in September 2021, outlined plans to review the Inclusion Service during the period September 2021 – August 2022, in line with ALN Reform.
 - 2.1.2 The ALNET (Wales) Act 2018 replaces the terms ‘special educational needs (SEN)’ and ‘learning difficulties and/or disabilities (LDD)’ with the new term ‘Additional Learning Needs (ALN)’. All children and young people with ALN regardless of the severity or complexity of their learning difficulty or disability will be entitled to a statutory support plan called an ‘Individual Development Plan’ (IDP). Children and young people with ALN will receive support called additional learning provision (ALP), which will be set out in their IDP.
 - 2.1.3 It is anticipated that the new ALN system will be fully implemented over a three-year period. The implementation period is expected to run from September 2022 to August 2025. However, Welsh Government is yet to publish its revised implementation timetable following its decision to delay its original implementation over three years from September 2020. Within the previous report, presented to the Education and Learning Scrutiny Committee alongside

policy review, the practices of the Inclusion Service were also to be considered, with the additional foci identified:

- i. ALN Panel arrangements and criteria;
- ii. ALN Act Reform and Implementation Lead (Tredegar Comprehensive);
- iii. Developing IDPs;
- iv. Review of ALN Service Level Agreement; and,
- v. Partnership Working.

2.2 Review of Inclusion/ALN Strategies, Policies and Guidance

- 2.2.1 Most of the previous inclusion policies pre-date the ALNET Act and its associated reforms but outline the Council's approaches and processes for ensuring the needs of vulnerable and disadvantaged pupils are met. The Education Directorate are prioritising renewed inclusion, equity and diversity approaches, in line with ALN Reforms.
- 2.2.2 The most significant documents that required review were the former Special Educational Needs (SEN) Policy, now replaced by the Additional Learning Needs (ALN) Strategy, and the Inclusion Strategy (**Appendix 1 & 2**). The draft strategies now require the consideration of Members and democratic governance, prior to adoption by schools' Governing Bodies.
- 2.2.3 The ALN Reform Working Party, consisting of LA Officers and Headteachers from across all sectors, agreed that certain policies should be 'merged', with the creation of revised strategies for discrete areas. The ALN Reform Working Party is led by the Head of School Improvement and Inclusion. Moving forward, the LA/ Headteacher Working Group (HWG) will continue to review existing policies on a themed basis e.g., wellbeing/relationships/behaviour/vulnerable pupils.
- 2.2.4 It is appropriate that the review of existing policies/guidance is on-going, especially considering the WG's requirements for ALN implementation; therefore, the draft versions are attached as (**Appendix 3**). The main policies and guidance that have been updated include:
- Educated Other Than At School (EOTAS);
 - Traveller Attendance Guidance;
 - Pregnant School Girls Guidance;
 - Reduced Timetables Policy;
 - Hard To Place Protocol;
 - Positive Relationships and Behaviour Policy;
 - Admissions Guidance;
 - Education Of Children and Young People With Medical Needs;
 - Exclusions Guidance;
 - Managed Move Protocol;
 - Pastoral Support Guidance;
 - Children Looked After (CLA) Policy; and,
 - Wellbeing in Education - Good Practice Guidance.

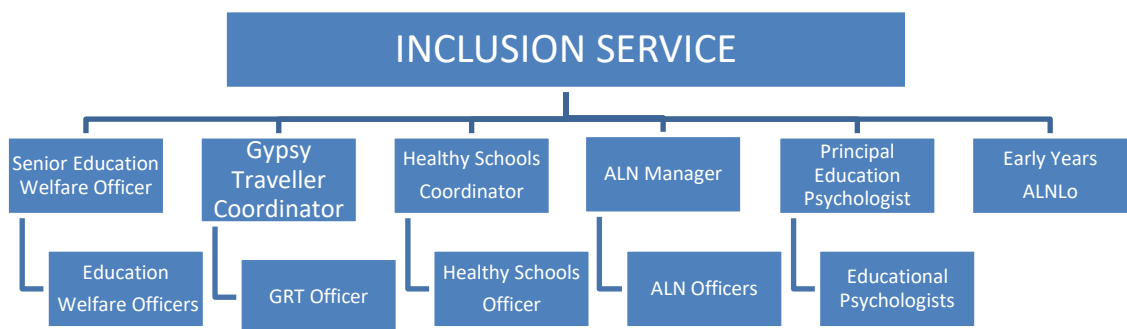
2.5 Review of Practice

2.5.1 The current Inclusion Service is comprised of the following teams and members of staff, directly employed by the LA:

- The Educational Welfare Service (EWS)
- Gypsy Roma Travellers Coordinator
- Healthy Schools Coordinator
- ALN Team
- The Educational Psychology Service (EPS)
- Early Years Additional Learning Needs Lead Officer* (Sept 2022)

2.5.2 Apart from the EPS, the teams are line-managed by the Service Manager – Inclusion who, in turn, reports to the Head of School Improvement and Inclusion. The structure is shown in Table 1 below.

Table 1



2.6 ALN Panel Arrangements and Criteria

2.6.1 The Additional Needs Panel (ALN) Panel manages the statutory assessment processes; resource base placement; special school placement - revolving door and longer-term placements; early years and complex moves into county, additional support, and requests for specialist medical equipment. ALN Panel also ensures that all decisions taken regarding ALN provision and the placement of pupils is consistent and monitors the availability of resource base places and budget balances. Significantly, the panel meetings provide an open forum for discussion regarding Additional Learning Provision (ALP) for learners in Blaenau Gwent.

2.6.2 In considering curriculum and ALN reform, the criteria for placement in a specialist setting has been reviewed in 2021/22. Headteachers and schools were part of the consultation, as were the members of the Headteachers' ALN Working Party. A draft version is now in place for 2022/23, with a view to finalising the criteria once assessment and progression in the new Curriculum for Wales is determined by Welsh Government.

2.6.3 The Interim Service Manager – Inclusion has, however, been liaising with GL Assessment to secure a bespoke package of assessment tools that will assist schools in the early identification of the needs of individual children and young

people. The range of diagnostic assessments available will, inevitably, influence the decisions made at ALN Panel and will form part of the revised entry and exit criteria to the LA's specialist provisions.

2.6.4 The ALN Reform agenda has made it clear that some learners will not fall within the criteria for ALN Panel determination, but still have learning or other identified needs. In these circumstances, the Inclusion team has established a Vulnerable Learners' Panel (VLP). This group of key stakeholders will assess the learners' requirements and secure appropriate provision. The panel will be led by the Service Manager-Inclusion with the close support of the Senior Education Welfare Officer. There are clear links between the work of the VLP group and the ALN Panel to ensure that all learners needs are met in a systemic and comprehensive way across the board. The VLP protocol is attached as **(Appendix 4)** within the report.

2.7 ALN Reform - Local Authority Implementation

2.7.1 Within the SEWC region, each LA has chosen to support schools in the ALN Reform Implementation Phase in different ways. Blaenau Gwent brokered a collaboration with Tredegar Comprehensive school to take on the role of LA Implementation Lead for schools. The Phase 1 work in association with Tredegar Comprehensive has concluded and an Evaluative Summary has been produced outlining the current implementation position in **(Appendix 5)**.

2.7.2 The report highlights the considerable progress schools across the LA have made in implementing the ALN reforms. However, the following four recommendations were highlighted for the next stages of implementation:

- Headteachers to address the highly variable time allocation for ALNCOs to fulfil their now statutory role;
- The significant concerns around the significant delay in the development of 'Rising 3s' Speech, Language and Communication (SLC) skills, which impacts upon learning in later years, especially reading and literacy;
- Continued support for the development, maintenance, and quality assuring of school based IDPs; and,
- The LA's ALN Reform Lead and ALN Champions to lead cluster work, support schools, and monitor universal/targeted/specialist provision.

2.7.3 The LA's Head of School Improvement and Inclusion will strategically lead this work in conjunction with the HWG in taking forward these recommendations from September 2022.

2.8 Development of Individual Development Plans (IDPs)

2.8.1 Importantly, to support schools in implementing the statutory requirements of the ALN Act and Code, the ALN Manager and ALN Officers have already actioned the following:

- In Partnership with the other LAs in SEWC region, developed the 'Barriers to Learning' Matrix, for schools to use to identify needs and whether those needs can be met through Universal, Targeted or Specialised support.

- Developed a new ‘Graduated Response’ to meeting children’s needs.
- Developed a statutory workflow for both schools and the Local Authority.
- Provided schools with the statutory letters and leaflets to send to parents/carers at every point of the process.
- Each cluster and school have been allocated a member of the ALN team as their link for IDP support.

2.9 Review of ALN Service Level Agreement

2.9.1 During the Spring and Summer terms 2022, the Interim Service Manager – Inclusion worked closely with the ALN Service to change how the team support schools in meeting the requirements of ALN reforms and implementation. Following a review of the service and its previous practices, the ALN Service has since been renamed the Inclusive Practice Service (IPS), to reflect the move from working with individual pupils to providing support and advice for all school-based staff.

2.9.2 The renewed focus of the IPS Service is anticipated to contribute to schools’ strategic development, ensuring effective implementation of the ALNET Act (2018) and ALN Code (2021). The service will also support schools in the development and effective delivery of a continuum of Additional Learning Provision (ALP) for children and young people with an Additional Learning Need (ALN). This will be complementing the LA’s work in reviewing all the Special Needs Resource Bases (SNRBs), to ensure the specialist provision across the County Borough is meeting the needs of those learners in Blaenau Gwent who have the most complex additional learning needs. The review of Resource Bases will be concluded in September 2022.

2.10 Partnership Working

2.10.1 To date, the regional focus of EAS and support for the LA has been predominantly well-being, and their input into ALN Reform from a school improvement stance has been limited. The EPS and Healthy Schools Coordinator have worked closely with the Well-Being Lead from the consortium, ensuring Welsh Government funding for developing Whole School Approaches (WSA) to Well Being is used effectively. However, the EAS is also supporting the LA in reviewing all the Special Needs Resource Bases (SNRBs), to ensure the specialist provision across the County Borough is meeting the needs of those learners in Blaenau Gwent who have the most complex additional learning needs.

3. **Options for Consideration**

3.1 This report will be discussed by Education DMT and CLT prior to submission to the People Scrutiny and Executive Committees. This report provides the Committee with important strategy/policy renewal information, as well as the opportunity to identify where progress has been made in implementing ALN reforms and where further developments are required

3.2 **Option 1:** to accept the report as presented and the attached strategies/policies and guidance; or,

- 3.3 **Option 2:** Members are requested to scrutinise the information detailed within the report and contribute to the on-going review of the effectiveness of the Inclusion Service's strategies/policies and guidance by making appropriate suggestions and/or recommendations to the Executive Committee.
4. **Evidence of how this topic supports the achievement of the Corporate Plan / Statutory Responsibilities / Blaenau Gwent Well-being Plan**
- 4.1 One of the objectives of the Blaenau Gwent Well-being Plan aims for every child to have the best start in life. The Education Directorate seeks to ensure that provision is appropriate and able to meet the needs of children and young people, so that their progress and performance improves.
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 ALNET Act and ALN Code may not be fulfilled. 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 needs.
- 5.1.2 Option 2: In addition to Welsh Government funding allocated directly to schools to support with the implementation of ALN reforms, the LA has been allocated an additional funding of £215,000. The additional funding is to provide high quality education and to improve pupil outcomes for all learners with an additional learning need. Specifically, the funding should focus on improving additional learning provision, increased provision for complex needs and Mental Health and Wellbeing support.
- 5.1.3 On-going review of the Inclusion Service will also determine whether there is a need for additional capacity for the local authority to undertake its enhanced statutory duties under the ALNET Act, to ensure that all children and young people aged 0-25 in Blaenau Gwent receive high quality ALN provision.
- 5.2 **Risk including Mitigating Actions**
There is a risk that without an on-going review and refinement of the Inclusion Service with an increased focus on ALN, the Council will be unable to fulfil its 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, with clear lines of accountability and responsibility. The risk mitigation will be managed through the Education Directorate's Risk Register and the operational work of the Headteacher Working Group/ALN Reform Working Party, led by the Head of School Improvement and Inclusion.
- 5.3 **Legal**
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 of Practice. 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, this roll out was delayed initially until January 2022 by Welsh Government, with a further extension of September 2022 being granted.

5.4 **Human Resources**

There are no direct HR/OD implications associated with this report at present. However, it is intended to establish a cross-directorate corporate Inclusion, Equity and Diversity Strategic Board to create collective ownership as well as distributed leadership for self-evaluation across the board corporately across all the Council. From November 2021 to August 2022, the Service Manager – Inclusion post was filled on an interim basis. However, a permanent appointment has now been made, and the new Service Manager – Inclusion started on a full-time basis in September 2022. Furthermore, the statutory role of Early Years Additional Learning Needs Lead Officer (EYALNLo) was finalised in June 2022 and a permanent appointment made. The EYALNLo joined the Education Directorate in September 2022 and will be part of the Inclusion Service structure, supporting pre-school settings and nursery classes within mainstream schools in the implementation of ALNET Act and its associated reforms.

6. **Supporting Evidence**

6.1 **Performance Information and Data**

The Inclusion Service uses an array of performance information and data to inform provision. This will be complemented through the GL Assessment work to secure a bespoke package of assessment tools that will assist schools in the early identification of potential children with additional learning needs. The range of diagnostic assessments available will allow schools to identify individual potential learning needs, and to implement early intervention and support for those learners.

6.2 **Expected Outcome for the Public**

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)**

The Directorate's approach to ALN reform and implementation is aligned with approaches adopted by other LAs in the regional ALN groups. The SEWC Inclusion Leads meet monthly to share best practice and ideas for the monitoring, support, and evaluation of ALN reform in their respective schools.

6.4 **Thinking for the Long term (forward planning)**

Since January 2022, the ALNET Act and ALN Code have been statutory with a new mandated cohort of learners needing to move to the new system in the academic year 2022/23.

6.5 **Preventative Focus**

Planning for the implementation of the ALN Act and Code will ensure that the statutory requirements for pupils with additional learning needs are met.

6.6 **Collaboration / Partnership Working**

6.6.1 The Council collaborates with key strategic partners and neighbouring local authorities through the South-East Wales Consortium for the provision of school improvement services from the Education Achievement Service (EAS) as well as a range of pupil support services for specific groups such as visually and hearing-impaired learners.

6.6.2 The ongoing review and refinement of the Inclusion Service, including closer collaboration with key partners in Phase 2 of ALN Implementation including:

- Headteachers and ALNCoS in schools
- The Inclusive Practice Service
- EAS
- WG
- Other relevant partners across region e.g., Inclusion Leads, ABUHB

6.7 **Integration (across service areas)**

The Head of School Improvement and Inclusion takes the strategic lead on relevant cross-directorate panels to ensure appropriate information sharing. The Head of School Improvement and Inclusion and the Service Manager – Inclusion will work closely with the other Service Managers within the Education Directorate and across the Council to ensure the needs of all schools and learners are met.

6.8 **Decarbonisation and Reducing Carbon Emissions**

In all areas of review of provision for pupils with ALN, decarbonisation and reducing carbonisation will be a priority consideration.

6.9 **Integrated Impact Assessment**

An Integrated Impact Assessment will be undertaken during the assessment.

7. **Monitoring Arrangements**

7.1 This work will be monitored through both the professional and political reporting management arrangements, including:

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

Background Documents / Electronic Links

Appendix 1 – The Inclusion Strategy 2022-24

Appendix 2 – The ALN Strategy 2022-24

Appendix 3 – Additional Policies 2022

Appendix 4 – Vulnerable Learner Panel (VLP)

<https://gov.wales/additional-learning-needs-and-education-tribunal-wales-act>

<https://gov.wales/the-additional-learning-needs-code-and-regulations>