

Additional Learning Needs Policy

(ALN)

2023-24

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1. Executive Summary

The ALN Policy defines Caerphilly Local Authority's approach, objectives, and plans (when applying the law under the Additional Learning Needs and Education Tribunal (Wales) Act) to support schools to meet the needs of children and young people with additional learning needs (ALN) to overcome barriers and challenges to enable them to reach their full potential.

The policy sets out the national context for meeting the needs of all learners as outlined in *Our National Mission – High Aspirations and standards for all 2023* and the Additional Learning Needs and Education Tribunal Act (ALNET) Act. Both outline the need to work in partnership to ensure that all learners are inspired, motivated, and supported to reach their potential and that every learner has access to an education that meets their needs and enables them to participate in, benefit from, and enjoy learning. The duties placed on Local Authorities by the Act and the Additional Learning Needs Code, are highlighted in this policy.

The local context demonstrates how Caerphilly's ALN policy is supported by the aims and objectives identified in wider local authority strategies. The holistic view that Caerphilly Local Authority (LA) has taken to understand how key issues in children's early years, such as poverty and exposure to Adverse Child Experiences (ACEs), can affect attainment is outlined. Within this context, the LA's focus is on:

- improving the provision and outcomes for vulnerable groups of learners;
- early intervention; reducing the rates of exclusions (as these impact upon pupil attainment and outcomes);
- securing excellence in learner well-being;
- ensuring that the LA and schools are compliant with the Additional Learning Needs and Education Tribunal Act

Definitions of Additional Learning Needs (ALN) and Disability are provided. The principles underpinning the ALN system are discussed and the importance of including children and young people in decisions which affect them are highlighted, as this can contribute to better outcomes for them.

The key partnerships with the Education Achievement Service (EAS), local and regional services, schools and other educational settings are set out to emphasise the importance in facilitating high quality support and provision and developing the knowledge and skills of school staff to effectively support children with additional learning needs.

The roles and responsibilities of schools and early years settings (including the governing body, senior leadership team, additional learning needs coordinator and teachers) and the Local Authority (LA) with respect to the duty outlined in the Additional Learning Needs Act and Code to: identify whether a child or young person has additional learning needs, prepare, maintain and transfer an Individual Development Plan (IDP), Partnership/Dispute resolution, Safeguarding and Monitoring, Evaluation and Review are highlighted.

Finally, the range of training to support pupils with additional learning needs that the LA and its key partners can provide to schools is outlined and a full set of supporting appendices is provided.

2. Context

National Context:

All learners must be supported to be emotionally and physically ready to learn in a safe and supportive environment. Equity requires that we ensure that the system, at settings, local and national level takes account of and responds to the unique challenges that present themselves to individuals or groups of learners. The LA will strengthen partnership working to improve the early childhood experiences of children and ensure a widespread understanding of the importance of the first thousand days in a child's life. The LA's twenty-first century curriculum will help schools focus effectively on learner well-being, equity, and excellence. Each learner must be respected and challenged to achieve the best that they are capable of, including our most able learners, while being supported to overcome barriers that inhibit their learning. Children and young people who have strong relationships and a positive sense of self and who can understand and manage their own health and emotions, are in a better position to reach their full potential in the future.

Working in partnership, the LA are determined that no challenge should prevent any learner from reaching their potential, including those learners who experience several Adverse Childhood Experiences (ACEs).

(Education in Wales: Our National Mission Action Plan 2017 – 21)

The Additional Learning Needs and Education Tribunal (Wales) Bill was passed by the National Assembly for Wales on 12 December 2017 and became an Act on 24 January 2018 after receiving Royal Assent.

There is a clear duty on local authorities to favour education at mainstream maintained schools.

The power of local authorities to secure additional learning provision (ALP) at independent schools will be limited.

The Welsh Government (WG) is committed to ensure that all leaners are inspired, motivated, and supported to reach their potential. Every learner should have access to an education that meets their needs and enables them to participate in, benefit from, and enjoy learning.

The Act places a range of duties on local authorities in relation to ALN which can be grouped as follows;

- Specific duties in relation to individual learners (usually those in their area) such as duties to maintain IDPs for some learners (including learners who are dual registered and those with more complex needs).
- General duties – to support the functioning and effectiveness of the additional learning needs system – including the duty to provide information and advice and to keep additional learning provision under review.
- Local authorities will be directly responsible for meeting the needs of children and young people with the most complex and/or severe needs, those who do not attend a maintained school or further education providers in Wales (including those below school age).
- To have due regard to the United National Convention on the Rights of the Child (UNCRC) and United Nations Convention on the Rights of Persons with a child or young person. (It provides guidance on actions local authorities and NHS bodies might consider taking when discharging these duties).

The ALN Code has been in place from 2021. This imposes a duty on local authorities, early years settings, schools, Education Other Than At School (EOTAS) settings and further education providers to determine whether children and young people aged 0-25 have ALN, which calls for ALP. Once a school or setting has decided that a learner has ALN, it must prepare an IDP for that learner. Where emerging needs are identified particularly in young children this does not necessarily require an identification of an additional learning need but may require early intervention.

The Code will set out the general principles underpinning the additional learning needs system which are reflected in the 2018 Act.

- A rights-based approach where the views, wishes and feelings of the child or the child's parent(s) / carers are central to the planning and provision of support; and the child, child's parent are enabled to participate as fully as possible in the decision-making process.
- Early identification intervention and effective transition planning where needs are identified and provision put in place at the earliest opportunity, and transitions are planned in advance.
- Collaboration where all those involved in planning and providing support to children and young people with ALN should work in the best interests of the child or young person.
- Inclusive education where children and young people are supported to participate fully in mainstream education, wherever feasible, and a whole setting approach is taken to meeting the needs of learners with ALN.
- A bilingual system where all reasonable steps are taken to deliver additional learning provision in Welsh for children and young people who require support through the medium of Welsh, with scope for increasing the delivery of ALP in Welsh over time.

In following the additional learning needs legislation and guidance the Local Authority will also be mindful of other relevant legislation and guidance such as the United Nations Convention on the Rights of the Child, The Social Services and Wellbeing Act, The Equalities Act, The Curriculum for Wales, The Whole School Approach to Emotional and Mental Wellbeing and School Standards and Framework Act 1998.

Local Context:

This policy is supported by the aims and objectives identified in wider local authority strategies including the Caerphilly County Borough Council (CCBC) Corporate Plan (2018-2023), Service Improvement Plan (2023), Education Achievement Service (EAS) Business Plan (2023 – 2025), Caerphilly Council Well-being Objectives (2018-2023), Education Strategy (2022 - 2025), Inclusion Strategy and Compendium, Education Other than at School (EOTAS) Strategy, Not in Education, Employment or Training (NEETS) strategy, Digital Strategy and WESP (2023-2024).

Objectives that relate to this includes to:

- Raise the standards of attainment.
- Support those who are not able to follow a traditional attainment path.
- Improve the learning environment.
- Improve skills for a digital age.
- Support learning that enables young and adult employment opportunities.
- Safeguard all children and young people in order to create a climate for learning, particularly for those most vulnerable.

The LA takes a holistic view of education such as understanding issues in children's early years and aspects like poverty and how they can affect attainment. Much has been done to develop a multi-agency approach and learn from relevant research, such as work on adverse childhood experiences.

The LA will be looking at how it can help those who are more vulnerable and unable to access a traditional pathway, as well as provide learning for young people and support for adults, whether that is to provide more skills or opportunities into employment. This objective is about preventing longer term problems for future generations that are associated with low skills and lack of learning opportunities.

(***Caerphilly County Borough Council – Corporate Plan 2018 – 2023***)

The Local Authority is committed to the delivery of statutory education for children and young people, alongside providing support and guidance to families to provide opportunities for those children and young people to achieve within their schools and communities. It provides opportunities for children and young people to improve their life chances by gaining qualifications and supports them into sustainable employment.

The education directorate will focus on:

- Improving the provision and outcomes for vulnerable groups of learners
- Early intervention
- Reducing the rates of exclusions, therefore impacting upon pupil attainment and outcomes
- Securing excellence in learner well-being
- Ensuring that the Local Authority is fully compliant with the Additional Learning Needs and Tribunal Act 2018.

Exceptionally it is recognised that for a small minority of children and young people with severe and complex needs, alternative provision arrangements will need to be identified. Within the LA there is a continuum of specialist provision that includes Trinity Fields School and Resource Centre (main school and satellite provision), which is an additional learning needs centre of excellence, also there are specialist resource bases attached to mainstream schools. These facilities are appropriately resourced to meet the needs of children and young people with more significant additional learning needs including those that are educated through the medium of Welsh.

The LA believes that for the majority of children and young people the best place to undertake their education is in their local mainstream school. It is recognised that schools have to respond to a diverse range of pupil need and they may require help and support from other agencies, including the Local Authority. There will be a small but significant group of children and young people who may be unable to be educated in school at a given point in their life. Where a child is not electively home educated, a key priority for the LA is returning these children to school as soon as they are able to do so; therefore, Education Otherwise Than At School (EOTAS) provision is not to be considered as a long term solution. The Local Authority education other than at school strategy and associated policies and guidance provide further detail regarding the approach taken by the Local Authority in this area.

(A full list of specialist provision within the Caerphilly Borough is attached – Appendix 1)

3. Definitions

Additional Learning Needs (ALN):

As noted by Senedd Research (2021) the definition for ALN is essentially the same as for special educational needs (SEN). This is:

- the learner has a significantly greater difficulty in learning than the majority of others of the same age (that cannot be addressed solely through differentiated teaching); or
- the learner has a disability (for the purposes of the Equality Act 2010) which prevents or hinders them accessing education or training that is generally provided for others of the same age; and
- the learning difficulty or disability calls for Additional Learning Provision (ALP).

The definition of ALN is slightly broader than that of SEN in that it makes specific reference to learning difficulties or disability that arises due to a medical condition. The definition also includes a general reference to disability and the Equality Act 2010.

(s.6 of the Equality Act 2010)

A person has a disability if a) the person has a physical or mental impairment, and b) the impairment has a substantial and long-term adverse effect on the person's ability to carry

out normal day-to-day activities. A reference to a disabled person is a reference to a person who has a disability.

The definition of additional learning provision forms part of the definition of ALN but is widened by reference to mainstream further education institutions because the ALNET Act applies to young people who are learners in further education institutions. In addition, there has been a change to age as there is no formal education below the age of three.

ALN as defined within the ALN Code:

(1) A person has additional learning needs if he or she has a learning difficulty or disability (whether the learning difficulty or disability arises from a medical condition or otherwise) which calls for additional learning provision.

(2) A child of compulsory school age or person over that age has a learning difficulty or disability if he or she—

(a) has a significantly greater difficulty in learning than the majority of others of the same age, or

(b) has a disability for the purposes of the Equality Act 2010 which prevents or hinders him or her from making use of facilities for education or training of a kind generally provided for others of the same age in mainstream maintained schools or mainstream institutions in the further education sector.

(3) A child under compulsory school age has a learning difficulty or disability if he or she is or would be if no additional learning provision were made, likely to be within subsection (2) when of compulsory school age.

(4) A person does not have a learning difficulty or disability solely because the language (or form of language) in which he or she is or will be taught is different from a language (or form of language) which is or has been used at home.

(s.2:3, Pg 28, ALN Code)

For a child to have an ALN, they need additional learning provision (ALP), which is provision that is ‘additional to, or different from, that is made generally for others of the same age, in maintained schools in Wales.’ It must also be noted that the absence of a medical diagnosis cannot be used as a reason to delay or not to make ALP or make reasonable adjustments.

Disability:

There is a range of legislation that defines disability for example the Children Act 1989 and The Disability Discrimination Act 1995.

The definition of disability under the Equality Act 20210 is a physical or mental impairment that has a 'substantial' and 'long-term' negative effect on a person's ability to do normal daily activities.

4. Principles and Aims

The activity of the LA is based upon applying the principles of law in relation to ALN as outlined in the ALN Act and Code.

The principles underpinning the additional learning needs system are to support the creation of a fully inclusive education system where all learners are given the opportunity to succeed and have access to an education that meets their needs and enable them to participate in, benefit from, and enjoy learning. The LA will support the participation of children and young people and parents / carers in decisions which affect them.
The LA is committed to supporting schools and other educational settings to raise attainments and achievements, celebrating progress towards realistic goals which are motivating and jointly developed with children and young people.

The LA aims to:

- achieve high quality support and provision by working in partnership with the Education Achievement Service (EAS), local and regional services and schools and other educational settings.
- works together to deliver the best outcomes for children/young people with ALN.
- support schools and settings to develop an inclusive and effective universal provision.
- support schools and settings to improve educational and inclusion opportunities.
- raise achievement and attainment by removing barriers to learning.
- supports early identification and intervention for children and young people who have additional learning needs and establish coordinated approaches across services and settings that work.
- promote inclusive education in all educational and early years settings and colleges.
- develop a fair and equitable system for providing resources and support to schools and settings to meet an array of additional learning needs.

- build on existing expertise and enhance the professional development of all staff working with children and young people with additional learning needs.

This will ensure:

- Families are supported with their child's development.
- Practitioners supporting children and young people with additional learning needs having a better understanding of the child or young person, what are important to them, and their needs.
- There are high expectations of children and young people based on an understanding of the child or young person's strengths and potential.
- The development of personalised learning that build on the strengths of the learner.
- More effective planning and delivery of ALP which supports learners to work towards achieving positive outcomes based on their ambitions and aspirations.
- The empowerment of children and young people through celebrating their achievements and abilities and focusing upon the possibilities, rather than the problems they face.

5. Roles and Responsibilities

The roles and responsibilities for LA's, schools and PRU's, FEI, and other agencies are defined within the ALN Act and Code. Specific information can be found within the LA's Principles and Practice document (*Appendix 3*).

The LA responsibilities are set out in the ALN Act, associated Code, the ALN panel terms of reference and the LA Principles and Practice document.

The LA ALN panel facilitates decision making. Full details can be found in the LA's ALN Panel Terms of Reference document (*Appendix 4*).

The LA Removing the Barriers to Learning (RBtL) Matrix supports:

- Effective identification of additional learning needs.
- Effective identification of interventions / provision appropriate to meet the identified need.

6. Partnership / Dispute Resolution

The LA is committed to working in partnership with parents / carers and values the contribution they can make to enable children and young people with ALN achieve their potential. The LA has commissioned SNAP Cymru to provide an independent parent partnership service.

SNAP Cymru aim is to ensure families have access to information, advice, and guidance in relation to the additional learning needs of their children and young people so they can make appropriate, informed decisions. SNAP Cymru make sure that the views and wishes of children and young people are listened to and taken into consideration and that, along with parent's views, can inform and influence the development of local additional learning needs policy and practice. This service also has in place processes for avoiding and resolving disagreements (Dispute Resolution).

The LA also provides information and advice about additional learning needs and the additional learning needs system. The information and advice is provided in an impartial manner.

In addition to working with parents / carers and SNAP, effective collaboration and partnership working will be secured through active engagement between the LA:

- The Educational Psychology Service
- Advisory Team
- Outreach Teacher – Special School
- Early Years manager and associated services
- CLA (Child Looked After) Coordinator
- Safeguarding coordinator
- Youth service
- EOTAS (Education Other Than At School)
- Statutory Team
- School Improvement

and

- Education Achievement Service
- Gwent-wide Sensory and Communication Support Service (SenCom).
- Careers Wales
- Local Health Board
- Social Services

7. Safeguarding

All those working with children must be alert to their responsibilities in accordance with the Wales Safeguarding Procedures and Safeguarding in Education guidance.

8. Monitoring, Evaluation and Review

Local authorities in Wales have a statutory duty to keep their additional learning provision (ALP) under review, as part of the ALNET Act and Code and wider strategic duties such as those linked to the Schools Standards and Organisation (Wales) Act 2013, The Social Services and Well-being (Wales) Act 2014, The Well-being of Future Generations (Wales) Act 2015.

In accordance with the ALN Code, the LA will review ALP at least once every four years and publish a report. The review will consider the sufficiency, suitability, and accessibility of the ALP, as well as the views of learners, parents, carers, and professionals. The review will take into account the local authority's strategic plan for ALN, and any relevant national or regional strategies or policies.

The LA will work with other local authorities to work collaboratively with other local authorities, health boards, schools, further education institutions, and other relevant partners to plan and deliver effective ALP.

(*Information regarding the LAs approach is set out in Appendix 5*)

Through regular analysis of data, the LA will:

- track vulnerable learners;
- monitor and evaluate the impact of interventions for an individual child, groups of children and at school level;
- monitor and evaluate the impact of additional funding, both delegated and centrally held on outcomes for children with ALN;
- target additional funding appropriately, and identify future funding needs;
- monitor trends and identify emerging areas of need.

9. Training

Support / Training for Schools:

The LA has developed a range of training / resources which have been designed to support schools including;

- ALN training
- NQT training
- RBtL Matrix
- Caerphilly Autistic Spectrum Service (CASS) training
- Training and intervention provided by the Teams within Learning, Education, and Inclusion (e.g., EPS, Advisory and Specialist Teaching Teams).
- EAS (Education Achievement Service) professional learning offer focuses on the 'universal provision' for vulnerable groups of learners.
- signposting schools to relevant training opportunities. These include Communication and Intervention Service (ComIT), Gwent Education Minority Ethnic Service (GEMS), Child and Adolescent Mental Health Service.

10. Appendices

Appendix 1:	List of Specialist Provision within the Caerphilly Borough
Appendix 2:	List of LEI Services within Caerphilly LA / Directory of contacts
Appendix 3:	Principles and Practice Document
Appendix 4:	ALN Panel Terms of Reference
Appendix 5:	LA's Approach in keeping provision under review.