

Committee: **Cabinet**

Date of meeting: **4<sup>th</sup> October 2023**

Report Subject: **Inclusion and ALN Strategy/Policies/Guidance (review and amendments)**

Portfolio Holder: **Cllr. Sue Edmunds, Cabinet Member for People and Education**

Report Submitted by: **Luisa Munro-Morris – Interim Corporate Director of Education**

Reporting Pathway								
Directorate Leadership Team	Corporate Leadership Team	Portfolio Holder / Chair	Governance Audit Committee	Democratic Services Committee	Scrutiny Committee	Cabinet	Council	Other (please state)
√	√	07.09.23			19.09.23	04.10.23		

## 1. Purpose of the Report

- 1.1 The purpose of the report is to present the reviewed Inclusion and Additional Learning Needs (ALN) strategies, policies, and guidance (documentation), appended to this report, in order to provide the opportunity for members to feedback. The ALN Strategy and subsequent policies and guidance documents have been reviewed in line with the ongoing ALN implementation of the Additional Learning Needs and Education Tribunal (ALNET) legislation, new Welsh Government guidance for Elective Home Education (EHE), and to further support in areas of EOTAS/Exclusion and Attendance. The updates will support the Local Authority in utilising their statutory powers where necessary.
- 1.2 The strategy, policies and guidance documents are being presented for consideration, prior to re issuing to school Governing Bodies for adoption.

## 2. Scope and Background

- 2.1 Members will be aware that some of the included documents were presented last Autumn (2022). Moving on from the previous adoption of policies, the Welsh Government has now further updated some of its own guidance and legislation and ALN implementation has been underway. The attached strategy, policies and guidance documents have been reviewed and amended in line with those updates. This ensures that Blaenau Gwent Council's documentation is up to date and is reflective of the Welsh Government's guidance and legislation.

- 2.2 During the November 2022 Estyn inspection of the Education Directorate (LGES), it was suggested that the Local Authority engage with key stakeholders when reviewing and amending policies as they are of direct interest to them. Following the suggestion by Estyn several sessions were set up commencing January 2023 for the purpose of reviewing policies to which key stakeholders were subsequently invited. However, given the initiation of Action Short of Strike (ASOS) the sessions have not been attended by key stakeholders (Headteachers) across Blaenau Gwent; this has resulted in documentation related to Inclusion and ALN being reviewed only by Local Authority Staff. However, these staff have been from cross directorate so as not to limit to education officers only – education and social services have been engaged across the service areas.

The Local Authority, in line with the ALNET legislation and implementation, are currently developing the Post 16 ALN Guidance and Process Documentation. This is currently work in progress, which is reflective of all SEWC local authorities.

### 3. **Options for Recommendation**

- 3.1 The People Scrutiny Committee considered the report at its meeting on 19<sup>th</sup> September 2023, and the Scrutiny Committee agreed to recommend Option 2 to Cabinet, owing to there being no consultations with Headteachers and therefore, Members felt that as a result the policies may not be fit for purpose.
- 3.2 **Option 1** – to consider and approve, the reviewed and amended documents giving consideration that only Local Authority officers have been involved and engaged in the process. This will ensure that the documents are re distributed to key stakeholders with the inclusion of the most up to date changes to national guidance and legislation; this will allow LA processes and statutory functions to align.

**Option 2** – to reject and not approve, the reviewed and amended documents and continue with them in Draft with the option of setting up further sessions for engagement with stakeholders. However, the impact of this will be that the LA and our schools will not be obligated to follow the draft versions and may revert to the older versions of documentation. This may impact on learners and the LA processes being negatively affected as they will not be aligned with Welsh Government guidance. The LA and schools would also be lagging behind other authority areas.

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

- 4.1 The local authority's Education Directorate has a vision of schools becoming self-led and self-improving with a purpose of creating better schools, better citizens for better communities. In order to meet these objectives, the local authority has a duty to support its schools, to carry out the statutory functions in regard to ALN and Inclusion; the ALN (ET) Wales 2018 and the

ALN Code of Practice (2021) is the legal framework by which the local authority and schools must execute their duties. The Inclusion Service contributes to the Blaenau Gwent wellbeing plan through supporting learners to overcome barriers. The local authority will also align its support work to schools and learners within Welsh Government national guidance around areas including absences, exclusions, and elective home education.

## 5. **Implications Against Each Option**

- 5.1 *Impact on Budget-* N/A – all recent and additional support posts within inclusion (to support the changes in policy/legislation) are fixed term and funded via grants.
- 5.2 *Risk-* If the local authority does not adopt the new reviewed and updated policies and guidance there is a risk that BG Council will not be working in alignment with Welsh Government guidance and other neighbouring local authorities.
- 5.3 *Legal* – The council has statutory functions to execute, and this is supported by the new reviewed and updated policies and guidance.
- 5.4 Human Resources – N/A

## 6. **Supporting Evidence**

- 6.1 *Performance Information and Data-*  
There are 25 schools across Blaenau Gwent and of these, 7 schools have resource base provision attached and 2 are special schools. There are 22 early years settings to which the EY ALN Policy relates. ALN implementation work is ongoing and via forums and staff survey it is apparent that ongoing support is needed to ensure the local authority is ALNET compliant. There is also ongoing support across all of our schools and for learners who are EOTAS or EHE in regard to attendance and exclusion – all of which are priority areas for the LA in 23/24.
- 6.2 *Expected outcome for the public-* Should the reviewed and amended documents be re distributed to schools; it will have a direct positive effect on the learners of Blaenau Gwent. As a result of this in turn the learners and their families should experience positive outcomes. The documentation is directed related to supporting schools and providing advice and guidance on the most appropriate way to support our learners, promotion of inclusion across all settings and executing the ALN legislation where necessary.
- 6.3 *Involvement (Consultation, engagement, participation)-*  
Feedback from ALN forum meetings, Cluster meetings and ALN 'readiness' questionnaire. Discussions with head teachers earlier in the academic year 22/23.
- 6.4 *Thinking for the long term-* Appropriate intervention, support and guidance to schools and settings is crucial in ensuring smooth implementation of the

ALN Legislation and to enable our learners to attend school/receive an education and reach their full potential.

- 6.5 *Preventative Focus*- Prevention of learner's needs not being met or the initiation of the Inclusive Practices/ALN processes.
- 6.6 *Collaboration/Partnership Working*- Blaenau Gwent Local Authority Inclusion Service works in collaboration with a range of stakeholders concerned with learners and their families. The attached documentation will support our Early Years settings (maintained and non-maintained), schools and staff with an anticipated outcome of indirect positive impact on the learners going forward.
- 6.7 ***Integration (across service areas)***  
All of the attached policies and guidance link across service areas i.e. Education Welfare Service, Gypsy Roma Traveller, Additional Learning Needs and Early Years Additional Learning Needs.
- 6.8 ***Decarbonisation and Reducing Carbon Emissions***  
**N/A**
- 6.9 ***Integrated Impact Assessment (IIA)***  
See Appendix 8.

## 7. **Monitoring Arrangements**

- 7.1 The School Improvement and Inclusion Team have a joint Business Plan which includes ALN, EWS and GRT services as key priorities. The work streams will be measured against the business plan priorities and reporting for the end of each quarter will be undertaken to monitor the progress.

## **Background Documents / Electronic Links**

[Additional Learning Needs and Education Tribunal \(Wales\) Act | GOV.WALES](#)

[The Additional Learning Needs Code | GOV.WALES](#)

[https://www.gov.wales/sites/default/files/consultations/2023-06/consultation-document-belonging-engaging-and-participating-guidance\\_0.pdf](https://www.gov.wales/sites/default/files/consultations/2023-06/consultation-document-belonging-engaging-and-participating-guidance_0.pdf)

<https://www.gov.wales/sites/default/files/publications/2023-05/elective-home-education-guidance-may-2023.pdf>

## **Appendices:**

1. Inclusion Strategy 2023
2. ALN Policy 2023
3. ALN Early Years Guidance and Process 2023
4. Elective Home Education (EHE) Policy 2023
5. Educated Other Than at School (EOTAS) Policy 2023
6. Exclusion Guidance 2023
7. Attendance Policy 2023
8. Integrated Impact Assessment