

Agenda – Children, Young People and Education Committee

Meeting Venue:

Hybrid – Committee room 4 Tŷ Hywel
and video conference via Zoom

Meeting date: 12 October 2023

Meeting time: 09.30

For further information contact:

Naomi Stocks

Committee Clerk

0300 200 6565

SeneddChildren@senedd.wales

Private pre-meeting

(09.15 – 09.30)

1 Introductions, apologies, substitutions and declarations of interest

(09.30)

2 Do disabled children and young people have equal access to education and childcare? – evidence session 6

(09.30 – 11.00)

(Pages 1 – 80)

Dr Gwenllian Lansdown Davies, Chief Executive, Mudiad Ysgolion Meithrin

Claire Protheroe, Head of Contracts and Projects, Professional Association for
Childcare and Early Years Cymru (PACEY) Cymru

Sarah Coates, National Operations Manager (Wales), National Day Nurseries
Association (NDNA Cymru)

Andrea Wright, Lead Manager, Early Years Wales

Jane O'Toole, Chief Executive Officer, Clybiau Plant Cymru

Attached Documents:

Research Brief

Paper 1 – PACEY Cymru

Paper 2 – Early Years Wales

Paper 3 – Clybiau Plant Cymru Kid's Clubs

Paper 4 – Mudiad Meithrin

Paper 5 – NDNA Cymru

School visit note 1

School visit note 2

School Visit note 3



Break

(11.00 – 11.10)

3 Do disabled children and young people have equal access to education and childcare? – evidence session 7

(11.10 – 12.00)

Professor Jonathan Rix, Professor of Participation and Learning Support, The Open University

4 Papers to note

(12.00– 12.10)

4.1 Forward work programme

(Pages 81 – 82)

Attached Documents:

Letter from the Chair of the Children, Young People and Education Committee to the Education spokesperson of the Welsh Local Government Association

4.2 Services for care experienced children: exploring radical reform

(Page 83)

Attached Documents:

Information from the Deputy Minister for Social Services

4.3 Services for care experienced children: exploring radical reform

(Pages 84 – 94)

Attached Documents:

Letter from the Deputy Minister for Social Services

4.4 Mental Health support in Higher Education

(Page 95)

Attached Documents:

Letter from the Director of Universities Wales

4.5 Forward work programme

(Pages 96 – 120)

Attached Documents:

Letter from the Minister for Education and Welsh Language

4.6 Mental Health support in Higher Education

(Pages 121 – 124)

Attached Documents:

Letter from the Chair of the Children, Young People and Education
Committee to the Deputy Minister for Mental Health and wellbeing

4.7 General scrutiny of the Minister for Education and Welsh Language and Minister for Economy

(Pages 125 – 127)

Attached Documents:

Letter from the Chair of the Children, Young People and Education
Committee to the Minister for Education and Welsh Language and the Minister
for Economy

4.8 Welsh Government Draft Budget 2024–25

(Pages 128 – 129)

Attached Documents:

Letter from the Chair of the Finance Committee to the Minister for Finance
and Local government

4.9 Services for care experienced children: exploring radical reform

(Pages 130 – 131)

Attached Documents:

Letter from the Chair of the Children, Young People and Education
Committee to the Deputy Minister for Social Services

4.10 Services for care experienced children: exploring radical reform

(Pages 132 – 133)

Attached Documents:

Letter from the Chair of the Children, Young People and Education
Committee to the Chief Executive of Cardiff Council

4.11 Services for care experienced children: exploring radical reform

(Pages 134 – 135)

Attached Documents:

Letter from the Chair of the Children, Young People and Education Committee to the Chief Executive of the Vale of Glamorgan Council

4.12 Implementation of Education reforms

(Pages 136 – 142)

Attached Documents:

Letter from the Welsh Local Government Association

4.13 Information from Stakeholder

(Pages 143 – 144)

Attached Documents:

Letter from the Chair of Health and Wellbeing Group, Cymdeithas yr Iaith to the Chair of the Culture, Communications, Welsh Language and International Relations Committee

4.14 Information from Stakeholders

(Pages 145 – 148)

Attached Documents:

Letter from the Minister for Education and Welsh Language

4.15 P-06-1347 Review Additional Learning Needs policies & make compulsory to FULLY train all teachers and TAs in regulation techniques

(Pages 149 – 164)

Attached Documents:

Letter from the Chair of the Petitions Committee

4.16 Pre- appointment hearing of the Chief Executive for the Commission for Tertiary Education and Research

(Pages 165 – 166)

Attached Documents:

Letter from the First Minister

5 Motion under Standing Order 17.42(ix) to resolve to exclude the public from the remainder of this meeting and for the whole of the meeting on 19th October

(12.10)

6 Do disabled children and young people have equal access to education and childcare? – consideration of the evidence

(12.10 – 12.30)

(Pages 167 – 186)

Attached Documents:

Oak Hill Focus Group note

Sparkle Focus Group note

Document is Restricted

Cyflwynwyd yr ymateb hwn i'r [Pwyllgor Plant, Pobl Ifanc ac Addysg](#) ar gyfer yr ymchwiliad: [A oes gan blant a phobl ifanc anabl fynediad cyfartal at addysg a gofal plant?](#)

This response was submitted to the [Children, Young People and Education Committee](#) for the inquiry: [Do disabled children and young people have equal access to education and childcare?](#)

AEC 40

Ymateb gan: PACEY Cymru

Response from: PACEY Cymru

This consultation response is provided in a professional capacity on behalf of PACEY Cymru, I am happy for you to publish my name alongside my evidence.

To support with this response PACEY Cymru has drawn from feedback from members during two consultation sessions that were held online during August and September 2023, and from enquiries and discussions with members that have been in touch on supporting children with additional learning needs and/or disabilities. PACEY Cymru has also drawn findings from information collected by Care Inspectorate Wales (CIW) through the Self-Assessment of Service Statement (SASS) returns submitted by registered childcare providers.¹

Do disabled children and young people have equal access to education and childcare?

PACEY Cymru have welcomed the inclusion of children from birth following the introduction of the Additional Learning Needs and Education Tribunal (Wales) Act 2018 and the Additional Learning Needs Code (referred to later as the ALNET Act and Code). We believe this will support the aim of equal access to childcare as well as education for disabled children and young people in Wales.

EY ALN LO role

It is encouraging that each local authority has a designated Early Years Additional Learning Needs Lead Officer (EY ALN LO) who is responsible for the statutory duties that local authorities have for all children under the school compulsory age and not yet attending school. We recognise the importance of this role in identifying and supporting children from a younger age and working with a broader range of settings than the previous SEN system. This has been a welcomed improvement from the previous SEN system, which was education focussed from when a child reached early education age, and only when they were attending education settings (including funded early education). PACEY

¹ Please note that this is not information independently verified through inspection, CIW will be publishing this information in the form of a Self Reporting Data Tool in November 2023.

Cymru hope that the new system and EY ALN LO roles will improve outcomes for disabled children and young people and those with additional learning needs, and that it will increase the availability of support, guidance, and training for all types of childcare, play, and early years providers, across Wales. We do believe, however, that more work is needed to ensure a consistent approach to this support across different local authorities in Wales. We are concerned that in some areas of Wales, childcare providers not currently funded to deliver early education, especially small settings such as registered childminders, seem unable to access the same level of support, guidance, and services, and may not be included in plans and communications to the same extent as funded providers.

Awareness of the ALNET Act and Code and implementation

It is positive to note that awareness of the ALNET Act and Code amongst registered childcare providers is increasing; which is reflected by those completing the Self-Assessment of Service Statement (SASS)* returns in recent years. In 2020 this was 75% of all settings and 60% of childminders, rising in 2021 to almost 82% of all settings and 67% of childminders, and in 2023 this had risen to almost 87% of all settings and 73% of childminders. However, further targeted engagement, promotion and training is needed to continue moving towards ensuring that all registered childcare providers are aware of the new system.

From 2021 the Self-Assessment of Service Statement (SASS)* returns *asked 'does your service make referrals to and/or liaise with the local authority in relation to provision/support for children with additional learning needs?'*, which clearly shows a disparity between the different types of registered childcare settings feeling that they have a role to play in the new system. In 2021 almost 58% of all settings said yes to this question, rising to 63% in 2023, yet for registered childminders this was much lower at just under 26% in 2021 and 30% in 2023. This is consistent with the feedback that we have seen from some childminders, which in some cases have felt excluded from being able to access local training, guidance, and support, or felt left out of information sharing processes and specialist guidance to meet the needs of a child identified with ALN.

The Self-Assessment of Service Statement (SASS)* returns also explored whether the setting has a designated person who makes arrangements for additional learning needs provision for children, this too has risen across all settings from just under 62% in 2020, to 66% in 2021 and 73% in 2023.

The Self-Assessment of Service Statement (SASS) returns show a relatively even split between the different categories of additional learning needs and disabilities where providers are currently supporting children. Although it is important to note that these figures do not provide an indication of how many settings are able to support children with different categories of disability and/or

additional learning needs as the question focussed on children currently accessing the setting.

Barriers and challenges

A clear barrier reported by settings, and a key theme in the enquiries that we receive, is financial cost and support needs. It is extremely difficult for settings to access financial support to help meet individual needs, whether for a one-off purchase of equipment or resources, or towards the cost of additional staff or reducing ratios within the setting. Whilst some schemes and grants are available, these are usually linked to funding programmes with often inflexible eligibility criteria, for example Flying Start, Childcare Offer or funded education and is not widely available for privately funded childcare places where children have identified needs. Settings will try to make reasonable adjustments, where possible, to meet the needs of children however, there is an increasing number of young children coming through requiring additional support. Childcare settings are already facing financial sustainability difficulties and so there is an increasing need for further financial support to help meet these costs or loan schemes introduced for provision of equipment. We believe it is hugely important to keep the child at the centre of any approach or support model rather than the requirements of a programme or funding being central to decision making. We strongly believe there needs to be flexibility around funding and an innovative approach when a child does not match the criteria or interpretation of a programme or funding.

Training, guidance and support

Key to supporting equal access for children with disabilities and/or additional learning needs is the skills, knowledge, and experience of the practitioners within the setting. The Self-Assessment of Service Statement (SASS)* returns explored whether settings have staff with additional/specialist training in supporting children with additional learning needs. This has increased from 50% of all settings in 2020, to just under 55% in 2021 and just under 60% in 2023. There has also been an increase in the number of childminders which have additional/specialist training from just over 20% in 2020, to just over 25% in 2021 and just under 30% in 2023. Normally specialist training would be sought to meet the needs of an individual child, so a lower figure for smaller settings may be due to the reduced likelihood of caring for a child with additional needs or disabilities.

PACEY Cymru feel that a nationally consistent approach to the training, guidance, and resources for all childcare, early years and play settings is important to support the effective implementation of the ALN system in Wales. We understand that the Welsh Government e-learning courses which introduce the ALN system and the ALN principles support this. However, we have found that local training, can vary in different local authority areas, and for different types of settings. In some areas the required training placed on all settings has been burdensome, with a 10-week evening course covering all aspects of the

new system regardless of the role those attending might play in this. However, in other areas, training has been inaccessible for those settings that are unable to release staff during the working day. We would suggest that training should be appropriate to the role of the practitioner and setting, otherwise this adds to the burden on practitioners and causes unnecessary confusion. We have previously challenged local authorities that have asked childcare providers to attend long training courses focussed on duties that we understand should fall to the EY ALN LO rather than them, such as determining ALN and chairing IDP meetings. We feel the priority for training should focus on their role, such as helping settings to be aware of the system, where to go for guidance and support, how to discuss concerns with parents/carers, how to make a referral, and ways to communicate and share information, rather than aspects that the statutory roles within the ALN Code should be leading on.

PACEY Cymru and Cwlwm have previously raised concerns with Welsh Government regarding the different levels of expectations within local authorities in relation to the role of funded early education settings, and of non-funded childcare settings within the local system for identifying and assessing ALN and decision making on interventions, as well as the levels of training that they should complete. PACEY Cymru worked with Cwlwm partners and Welsh Government to develop some frequently asked questions in the form of a [Blog](#) to help address inconsistencies. However, this has not addressed our concerns. We strongly feel that this guidance needs to come from Welsh Government, with supporting statements from Care Inspectorate Wales and Estyn, to ensure consistency in the way that local authorities and other partners implement this.

Feedback from practitioners suggests that for them to meet the needs of an individual child, rather than general training courses and information, their greatest need was for access to specialist guidance and support. They felt this would help them really understand an individual child's needs and how best to support them within their setting. There are some positive examples of this working well, for example where a Speech and Language Therapist may have visited a child within the setting and provided strategies and guidance for the childminder or staff to implement, whilst modelling the use of these with the child. It would be beneficial to include case studies of where this works well in a suite of resources and guidance to support implementation of the new ALN system specifically in the early years.

The desire for guidance and support from professionals, alongside close working with parents, and other providers, to ensure all provided appropriate and consistent support for a child to thrive, came across strongly from the practitioners that we spoke to. Again, there were some good examples provided where both the childminder and a funded setting, as well as the family and other professionals were all inputting into the child's records and sharing information on strategies to meet their needs. However, there were also other examples

provided where childminders felt excluded from this or felt that they were not given the same recognition as another professional involved in the child's care, learning and development, such as a teacher. Again, it would be beneficial to include case studies of where this works well in a suite of resources and guidance to support implementation of the new ALN system specifically in the early years.

Moving forward

If the new ALNET Act and Code can facilitate improved communication between all partners (whether they are funded to deliver education or not) and enable access to professional guidance and support for all parties to meet a child's individual needs, then this would have an immensely positive impact on the aim of equal access for childcare and play opportunities for children and young people with disabilities and/or additional learning needs. This requires not only an inclusive approach from the local authority EY ALN LO on working with all types of childcare providers caring for children in the early years, but also similar recognition and support for those caring for school-age children when the responsibility for ALN transfers to maintained education settings. As we are all aware getting this right in the early years is key if we are to realise the ambitions of the ALN Act and Code and give each individual child the best possible chances to realise their potential.

PACEY Cymru firmly believe that further national resources, training, guidance, and information should be made available to illustrate good practice and support with a consistent approach across Wales, and to ensure that training is accessible and inclusive for all childcare, play and early years providers. We have made some suggestions for what this could include within our consultation response and would be more than happy to work with Welsh Government and partners to support the development of this.

Cyflwynwyd yr ymateb hwn i'r [Pwyllgor Plant, Pobl Ifanc ac Addysg](#) ar gyfer yr ymchwiliad: [A oes gan blant a phobl ifanc anabl fynediad cyfartal at addysg a gofal plant?](#)

This response was submitted to the [Children, Young People and Education Committee](#) for the inquiry: [Do disabled children and young people have equal access to education and childcare?](#)

AEC 53

Ymateb gan:

Response from: **Early Years Wales**

Early Years Wales is a leading umbrella organisation for the early years childcare sector in Wales. Established originally as Wales PPA, the organisation has been providing supportive services to childcare providers and parent and toddler groups since the 1960's. We are a registered charity and a company limited by guarantee.

Our membership consists of day nurseries, playgroups, childminders and ASC as well as practitioners and professionals.

Over the course of the summer, Early Years Wales has reached out to its membership to gain their experience and feelings regarding ALN in Wales. We have done this via survey, forums and written statements as well as gathering case studies from across Wales. It is evident from the response that we have had that our sector is passionate about the quality of support that they can provide children with Additional Needs and the support they receive to do this work.

Early Years Wales has been involved with the reforms of the ALN act and code since the beginning and has always worked closely with Welsh Government to support the transition into the new regime, however, it is still clear that there is very little focus on the 0-3 age group and even less resources gone into this age group, unless Flying Start is available, and as this is not a universal service, there is already a lack of equity for children with additional needs across Wales.

We have looked at all the points with the consultation and have some comments and quotes from our members.

Language

We were concerned to see the use of language that is not in either the ALN Act or Code, particularly 'neurodivergence' and that we are not talking about ability, rather than disability.

Although neurodivergences is a familiar term for professionals, it is not a term that is generally used within the childcare sector as children in the 0-3 space usually have emerging diagnosis and wouldn't generally be categorised in this way. It is a term that many parents that we spoke to find difficult to understand and associate with. Practitioners also suggested that it is a term that would be more familiar with older children, particularly teens. One parent reported to us that she dislikes the term because it does not clearly say what difficulty her child has, which means that their needs are not so easily met. On the other hand, she says that her teenage son much prefers the term.

Throughout this consultation, you use the words 'neurodivergent' and 'disabled' which many felt did not cover the additional needs of children that they have in their care, so in terms of barriers you have put one up before the consultation has even been read.

It is important to understand that these comments are related in the majority to children aged 0-5 who are attending registered childcare. At this age, there is no statutory or universal offer to parents and access to services, such as Flying Start for example is dependent on postcode.

To what extent are children and learners currently able to access all parts of childcare and education provision, including the way in which the curriculum is taught and extra-curricular activities.

There is no universal provision for 0–5-year-olds, so services and support received at childcare settings will vary according to local authority and postcode, for example a child accessing a Flying Start provision will have access to enhanced health visiting services, parent support, additional support staff, easy access to SALT, Education Psychologists and a huge range of additional services although this does vary from county to county. Children accessing non-maintained funded settings have access to Early Years Advisory teachers, have access to additional support. As an example, a day nursery that does not offer Flying Start or funded foundation learning will not have any access to these enhanced services, although some counties do have good provision via referral and brokerage schemes.

CASE STUDY 1

Two children placed at a day nursery receiving additional adult support.

Child A was at nursery school and Child B arrived later in the morning after attending a swimming lesson. The referral scheme coordinator visited the setting for a review and the room leader had an opportunity to discuss her concerns as she has felt unsupported by any professionals working with the children.

All her knowledge in how to support the children had been picked up from conversations with the nursery school staff. She was disappointed that the physiotherapists and speech therapists go to the school to support the two children but haven't visited the nursery. She felt they had needed guidance with lifting the girls, to ensure staff were safe and needed to know how the two children should sit correctly.

The extent to which children and young people have been excluded from aspects of education or childcare due to their disability or neurodivergence.

Children placed in childcare usually have emerging needs which have not had any interventions or support. Quite often, these are children on waiting lists for referrals and their needs are not fully understood. IDP's are not usually in place at an age where children are attending childcare i.e. 0-3 no mandatory provision.

Our members said:

"Affordability of and availability of suitable additional staff is a barrier to some children being able to attend. In some instances, the layout of a setting or the physical fabric of a building may prohibit necessary adaptations being made."

"We try to include all children as much as we can. We are a very diverse nursery and try to include every child no matter what their difficulty is. The only barrier that is sometime presented is staffing due to us not having the means to provide one to one support for the child due to funding"

The extent to which families and children feel that they have been affected by direct, indirect or discrimination arising from disability.

Siblings are often impacted by discrimination by association and are often labelled with the same issues and not treated as individuals. This is particularly

noticeable with twins who are often treated as ‘cut and paste’ rather than having needs individually assessed.

Parents may have to attend two different sites for childcare/education with siblings unable to access the same provision at the same time particularly after school/holiday clubs, trying to juggle the needs of multiple children can be very stressful and a more flexible approach to start/finish times and transport could go some way to overcome this.

The impact of any lack of or limited access on a child or young person’s mental health and well-being and educational outcomes.

Although this is difficult to measure on very young children, the impact on a family’s well-being can be significant if their child does not get the support they need. Parents are left feeling isolated and not heard and it is difficult to know where to get help.

Children who do not have support at an early age can fall behind in their developmental and learning outcomes and lack of social interaction with their peers can have a negative impact later in life.

“Children who are not fully supported by an additional adult could lead to them feeling misunderstood and not heard. This then has a negative impact on their mental health and well being and how well they do at school. Some children require more support than others and I feel at the moment the children who need this especially in nursery settings are not getting it due to us having to count them in normal ratio”

The barriers for schools and childcare providers in offering accessible provision

There are many barriers that childcare providers face in offering suitable provision for example.

Childcare settings are often in old buildings with challenges such as small rooms and stairs, some settings are in pack away situations such as village halls and adaptations cannot always be accommodated.

Recruitment and retention has become an issue in Wales and it is difficult to recruit qualified and experienced staff especially considering the low wages.

Availability of extra support varies from county to county .

Transition from childcare into mainstream education can be difficult and information sharing is not always successful.

“Hiring suitable staff who have had the right training or qualifications. Childcare staff don’t feel valued and are leaving the industry as their pay is so low. We also struggle to recruit as there isn’t enough qualifications that we can accept to work in childcare then we have to count those staff members as unqualified which can affect our ratios. Education qualifications or Health and Social aren’t recognised in childcare settings.”

CASE STUDY 2

The child is currently attending XX nursery without support and then the mother takes him to a childminder on a Thursday afternoon just for respite for herself.

She has 4 children each with an additional need, but she feels her 4-year-old is the most challenging.

■ went to the setting to discuss his needs with the manager/owner, she expressed concerns about the child attending a childminder as she feels it isn’t the right environment for the boy as the rooms are small and the younger children and babies are getting hurt. He is unaware of the boundaries, has a constant need to climb and swings from the curtains, if he wants something he will walk across children and staff to get what he wants and has no regard for other people in his way. If the children are taken out into the community, he is a risk as he runs off, and won’t listen to instruction.

If the mother is successful in getting support for her child, she will return to work, therefore she would require a placement of five mornings in the setting and then transfer support for him to be taken to xx nursery in the afternoon.

How well disabled and neurodivergent children and their families are consulted or informed of the choices in education or childcare available to them.

Choices are limited in the childcare sector and it is usually up to the individual family to source suitable childcare unless they live in a 'flying start area and are eligible for that.

Parents have reported to us that they like the new approach from the Act and Code as it puts their child front and centre through All About Me and PCP's. They also feel that the school ALNCO's are better equipped to manage their child's progress through school and they are kept better informed.

Whether parents of disabled and neurodivergent children and the children themselves receive effective information and support from local authorities and schools

Parents find it difficult to get information on where to go and what services they can access. Local Authority websites can be difficult to navigate, and information is not always easily accessible. This is especially difficult for parents with very young children with emerging needs as they don't have a point of access as they would if their child is in school. Parents expectations can be difficult to manage if they don't have all the correct information.

"We have found it difficult talking to parents as our parents have demands which must be met or we are criticized over it. I think some have unrealistic hopes which we cannot meet. Our experience has not been a pleasant one"

Whether disabled and neurodivergent children and parents of disabled and neurodivergent children have the same level of choice as other children and parents and what issues affect choice or school or childcare.

Parents' choice within the childcare sector is often influenced by location and availability and the authority in which they live. Price, flexibility and suitable spaces for the times parents need if, for example, they are using childcare to go to work. If a child needs additional adult support or resources to attend childcare, this can often be limited, for example, if a local authority scheme only

offers 5 hours one to one support a week but the child needs to attend for 15 hours to enable the parent to work how is this shortfall managed.

School admissions process is generally universal, so parents are aware of the steps they need to take.

The extent to which there is adequate provision for children with different types of disabilities.

There has been an increase in waiting lists for children that require extra support within childcare settings because it is so difficult to recruit well qualified staff for limited hours and low pay.

It is almost impossible to predict demand for a particular disability, for example, hearing or visual impairment or Downs syndrome. A childcare setting might never have had a child with these needs and therefore planning and training for this type of scenario is difficult. In these situations, training needs to be reactive and prompt to ensure the right level and quality of support is available; but the question would then have to be asked as to who is responsible financially for this.

“integration needs to be handled carefully in all situations, not just school, and childcare. It is easy to say that we should have integration but this can sometimes come at a cost to other children and young people”

CASE STUDY 3

■ visited the setting in February to meet the play worker and to monitor the progress the child was making. Although the play worker has no formal qualifications, she has worked and supported the setting for many years, providing additional support in all areas, she is well known to the staff and children and knows the routine of the group.

The play worker had been supporting the child for three weeks by the time ■ visited, she expressed her concerns saying she was finding it increasingly difficult to build up a relationship with Child B. The child displays very challenging behaviour and the supervisor & play worker felt they needed the input of a professional to help them understand how to interact with her, to best support her needs in the setting.

Cyflwynwyd yr ymateb hwn i'r [Pwyllgor Plant, Pobl Ifanc ac Addysg](#) ar gyfer yr ymchwiliad: [A oes gan blant a phobl ifanc anabl fynediad cyfartal at addysg a gofal plant?](#)

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AEC 43

Ymateb gan: Clybiau Plant Cymru Kid's Clubs

Response from: Clybiau Plant Cymru Kid's Clubs

Cefndir

Clybiau Plant Cymru Kids' Clubs yw'r sefydliad cenedlaethol ar gyfer Clybiau Gofal Plant y tu allan i oriau ysgol yng Nghymru. Rydym wedi bod yn hyrwyddo, datblygu a chefnogi'r sector Gofal Plant All-Ysgol ers 2001 er mwyn datblygu gweithlu proffesiynol sy'n croesawu ac yn cefnogi chwarae hunangyfeiriedig plant.

Ein gweledigaeth yw Cymru lle mae plant yn chwarae, a chymunedau'n ffynnu gyda chenhadaeth i fod yn llais i Glybiau Gofal Plant All-Ysgol yng Nghymru, gan gefnogi hawl plant i chwarae a gofal plant o safon sy'n gynaliadwy, yn fforddiadwy ac yn diwallu anghenion plant, eu teuluoedd a chymunedau.

Gwnaethom gynnal arolwg o **Glybiau Gofal Plant All-Ysgol** trwy ddigwyddiad ymgynghori ac arolwg ar-lein, i gael gwell dealltwriaeth o nifer y plant ag anghenion ychwanegol / ymddygiadol, boed â datganiad ffurfiol ai peidio. Efallai na fydd angen cymorth ychwanegol o fewn lleoliad chwarae ar blant sydd angen cymorth ychwanegol yn yr ysgol. Efallai, fodd bynnag, y bydd ar rai plant angen triniaeth, cyfleusterau neu ofal penodol tra byddant yn y Clwb sydd y tu hwnt i'r ddarpariaeth arferol ar gyfer y mwyafrif o'r plant.

Ymatebodd **34** o Glybiau y All-Ysgol o 15 o'r 22 ardal Awdurdod Lleol, ac mae gan bob un ohonynt bolisi cynhwysiant/anghenion unigol, gan amlygu eu nod i ddarparu darpariaeth integredig sydd yn amgylchedd croesawgar a chefnogol lle caiff pob plentyn ei drin ag urddas a pharch. .

Cawsom ystod eang o ymatebion ledled Cymru, o Glybiau Gofal Plant All-Ysgol (9), Saesneg (20) a dwyieithog (5); roedd 27 ohonynt wedi'u cofrestru gan Arolygiaeth Gofal Cymru, ac 7 ohonynt heb eu cofrestru.

Mynediad i Glybiau Gofal Plant All-Ysgol

Rhaid i system gofal plant sydd wedi'i chofrestru ag Arolygiaeth Gofal Cymru (AGC) gwblhau

Background

Clybiau Plant Cymru Kids' Clubs is the national organisation for Out of School Childcare Clubs in Wales. We have been promoting, developing and supporting the Out of School Childcare sector since 2001 to develop a professional workforce that embraces and supports children's self-directed play.

Our vision is A Wales where children play, and communities prosper with a mission to be the voice of Out of School Childcare Clubs in Wales, supporting children's right to play and quality childcare that is sustainable, affordable and meets the needs of children, their families and communities.

We surveyed **Out of School Childcare Clubs** via a consultation event and online survey, to gain a greater understanding of the number of children with additional / behavioural needs, whether with a formal statement or not.

Children who need extra support in school may not need extra support within a play setting. Some children however may require specific treatment, facilities or care while in the Club that is above and beyond the usual provision for most children.

34 Out of School Clubs responded from 15 of the 22 Local Authority areas, all of whom have an inclusion/individual needs policy, highlighting their aim to provide an integrated provision which is a welcoming and supportive environment where all children are treated with dignity and respect.

We had a wide range of responses across Wales, from Welsh (9), English (20) and bilingual (5) Out of School Childcare Clubs, of which 27 were Care Inspectorate Wales registered 7 were unregistered.

Access to Out of School Childcare Clubs

Childcare providers who are registered with Care Inspectorate Wales (CIW) must complete

Datganiad Hunanasesu Gwasanaeth (DHG). Mae AGC wedi darparu ymatebion inni yn 2020, 2021 a 2023 i gwestiynau ynghylch anghenion ychwanegol:

Mae'r wybodaeth hon yn cael ei chasglu gan systemau Gofal Cymru (AGC) drwy'r Datganiad Hunanasesu Gwasanaeth (SASS) a'r sesiwn gan swyddogion. Nid yw'n wybodaeth sy'n cael ei wirio'n annibynnol trwy adroddiad. Bydd AGC yn cyhoeddi'r wybodaeth hon ar ffurf Erfyn Data Hunangofnodi ym mis Tachwedd 2023.

Lle mae darparwyr wedi ymateb i'r cwestiynau ar anghenion ychwanegol, mae Clybiau Gofal Plant All-Ysgol, dros y 3 blynedd, wedi darparu 10% o'r ymatebion hyn. Yn 2023 roedd yr ymatebion yn nodi bod 4,312 o blant sy'n rhoi gofal plant wedi'u **nodu'n ffurfiol fel rhai ag anawsterau neu anabledau dysgu**, roedd 1,180 o blant (27%) yn mynychu Clybiau Gofal Plant All-Ysgol.

Er nad yw Clybiau Gofal Plant Allysgol yn rhwym wrth Ddeddf / Cod ALNET, mae 90% (249) yn ymwybodol o'r Cod, sef cynnydd o 10% o 2020, a 49% yn nodi eu bod. yn gwneud atgyfeiriadau i'r awdurdod lleol ac/neu'n cysylltu â nhw mewn perthynas â darpariaeth/cefnogaeth i blant ag anghenion dysgu ychwanegol.

Mae ymatebion pellach gan Glybiau Gofal Plant All-Ysgol yn 2023 yn dweud:

- Bod gan 73% (201) berson dynodedig sy'n gwneud trefniadau ar gyfer darpariaeth anghenion dysgu ychwanegol i blant yn eu lleoliad, cynnydd o 1% o 2020
- Bod gan 77% (213) o staff hyfforddiant ychwanegol/arbenigol mewn cefnogi plant ag anghenion dysgu ychwanegol, cynnydd o 7% o 2020.

Er mwyn sicrhau nad oedd y ddogfen ymateb hon yn cynnwys y plant hynny sydd eisoes wedi'u cynnwys a'u hadrodd i AGC ar y SASS blynyddol, gwnaethom ofyn (i'r 34 o Glybiau Gofal Plant Allysgol a ymatebodd i'n harolwg), faint o blant a fynychodd eu lleoliad â datganiad ffurfiol nad oedd wedi'i gynnwys yn eu

a Self Assessment of Service Statement (SASS). CIW have provided us with the responses 2020, 2021 and 2023 in regard to the questions regarding additional needs:

This information is collected by Care Inspectorate Wales (CIW) through the Self Assessment of Service Statement (SASS) returns submitted by providers. It is not information which is independently verified through inspection. CIW will be publishing this information in the form of a Self Reporting Data Tool in November 2023.

Where providers have responded to the additional need questions, Out of School Childcare Clubs have over the 3 years, accounted for 10% of responses. In 2023 responses stated 4,312 children attending childcare **formally identified as having learning difficulties or disabilities**, 1,180 children (27%) attended Out of School Childcare Clubs.

While Out of School Childcare Clubs are not bound by the ALNET Act / Code, 90% (249) are aware of the Code, this is an increase of 10% from 2020, with 49% stating they make referrals to and/or liaise with the local authority in relation to provision/support for children with additional learning needs.

Further responses from Out of School Childcare Clubs in 2023 state:

- 73% (201) have a designated person who makes arrangements for additional learning needs provision for children in their setting, increase of 1% from 2020
- 77% (213) have staff with additional/specialist training in supporting children with additional learning needs, increase of 7% from 2020.

In order to ensure that this response document did not include those children who have already been included and reported to CIW on the annual SASS we asked (the 34 Out of School Childcare Clubs who responded to our survey), how many children attended their setting with a formal statement that had not

hadroddiad SASS. Roedd yr ymatebion yn dangos bod **138** o blant â datganiad ffurfiol yn mynychu darpariaeth, ond dim ond 51 o'r plant hynny oedd wedi'u cynnwys yn y SASS, gan adael **87** o blant heb eu cofnodi. O'r 87 o blant hynny, roedd 5 yn mynychu darpariaeth gofrestredig AGC (ar adeg cwblhau SASS roeddent naill ai oddi ar y gofrestr neu heb ddatganiad ffurfiol), roedd 82 yn mynychu lleoliadau nad oeddent wedi cofrestru ag AGC ar y pryd, ac felly ni fyddent wedi cwblhau SASS

Yn ogystal â'r plant â datganiad ffurfiol, dywedodd yr ymatebwyr; roedd **185** o blant eraill yn mynychu eu darpariaeth **nad oes** ganddynt ddatganiad ffurfiol ond sydd ag anghenion ychwanegol neu ymddygiadol, yn ystod y digwyddiad ymgynghori dywedodd mynychwyr eu bod yn profi nifer uwch o blant ag anghenion ychwanegol ac ymddygiadol yn mynychu eu lleoliadau ers y Covid 19 pandemig a'r cyfnod clo.

Mae plant sydd heb eu cynnwys yn y SASS a phlant heb ddatganiad ffurfiol yn cyfateb i **272** o blant.

Mae Gweithwyr Chwarae Cymwysedig sy'n gweithio mewn Clybiau Gofal Plant All-Ysgol yn rhoi sylw dyledus i Gonfensiwn y Cenhedloedd Unedig ar Hawliau'r Plentyn (CCUHP) Erthyglau 3, 12 a 23:

- erthygl 3 (Iles pennaf y plentyn) Rhaid i les pennaf y plentyn fod yn brif flaenoriaeth ym mhob penderfyniad a gweithred sy'n effeithio ar blant.
- erthygl 12 (parchu barn y plentyn) Mae gan bob plentyn yr hawl i fynegi ei farn, ei deimladau a'i ddymuniadau ym mhob mater sy'n effeithio arno, ac i'w farn gael ei hystyried a'i chymryd o ddifrif.
- erthygl 23 (plant ag anabledd) Mae gan blentyn ag anabledd yr hawl i fyw bywyd llawn a gweddus gydag urddas a, chyn belled ag y bo modd, annibyniaeth ac i chwarae rhan weithredol yn y gymuned

been included in their SASS report. The responses showed that **138** children with a formal statement were attending provision, however only 51 of those children were included in the SASS, leaving **87** children not recorded. Of those 87 children children, 5 attended CIW registered provision (at the time of SASS completion they either were not on the register or did not have a formal statement), 82 attended settings that are not currently registered with CIW and therefore would not complete a SASS.

In addition to the children with a formal statement respondents stated; a further **185** children were attending their provision that **do not** have a formal statement but do have additional or behavioural needs, during the consultation event attendees stated that they were experiencing a higher number of children with additional and behavioural needs attending their settings since the Covid 19 pandemic and the lockdown.

Children not included in the SASS and children without a formal statement equates to **272** children.

Qualified Playworkers working in Out of School Childcare Clubs have due regard to the United Nations Convention on the Rights of the Child (UNCRC) Articles 3, 12 and 23:

- article 3 (best interests of the child) The best interests of the child must be a top priority in all decisions and actions that affect children.
- article 12 (respect for the views of the child) Every child has the right to express their views, feelings and wishes in all matters affecting them, and to have their views considered and taken seriously.
- article 23 (children with a disability) A child with a disability has the right to live a full and decent life with dignity and, as far as possible, independence and to play an active part in the community.

Mae gan Weithwyr Chwarae Cymwys ddull sy'n canolbwyntio ar yr unigolyn/plentyn, gan gynnwys y plentyn a'r rhieni mewn trafodaethau i ddiwallu anghenion unigol orau. Maent yn ymdrechu i ddilyn y Model Cymdeithasol o anabledd, gan gydnabod y rhwystrau sy'n ei gwneud yn anos i blant ag anabledd neu niwroamrywiaeth gael mynediad i Ofal Plant Allysgol ac yn ymdrechu lle bo modd i gael gwared ar y rhwystrau hynny.

Dim ond 41% (14) a ymatebodd Clybiau Gofal Plant All-Ysgol sydd wedi cael mynediad at gyllid i gefnogi presenoldeb plentyn. Darparwyd y cyllid hwn gan y Cynnig Gofal Plant, yr Awdurdod Lleol, Clybiau Plant Cymru Kids' Clubs yn hwyluso cyllid Help Llaw neu drwy arianwyr grant megis Y Loteri Genedlaethol, Plant mewn Angen, Comic Relief. Cefnogodd y cyllid hwn **221** o blant anabl/niwrogyfeiriol, gan eu galluogi i gael yr un cyfleoedd â'u cyfoedion.

Ers i'r flwyddyn ysgol ddechrau ym mis Medi 2022, roedd **23** o ymatebwyr wedi derbyn ymholiadau gan rieni **234** o blant ag anghenion ychwanegol waeth beth fo'u datganiad ffurfiol gyda cheisiadau i gael mynediad at Ofal Plant All-Ysgol

Rhwystrau rhag cael mynediad at Ofal Plant Allysgol

O'r 234 o ymholiadau uchod roedd yn anffodus nad oedd 69 (29%) yn gallu cael mynediad at Ofal Plant y Tu Allan i'r Ysgol.

Roedd y rhesymau dros fethu â chefnogi'r plant hynny yn amrywiol:

Rheswm	Nifer yr ymatebion
Materion staffio	11
Diffyg gallu i roi cymorth unigol ar waith	1
Cafodd rhieni le mewn lleoliad arbenigol	1
Methu â derbyn cymorth gan nad yw'r lleoliad wedi'i gofrestru	1
Lleoliad / adeilad anaddas	4
Diffyg gwagle perthnasol	3
Diffyg cyllid	6
Diffyg hyfforddiant priodol	5
Anghenion ymddygiadol cymhleth	1

Er i 88% o'r ymatebwyr nodi eu bod yn teimlo'n hyderus y gallent gefnogi plentyn ag anghenion

Qualified Playworkers have a person/child centred approach, including the child and parents in discussions to best meet individual needs. They strive to follow the Social Model of disability, recognising the barriers that make access to Out of School Childcare harder for children with a disability or neurodiversity and strive where possible to remove those barriers.

Only 41% (14) responding Out of School Childcare Clubs have accessed funding in order to support a child's attendance. This funding was provided by The Childcare Offer, Local Authority, Clybiau Plant Cymru Kids' Clubs facilitating Local Authority Extra Hands funding or through grant funders such as The National Lottery, Children in Need, Comic Relief. This funding supported **221** disabled/neurodivergent children, enabling them the same opportunities as their peers.

Since the school year commenced in September 2022, **23** respondents had received enquiries from parents of **234** children with additional needs regardless of formal statement with requests to access Out of School Childcare.

Barriers to accessing Out of School Childcare

Of the 234 enquiries above it was unfortunate that 69 (29%) were unable to access Out of School Childcare.

Reasons for not being able to support those children were varied:

Reason	No of responses
Staffing issues	11
Lack of ability to implement individual support	1
Parents obtained a place at a specialist setting	1
Unable to receive support as setting is unregistered	1
Inappropriate venue / building	4
Lack of relevant space	3
Lack of funding	6
Lack of appropriate training	5

ychwanegol neu ymddygiadol, nid felly 12% ohonynt. derus. Lle dywedodd ymatebwyr nad oeddent yn teimlo'n hyderus gofynnwyd iddynt pa gymorth neu hyfforddiant sydd ei angen arnynt a fyddai'n cynyddu eu hyder:

- Gan fod anghenion pob plentyn yn wahanol hoffem gael mewnbwn gan y gweithwyr achos plant; hyn yn ogystal â hyfforddiant staff ehangach mewn Anghenion Ymddygiadol a sut i gwrdd â'r heriau hyn.
- Staff ychwanegol sydd wedi'u hyfforddi'n briodol
- Hyfforddiant priodol ar gyfer anghenion ychwanegol ac ymddygiad
- Ariannu

O'r adborth yr ydym wedi ei dderbyn drwy'r arolwg a'r ymgynghoriad gwelir bod 3 phrif her a wynebwr gan Glybiau Gofal Plant All-Ysgol sy'n cyfrannu at y rhwystrau rhag cael mynediad at Glybiau Gofal Plant Allysgol.

- **Ariannu**
- Fel y dywedwyd yn flaenorol, dim ond 14 o'r rhai a ymatebodd i'n harolwg a oedd wedi cyrchu cyllid i gefnogi plant ag anghenion ychwanegol a/neu niwroamrywiaeth i gael mynediad at eu gwasanaeth. Mae mynediad i'r cyllid hwn yn rhoi cyfleoedd i'r plant chwarae a chymdeithasoli â'u cyfoedion, ac i'r rhieni allu gweithio.

Ar hyn o bryd rydym yn adnewyddu'r wybodaeth sydd gennym ar gymorth 1:1 / cyllid sydd ar gael ledled Cymru a fyddai'n galluogi plant ag anghenion ychwanegol / niwroamrywiaeth i gael mynediad at yr un cyfleoedd â'u cyfoedion mewn Clybiau Gofal Plant All-Ysgol; fodd bynnag o'r arwyddion cynnar mae'n ymddangos bod cyllid fod yn gyfyngedig. Mae'r cyllid cyfyngedig hwn yn effeithio ar allu plentyn i gael mynediad at gyfleoedd chwarae a chymdeithasu, tra hefyd ar allu rhiant i weithio; ymhlith rhai enghreifftiau o hyn y mae:

- Awdurdod lleol nad yw'n ariannu plant oed ysgol, mae'r diffyg cyllid a chymorth parhad hwn, (heibio'r blynyddoedd

Complex behavioural needs 1

While 88% of respondents stated that they felt confident being able to support a child with additional or behavioural needs, 12% did not feel confident. Where respondents stated they did not feel confident they were asked what support or training do they require that would increase their confidence:

- As each child's needs are different we would like input from the children's case workers. In addition to more extensive staff training in Behavioural Needs and how to meet these challenges.
- Additional appropriately trained staff
- Appropriate training for additional needs and behaviour
- Funding

From the feedback that we have received through the survey and the consultation there are 3 main challenges faced by Out of School Childcare Clubs contributing to the barriers to accessing Out of School Childcare Clubs.

Funding

As stated previously only 14 respondents to our survey had accessed funding to support children with additional needs and/or neurodiversity accessing their service. Access to this funding enables children to play and provides socialisation opportunities with their peers while parents have the ability to work.

We are currently refreshing the information we have on 1:1 support / funding available across Wales that would enable children with additional needs / neurodiversity to access the same opportunities as their peers within Out of School Childcare Clubs, however early indications show that funding seems to be limited. This limited funding impacts a child's ability to access play and socialisation opportunities, whilst also a parents ability to work, some examples of this are

- A local authority who does not fund school aged children, this lack of continuation funding and support, (past the early years) **has caused a parent, who is a newly qualified teacher with a post starting in September 23, to**

cynnar) wedi achosi i riant, sy'n athrawes newydd gymhwyso, a swydd sy'n dechrau ym Medi 23, ystyried rhoi'r gorau i'w chyflogaeth, gan na all y plentyn gael mynediad at gymorth Help Llaw i ofal plant.

- Bydd yr awdurdod lleol ond yn ariannu cymorth 1:1 naill ai yn ystod addysg neu ofal plant i blentyn
- Mae cyllid ar gyfer cymorth 1:1 mewn llawer o siroedd yn aml yn dod i ben yn unol â'r Cynnig Gofal Plant pan fydd plant yn cyrraedd oed ysgol (5) gan effeithio felly ar eu gallu i gael mynediad i Glybiau Gofal Plant All-Ysgol.

Dyma'r sylwadau rydym wedi'u derbyn ynglŷn â chyllid:

- *Mae'r Awdurdod Lleol yn ariannu'r lleoedd ond mae llawer o waith yn mynd i mewn i gefnogi chwarae plant sydd ag ADY.*
- *Mae angen cefnogaeth ar gyfer gwaith paratoi / myfyrio ac adnoddau. Mae nifer yr oriau ychwanegol o hyfforddi staff, uwchsgilio staff unigol ar fanylion pob plentyn ADY yn feichus iawn. Yn ogystal, mae'r rhieni yn feichus iawn ynghyd ag ymdrin â materion plant ag ADY mewn lleoliad prif ffrwd.*
- *Mae angen mwy o gymorth ar y plant hyn ac i wneud hynny mae angen buddsoddiad arnom. Buddsoddi mewn staffio a staff Cymraeg i ddiwallu anghenion plant Cymru a rhoi cyfle i bob plentyn chwarae yn unol â'u hawliau.*
- *Gan nad yw plant fel arfer ar ddatganiad cyn 5 oed rydym yn teimlo y dylai mwy o gymorth ariannol fel cyllid fod ar gael. Mae hyn yn angenrheidiol i gefnogi anghenion 1:1 ac adnoddau y mae angen eu hadnewyddu am nad yw'r plentyn yn deall sut i ofalu am bethau neu am ei fod yn sgrïblo dros walïau ac ati.*
- *Fel ysgol sydd ag SNRB (Sylfaen Adnoddau Anghenion Arbennig) fel rhan o'n hysgol mae hyn yn dod yn broblem fawr. Mae cyllid yn bryder mawr gan na allwn gael arian ychwanegol ar gyfer y*

consider giving up her employment as the child cannot access Extra Hands support for childcare.

- A local authority will only fund 1:1 support either during education or childcare for a child
- Funding for 1:1 support in many counties often ends in line with The Childcare Offer when children reach the school age (5) thereby impacting their ability to access Out of School Childcare Clubs.

Comments that we have received regarding funding are:

- *The LA fund the spaces however there is a mass amount of work that goes into supporting children's play who have ALN. There needs to be support for prep work / reflection and resource. The amount of extra hours training staff, up skilling individual staff on the specifics of each ALN child is very demanding. In addition the parents are very demanding along with dealing with issues of children with ALN's in a mainstream-setting. These children are in need of more support and to do that we need investment. Investment in staffing and Welsh language staff to meet the needs of children in Wales and allow all children the opportunity to play as per their rights.*
- *As children are not normally stated before the age of 5 we feel more funding support such as funding should be available. This is necessary to support 1:1 needs and resources that need replacing due to the child not understanding how to look after things or scribbling all over walls etc*
- *As a school that has a SNRB (Special Needs Resource Base) as part of our school this is becoming a big issue. Funding is a big concern as we cannot get extra funding for these placements so they all run at a loss which we have to support.*

lleoliadau hyn. Maent oll yn rhedeg ar gollod y mae'n rhaid i ni eu cefnogi.

- *Mae gennym ddigon o sgil a llawer o gymhelliant. Nid oes gennym y cyllid i allu cynnal y gofynion cymorth ychwanegol i wneud y gwaith yn dda ar gyfer plant ag anghenion ychwanegol, yn aml.*
- *Mae amgylchedd chwarae anstrwythuredig a hamddenol ein clwb yn ymddangos fel y cyfle perffaith i blant ag anghenion ychwanegol ffynnu ar ôl diwrnod o addysg ffurfiol strwythuredig - gyda chyllid nad yw'n bodoli ar gyfer y plant hyn yn ein clwb, mae bron yn amhosibl cynnig y cyfleoedd hyn i'r plant a'u teuluoedd.*

Hyfforddiant a Staffio

Rydym yn ymwybodol bod y sector gofal plant a chwarae cyfan, fel llawer o sectorau eraill, yn wynebu heriau recriwtio a chadw, ac mae hyn yn cael mwy o effaith ar y gallu i gefnogi plant ag anableddau / niwroamrywiaeth / anghenion ymddygiadol. Mae gan lawer o leoliadau y staff i fodloni Safonau Gofynnol Cenedlaethol AGC o ranr cymarebau ond nid oes ganddynt y staff ychwanegol i gefnogi plant unigol.

- *Yn perthyn i glwb mewn pentref bychan, mae'n anodd iawn dod o hyd i staff sy'n gymwys ac yn barod i weithio tuag at gymhwyster, sydd eisiau gweithio mewn clwb ôl-ysgol am ychydig oriau. Pe bai cyllid ar gael i gynyddu'r cyflogau a fyddai'n denu staff i fod ag awydd i weithio yn y sector am yr ychydig oriau hyn, rwy'n teimlo y byddai o fudd i glybiau bach.*
- *Byddai hyfforddiant o fudd i'r holl staff.*
- *Dylid cael cyrsiau hyfforddi ar sut i ddelio ag ymddygiadau penodo megis stimio, hunan-niweidio, gorlethiad a.y.b. Sut y gall staff ddelio ag ef, sut i gadw plant yn ddiogel rhag eu hunain a chyfyngu ar fygythiad i eraill. Er enghraifft, merch awtistig, 8 oed wedi cynhyrfu ac yn taro ei hun. Os bydd staff yn dod atyn nhw mae'n eu taro fel bod staff, yn monitro ac yn caniatáu gofod yn barhaus gan gynnig*

- *We have plenty of skill and much motivation. We just don't have the finances to be able to sustain the additional support requirements to do the job well for children with additional needs, often.*
- *The non-structured and relaxed play environment of our club seems like the perfect opportunity for children with additional needs to thrive after a day of structured formal education - with non-existent funding for these children at our club, it's almost impossible to offer these opportunities to the children and their families.*

Training and Staffing

We are aware that the whole childcare and play sector, like many other sectors, are facing recruitment and retention challenges, and this is having a greater impact on the ability to support children with disabilities / neurodiversity / behavioural needs. Many settings have staff to meet CIW National Minimum Standards for ratios but do not have additional staff to support individual children.

- *Being in a club in a small village it is extremely hard to find staff qualified and willing to work towards a qualification, that want to work in after school club for a few hours. If funding were available to increase the wages so that it entices staff to want to work in the sector for the few hours I feel it would benefit small clubs.*
- *Training would benefit all staff.*
- *There should be training courses on how to deal with specific behaviours, stimming, self-harm, meltdowns etc. How staff can deal with it, how to keep children safe from themselves and limit threat to others. Eg Autistic girl, aged 8 is upset and hitting herself. If staff approach she hits them so staff, monitor and allow for space continually offering resources and comforts to de-escalate the situation. As she grows*

adnoddau a chysur i leddfu'r sefyllfa. Wrth iddi heneiddio bydd yr ymddygiad hwn yn fwy difrifol a bydd yn achosi niwed gwirioneddol iddi hi ei hun. Beth ellir ei wneud i atal hyn neu gyfyngu ar yr effaith a gaiff arni ei hun? Rydym wedi edrych ond nid ydym wedi dod o hyd i unrhyw rai sy'n delio'n benodol ag ymddygiad negyddol. Mae yna ddigonedd o adnoddau sy'n hyrwyddo cynhwysiant a gweithgareddau ond dim un sy'n ymdrin â hyn i bob golwg.

older this behaviour will be more severe and she will cause actual harm to herself. What can be done to stop this or limit the impact she has on herself? We have looked but haven't found any that specifically deals with negative behaviours. There are plenty of resources promoting inclusion and activities but none that seem to deal with this.

Cyfathrebu

Mae lleoliadau wedi dweud mai un o'r heriau sydd ganddyn nhw yw diffyg cyfathrebu, a gall hyn fod gan y rhiant a/neu'r ysgol:

- Mae'r berthynas rhwng rhiant a'r ysgol/clwb yn allweddol, ond ychydig o help sydd i gyfyngu pan fo anawsterau, nac i amddiffyn staff rhag ymddygiad treisgar ac ymosodol gan blant a rhieni.
- Mae rhieni yn aml yn gyndyn o ddatgan anghenion ychwanegol eu plentyn wrth gofrestru, rhag ofn y gwrthodir lle iddynt. Mae hyn yn ein gadael yn ei chael yn anodd ymdopi, heb i ni gael y cyfle i ofyn am gyllid ar gyfer staffio ychwanegol.
- Ein problem fwyaf yw nad yw rhieni yn onest am lefel anghenion ychwanegol/problemau ymddygiad/problemau toiled a.y.b. wrth archebu eu plant i mewn. Dros yr haf roedd gennym ddau o blant gwahanol yr oedd yn rhaid i ni eu gwrthod ar ôl eu diwrnod cyntaf. Daeth yn amlwg bron ar unwaith fod gan y ddau blentyn anghenion cymhleth, er bod gan bron bob un o'n staff flynyddoedd lawer o brofiad o anghenion ychwanegol mewn ysgolion, nid oeddem yn teimlo ei bod yn briodol iddynt allu dychwelyd. Yn y ddau achos roedd y rhieni wedi esgeuluso dweud y stori wir wrthym.
- Nid oedd un o'r rhieni - y mae ei blentyn i bob pwrpas â 1:1 yn yr ysgol ac ag anghenion cymhleth (heb ei rannu â ni!) - yn ymwybodol bod cyllid ar gael dros y gwyliau ar gyfer plant ag anghenion

Communication

Settings have communicated that one of the challenges they have is a lack of communication, this may be from the parent and/or the school:

- *The relationship between parent and school/clwb is key, but there is little help to mediate when there are difficulties, or to protect staff from violent and aggressive behaviour from children and parents.*
- *Parents are often reluctant to declare their child's additional needs upon registration, for fear that they will be refused a place. This leaves us struggling to manage, without having had the opportunity to request funding for extra staffing.*
- *Our biggest problem is that parents are not honest about the level of additional needs/behaviour problems/toileting problems etc when booking their children in. Over the summer we had two different children who we had to refuse after their first day. It became clear almost immediately that both children had complex needs that despite almost all of our staff having many years experience of additional needs in schools, we didn't feel it appropriate that they could return. In both cases the parents had neglected to tell us the true story.*
- *One of the parents - whose child effectively has a 1:1 in school and has complex needs (not shared with us!) - wasn't aware that there was funding*

ychwanegol a bod lleoliadau ar gael ar gael a fyddai'n gallu helpu.

- Yn meddwl bod angen i'r awdurdodau fod yn fwy agored a gonest gyda rhieni y byddai angen lleoliadau o'r fath ar eu plant.

Bydd Clybiau Gofal Plant All-Ysgol bob amser yn ymdrechu i ddiwallu anghenion y plentyn unigol tra hefyd yn diogelu pob plentyn yn eu gofal. Lle nad yw plentyn yn gallu cael mynediad i Glybiau Gofal Plant All-Ysgol nid yw hyn oherwydd gwahaniaethu ond yn hytrach oherwydd rhwystrau cymdeithasol na allant eu goresgyn.

Mae lleoliad sy'n arbenigo mewn darparu gofal i blant ag anableddau, niwroamrywiaeth a heriau ymddygiad yn nodi:

"Mae'n hynod o anodd rhedeg gwasanaeth gofal plant i blant ag anghenion ychwanegol oherwydd y lefel uchel o staffio, hyfforddiant, cymwysterau a chyfleusterau sydd eu hangen. Mae angen llawer mwy o baratoi ar gyfer pob plentyn/person ifanc megis ymweld â nhw yn yr ysgol, gartref ac mewn lleoliadau eraill er mwyn cael darlun llawn o anghenion, ymddygiadau, a hoff a chas bethau'r unigolyn. Os oes gennym ni 10 o blant / pobl ifanc mewn sesiwn mae angen 2 weithiwr craidd a 10 un i un o leiaf. Efallai bod hynny'n swnio'n ormodol ond dyna sydd ei angen i gadw'r unigolion hyn yn ddiogel, yn ymgysylltu ac yn hapus. Mae llawer o'r plant angen cymorth yn yr ystafell ymolchi (llawer gyda chlytiau) sydd angen cefnogaeth 2:1 a dyna un enghraifft yn unig o pan fydd angen yswiriant ychwanegol drwy'r dydd. Mae'r gost o redeg ein lleoliad ymhell y tu hwnt i'r hyn sy'n rhesymol i'w godi fel ffioedd ar rieni, felly rydym yn codi arian yn gyson i agor y lleoliad."

available over the holidays for children with additional needs and that there were settings available that would be able to help. Think the authorities need to be more open and honest with parents whose children would need such settings.

Out of School Childcare Clubs will always strive to meet the needs of the individual child while also safeguarding all children in their care. Where a child is unable to access Out of School Childcare Clubs this is not due to discrimination but rather due to social barriers which they are unable to overcome.

A setting who specialises in providing care for children with disabilities, neurodiversity and behaviour challenges states:

"It is incredibly difficult to run a childcare service for children with additional needs due to the high level of staffing, training, qualification and facilities needed. It requires substantially more preparation for each child/young person such as visiting them in school, at home and in other settings in order to have the full picture of the individuals needs, behaviours, likes and dislikes. If we have 10 children / young people in a session we need 2 core workers and 10 one to ones as a minimum. That may sound excessive but that is what is needed to keep these individuals safe, engaged and happy. Many of the children need assistance in the bathroom (many with nappies) which requires 2:1 support and that is just one example of when through the day we need additional cover. The expense of running our setting is way beyond what it is reasonable to charge parents in fees, so we are constantly fundraising to open the setting."

Cyflwynwyd yr ymateb hwn i'r [Pwyllgor Plant, Pobl Ifanc ac Addysg](#) ar gyfer yr ymchwiliad: [A oes gan blant a phobl ifanc anabl fynediad cyfartal at addysg a gofal plant?](#)

This response was submitted to the [Children, Young People and Education Committee](#) for the inquiry: [Do disabled children and young people have equal access to education and childcare?](#)

AEC 51

Ymateb gan: Mudiad Meithrin

Response from: Mudiad Meithrin

Mudiad Meithrin is a national voluntary association of Welsh medium Nursery groups [Cylch(oedd) Meithrin], Ti a Fi groups, wrap-around care and day nurseries. Our aim is to create new Welsh speakers, campaign for Welsh-language care and education for all children, support our members and plan strategically to develop new services.

We have grown a great deal since 1971. Today, there are around 1,000 Cylchoedd Meithrin, Ti a Fi groups, 'Cymraeg for Kids' groups, 'Clwb Cwtsh' sessions and nurseries under the Mudiad Meithrin banner providing early years experiences to around 22,000 children every week.

We have seen over 3,500 individuals qualify directly into our Welsh-medium workforce with childcare qualifications, through our National Training Scheme and the Cam wrth Gam Schools Scheme. Mudiad Meithrin is an accredited and recognised centre by WJEC and City and Guilds, and by CACHE for the provision of the full range of post-14 and post-16 qualifications.

We also work very closely with parents to provide help and advice to enable them to develop and support the work of the groups at home, to pass on the Welsh language to their children or to start learning Welsh. We are a registered charity employing over 200 people nationally, with an additional 2,000 working in the groups and the nurseries. The groups are supported by a national network of professional staff who advise on a range of issues, such as business support, qualifications and staff recruitment, promoting good practice, staff training and working with local authorities.

Introduction

Mudiad Meithrin welcomes the opportunity to respond to this timely consultation by the Senedd's Children, Young People and Education Committee. It has been two years since the Additional Learning Needs (ALN) Code came into force which places a duty on non-maintained funded nursery settings (such as

Cylchoedd Meithrin) to support Local Authorities in their duty to identify children with ALN and maintain an Individual Development Plan for that child.¹ This happened at a time of financial austerity, which continues and is likely to get worse, and financial cuts have had a direct impact on the rights of disabled and neurodivergent children across Wales, and in particular their access to childcare and education. We also know that adults and children with additional needs are more likely to live in poverty, so that must be a central consideration when looking at factors that may impede or impair equitable access to childcare and education: We note that families with disabled children are much more likely to live in poverty².

Mudiad Meithrin is fully committed to the principle of giving all children equitable access to childcare and education, and the principle of child-centred planning, and that is reflected in the Admissions, Equality and Diversity and Inclusion and Equal Opportunities Policies of Cylchoedd Meithrin and day nurseries which are members of Mudiad Meithrin. 'Cylch i Bawb' is a training resource and a resource list that helps Cylchoedd consider inclusion in all aspects of the setting, and introduce Wales' diversity to young children. AcadeMi, the training department of Mudiad Meithrin, provides various training sessions on ALN and disabilities, and there is an all-Wales network of Coordinators to support the Cylchoedd with advice and guidance on all aspects of life at settings.

To get an idea of the current situation with regards to offering equitable access to education, Mudiad Meithrin shared a questionnaire tailored for three different audiences:

- Parents and carers of disabled and neurodivergent children
- Settings – Cylchoedd Meithrin and Day Nurseries
- Mudiad Meithrin support staff across Wales

The response to this consultation was based largely on their responses.

Three sets of data were also considered to search for information that was relevant to the consultation:

- Mudiad Meithrin's annual data collection work on the number of children with additional needs in Cylchoedd Meithrin
- ALN data from Care Inspectorate Wales' SASS collection provided to Cwllwm by the Welsh Government

Pupil Level Annual School Census (PLASC)

¹ The Additional Learning Needs Code (2021) <https://www.gov.wales/additional-learning-needs-code>

² Relative income poverty: April 2021 to March 2022: [Relative income poverty: April 2021 to March 2022 | GOV.WALES](#)

We have shared our response into the following sections:

1. Access to all parts of childcare and education provision
2. Challenges facing settings such as Cylchoedd Meithrin and nurseries
3. The Additional Learning Needs (ALN) Code
4. Support through the medium of Welsh
5. Main calls

Subheadings will present the main considerations in these main sections.

Section 1: Access to all parts of childcare and education provision

This section will focus primarily on our understanding of the experience of children and their parents/carers of childcare and non-maintained education. As noted above, all Cylchoedd Meithrin and nurseries have policies that commit the settings to welcoming all children and ensure that they are required to make reasonable adjustments in accordance with the Equality Act 2010 in admitting disabled children or children with any type of difficulty.

Most responses to our questionnaire for parents and carers showed satisfaction that their disabled or neurodivergent child had access to all parts of the provision. Here are some excerpts from the questionnaire:

'Great staff and excellent experiences'

'All indoor and areas are accessible, activities are planned and suitable, quiet areas available'

'There was a planning meeting to make sure that my daughter wasn't treated differently and to make sure that all kinds of support was in place for her.'

'My son was included in all activities, trips, games, etc.'

Of the answers received from parents or carers of disabled or neurodivergent children, 50% of respondents gave the highest rating for the experience they had, which was that they believed their child had access to all parts of the provision. 31.81% of respondents gave the low rating which means that they did not think they had received access to all parts of the provision (the rest scored somewhere in between).

The main reasons why parents and carers did not believe their child had full access to a Cylch Meithrin are listed below.

Understaffing

The main reason cited by parents was understaffing, which is supported by the response to the staff questionnaire which identifies staff shortages as the main factor if a child is excluded.

One parent reported that her disabled child had received first-class inclusive childcare in one Cylch Meithrin, but the family moved to another area and to a different Cylch Meithrin on a school site in the new area. The Cylch was able to recruit a member of staff after receiving funding for an extra pair of hands, but if the staff member was unavailable, the child was unable to attend:

'Due to lack of staff at Cylch Meithrin ***, my son was excluded for one whole cylch week and 1 day between April 2023 and the end of summer term.'

Several other responses agreed that staff numbers were the reason their child was unable to attend the setting as regularly as other children:

'Not enough staff, staff calling in sick, unable to open all day for them. Not consistent for their routine.'

This discrepancy can have an impact on the child and their development. The first parent quoted above noted that her 4-year-old son was already noticing that he was being treated differently. The inconsistency will cause problems for working parents/carers as well.

Awaiting funding

One of the most common reasons given for understaffing was that funding wasn't available from the Local Authority, or that it was necessary to wait and see if funding was available. According to the principles of the Additional Learning Needs Act, it is necessary to put the child at the centre and plan according to their needs, and therefore funding for extra pairs of hands will not be required in every case as everyone is different. Nevertheless, it appears from the responses that waiting for assurances of funding excludes the children who currently need it:

'Waiting to find out after the CDT meeting also waiting on outreach funding.'

'We are awaiting funding to be allocated for a 1:1 support, so that there is an adult to support our daughter by carrying her portable oxygen cylinder.'

'Waiting on a CDT meeting; my child was 2 in July but we don't have a start date for cylch because they want to check the support will be in place for him.'

Waiting to hear if funding is available affects disabled or neurodivergent children's right to childcare and education. The uncertainty will also affect the parents/carers' ability to plan their lives and ensure that their children benefit from opportunities to play and partake in early years education.

We will discuss staffing and funding issues from the perspective of settings in further detail in the next section.

School holidays

In the response to the questionnaire for parents and carers, the issue of funding during holidays was raised as one specific thing that prevented disabled and neurodivergent children from equitable access to childcare and education. One parent said in a phone interview that holiday periods was a 'very difficult time' and that funding for childcare for her daughter with intensive needs was cut earlier in 2023. This meant that, as a single mother, she faced weeks without respite from caring for her daughter, and that it adversely affected her mental health.

According to one parent, help to access respite care would be one of the biggest things that can be done to support them as a family during the holidays, but they have to fund and organise this themselves:

'We're not eligible for [*respite*] either, and we have to pay a family friend to do this for us. The holidays are a nightmare. We need more help and support. It's costing us a lot of money. Our son's costs are so much more expensive than other children so we must continue to work on very little sleep and very little respite in order to fund the extra needs. It's lonely and we're exhausted.'

There is real concern among parents and carers that services and support available during school holidays will be curtailed further.

Suitability of location and activities

Cylchoedd Meithrin are located in a variety of places – from purpose-built buildings where the group has a permanent base, to halls where the Cylch's resources must be cleared at the end of each session. From the responses received, there were no specific comments about the physical environment, and

several comments praised the accessibility and easy access to resources for all children.

Parents and carers felt that disabled or neurodivergent children were more likely to be excluded from trips than any other activity:

'Every trip they've had, my daughter didn't get a chance to go on because of her disabilities. There were never enough staff to take her even though she has a 1:1'

'Excluded from walks. All activities that he struggles with are planned for the day he is off.'

These examples do not highlight good practice of adapting activities to suit all children. We know that all children in settings benefit when real inclusion is implemented, and it is a concern what messages are conveyed to other children in the setting if their disabled or neurodivergent friends are not allowed to take part in the same activities.

Training:

A lack of training and expertise was a major factor that contributed to the negative experience of some parents and carers. In practitioners' responses to the questionnaire sent to them, many of them note that suitable training or the training they are looking for is rarely available. They also call for more advice and guidance from experts when trying to offer support to an individual child (a full discussion can be found in Section 2).

Parents and carers' worst examples include:

- A lack of understanding of how to support a child despite funding being offered
- A lack of understanding of differences between different conditions
- Better dialogue with parents and carers – a need to strengthen transition between the home and the setting
- The need for a willingness to implement plans and advice of experts at the setting
- A lack of intensive needs provision

We emphasise that only a minority of responses raised the points mentioned above, but Mudiad Meithrin will be keen to understand more about these findings and how we can support practitioners to upskill with regards to increasing their understanding about providing a complete service to disabled and neurodivergent children.

One parent said they had been welcomed in a Cylch Meithrin, but the group's willingness to accept the child did not mean that particular setting was the care provision that best suited the child – it was impossible for the child concerned to receive the specialist care through the medium of Welsh:

'My son went to a mainstream Cylch Meithrin where he had a one-on-one. I don't think he does a lot of activities with the other kids. There wasn't a PECS there, nor was there enough space for it, nor the expertise to use it. We used to travel from *** to *** twice a week to attend an English nursery with ASD expertise.'

The parent's experience points to a lack of specialist care through the medium of Welsh in particular, so better planning is needed to respond to children's needs through the family language. The same parent said:

'There is no adequate early years provision in ***. There needs to be a special nursery for children with ASD, through the medium of Welsh. Things improved significantly when he went to a school with a specialist unit. There are no play opportunities or Welsh-speaking groups in ***, and no opportunity to socialise with Welsh families. The speech and language service is terribly poor.'

The parent added that her child has now 'been released from the speech and language service despite my son not speaking a word'.

Discrimination based on disability and its impact

39.13% of parents or carers who answered the Mudiad's questionnaire said they believed they had experienced discrimination based on disability.

The level of choice of settings is lower for disabled or neurodivergent children, and parents feel they have to work hard to get the information they need, as well as find a suitable place that meets the child's needs. One parent recounted the struggle she had when trying to find a setting that would accept her child:

'Before my son started at Cylch Meithrin... I tried to get him into 3 other nurseries. All of them had spaces available until they discovered that my son had a disability and they would need an extra member of staff / support staff for some of the week. I was told on one occasion that 'it wasn't worth their setting hiring another member of staff for my son for less than an academic year'. Most nurseries I've approached seem to be unaware of disability rights and have no problem making myself and my son feel like a burden.'

It is clearly not acceptable that parents and children feel that they are a burden when they try to get a place in a nursery. This particular child needed a dedicated member of staff to supervise him due to a physical disability. Given the current context where it's difficult to find funding to support individual children, and if the nursery is already offering care to children with needs out of their own pocket, it can be very challenging for settings to be able to accept and support all children.

Another parent said she had to stop working because there was no funding available by now for her child with intensive needs to attend wraparound care on school premises:

'As a single mum I am unable to work due to lack of suitable child care..I have found the younger my daughter was the easier her needs were met (up to 3 years) now I cannot work because there isn't suitable childcare or anywhere that offers wrap around care for her school.'

Although her daughter received the necessary support during school hours, the parent was looking for care provision for two hours before or after school. The parent reported that having to give up her job due to the lack of care provision for her daughter in the mornings (apart from the option of paying for the care herself) had been a double blow – financially, but also from a mental health perspective.

From the responses to the questionnaire, it can be said that the information available to families varies throughout Wales. The requirements that emerged from the questionnaire were:

- Schools should offer more information to non-maintained settings and parents when parents are considering options and the next step for the child
- Schools should strengthen the transition between nursery and school
- That information is easily available without it being hard to find
- More health visitor visits for families with disabled children.

There is clearly a long way to go to improve the experience of disabled and neurodivergent children and their parents/carers with regards to childcare and early years education, and Mudiad Meithrin is keen to address these in collaboration with Local Authorities and the Welsh Government. The next section shows that the root of many of the experiences lies in factors beyond the control of leaders at nursery settings.

Section 2: Barriers preventing childcare providers from offering accessible coverage

Mudiad Meithrin collects data on the numbers of children with ALN in Cylchoedd Meithrin on an annual basis, along with the transition of children with ALN to Welsh medium education. The national percentage of children with ALN compares favourably with the percentage of children with ALN in schools in the same year according to data taken from the Pupil Level Annual School Census (PLASC).³

Year	ALN Needs attending Cylchoedd Meithrin	ALN Needs with Statement (% of all pupils in Wales)	ALN Needs with Statement (% of Welsh-medium sector)	ALN Needs with Statement (% of English medium sector)
2021-22	1.75	1.96	1.15	2.20

While this comparison is good news in terms of the representation of children with ALN in Cylchoedd Meithrin, we know that there is great variation in the level of intensity of children's needs within the data collected by Cylchoedd Meithrin, whilst the data from schools record if a child has a statement, which is a much more definitive yardstick.

The results of the Self-Assessment of Service Statement (SASS) questionnaire by Care Inspectorate Wales⁴ include responses from a variety of childcare settings: daycare, sessional care, (these are likely to be under 5s) childminders and clubs (a variety of ages). Cylchoedd Meithrin and members of Mudiad Meithrin are likely to be counted under the day care or sessional care categories. In 2023, fewer settings responded but the number of children with ALN increased according to the responses, although we do not know how the setting measured that (e.g. whether the child had been identified with ALN by the local authority).

Year	Total responses to SASS from individual settings	Total number of children (of all ages) formally identified as having ALN or a disability
2020	3113	4062
2021	3010	3921
2023	2787	4312

³ [Pupil Level Annual School Census \(PLASC\) \(gov.wales\)](https://gov.wales/plasc)

⁴ [Self-Assessment of Service Statement \(SASS\) | Care Inspectorate Wales](https://careinspectorate.wales.gov.wales/sass)

While more information is needed to fully understand this data (and break it down to a local authority level), it appears on the surface that there is a significant increase in the number of children with ALN in all-ages childcare settings, which is in line with practitioners' perception that they feel there is an increase in the number of children with varying needs attending Cylchoedd. It is unclear whether this sharp increase is due to the introduction of the new ALN Code in September 2021.

The Pupil Level Annual School Census (PLASC) paints a different picture, with a sharp fall in the number and percentage of children identified with ALN in schools (excluding nursery and reception age).

	Wales	Wales	Welsh	Welsh	English	English
Year	All ALN Needs Pupils (number)	All Pupils ALN Needs (% of all)	All Pupils ALN Needs (number)	All Pupils ALN Needs (% of total)	All Pupils ALN Needs (number)	All Pupils ALN Needs (% of total)
2021-22	69,100	14.86	15,670	14.33	53,430	15.02
2020-21	87,360	18.64	19,155	17.39	68,205	19.02
2019-20	92,305	19.92	19,935	18.35	72,370	20.40
2018-19	98,875	21.37	21,465	19.93	77,410	21.80

Note that the percentage of children with an ALN Statement has remained the same, although the number and the percentage of children deemed to have ALN have decreased. The reduction is likely to relate to the transition to the new ALN system that came into force in September 2021. As the figures have been consistent over the years (even though a gradual decline is noted), the question must be asked, therefore, what accounts for the sharp decline? The reduction in the amount does not appear to be the number who have received an IDP under the new regime in 2021-22 either. We will continue to scrutinise these figures and any significant changes. We emphasise that identifying children who are being monitored or targeted, and for which purpose, is vital in order to plan services for the future. This is particularly true in the early years when many children receive targeted provision and may not receive an IDP until they are in a maintained setting (or early intervention in a non-maintained setting will have supported the child to develop and prevent any needs from escalating). Without this data, information on year-on-year patterns and numbers will not be available in order to gain a better understanding of how to support children, their families and the

setting they attend. A better understanding of the data is needed so that local authorities and the sector can improve their planning and support for settings. This data does not match the increasing numbers in the 2023 SASS, which is the only All-Wales dataset available for the childcare, play and foundation learning sector, and better information on the situation from 0 to 5 years would be in line with the aspiration in the Additional Learning Needs Act to see swift interventions normalised.

Better information will help to address the main factors affecting the ability of non-maintained nursery settings to offer equitable access to childcare and education for disabled and neurodivergent children – the main factors will be discussed under subheadings below which are based on the responses of Cylch Meithrin practitioners and Mudiad Meithrin's support staff to a questionnaire sent to them about their views.

Meeting a child's needs

Standard 4 in the National Minimum Standards for Regulated Childcare states that: 'Each child's individual needs, including any children with disabilities or additional needs (including additional learning needs), are planned for and provided for.'⁵

One of the major concerns communicated by Mudiad Meithrin practitioners and staff was that the setting could not meet the needs of the disabled or neurodivergent child in their care in all cases. They understand that they have a responsibility to accept a child and not discriminate on the basis of disability or other needs, but from time to time Cylchoedd will feel that they are unable to meet the child's needs for a variety of reasons. For example, if a child has behavioural issues one practitioner will need to keep an eye out and protect the child, but this will affect the ratios of staff who are supervising the rest of the children in the setting. This is not only a matter of protecting everyone at the the setting, but the setting may be in breach of Care Inspectorate Wales' minimum standards regarding care ratios. It can be a very frustrating situation for practitioners without support and guidance, along with concern that they are breaking rules and endangering the safety of other children.

Of course, every child is unique and meeting each child's needs will be different. We agree that there is a need to look at what support the setting needs and look at implementing inclusion by offering extra hands funding rather than 1-1, particularly when more than one child is receiving support in a setting; this strategy can help prepare the child for attending education without an extra pair

⁵ [National Minimum Standards for Regulated Childcare \(gov.wales\)](https://gov.wales/national-minimum-standards-for-regulated-childcare)

of hands. There may be a historical tendency by practitioners to say immediately that Extra Hands funding is needed before considering what the child's needs are and the best way of including and supporting them in the setting. However, we also understand that experience of not receiving help or guidance on how to support a disabled or neurodivergent child, lack of available funding or failure to recruit leads to anxiety and a seemingly negative response for parents/carers.

One practitioner said:

'We need rapid support for a targeted child (within general provision) as one member of staff drops out of the ratios by having to look after the child.'

Having to wait for funding applications is a barrier when nursery settings want to provide equitable access, and it is one of the factors that were frustrating for the parents as well as they waited for a place for their child.

Funding

Practitioners and support staff reported that financial support is not available for disabled or neurodivergent children under the age of 2 who wish to attend childcare.

Extra hands funding is more likely to be available for children who qualify under the Childcare Offer. The problem is that the Childcare Offer is offered based on the parents/carers' eligibility, not the child. This will exclude disabled and neurodivergent children from equitable access to childcare and education, when play opportunities and interaction with people and children may be one of the interventions that would make a real difference to that child.

The funding gap currently discriminates against children with ALN. We recently received evidence from a speech and language therapist who was visiting a child who had language development delay. In her opinion, he would not be identified as a child with ALN by the local authority, but she is of the opinion that he required early intervention to support his linguistic development. The child did not live in a Flying Start area, and his family were not in a position to pay for a place in a childcare setting or for the transport to get to the nearest Cylch Meithrin. In the therapist's professional opinion, financial help for the child to be able to attend Cylch Meithrin or nursery (under an eligible age for the Childcare Offer) would be an effective intervention to encourage them to use language and develop their communication skills whilst playing. This exemplifies the need to reconsider eligibility on the basis of the child's need, rather than the parents'

eligibility to receive the Childcare Offer, and yet again underlines the crucial role of early intervention and childcare and education settings with regards to preventing difficulties from worsening or developing into a disability. We believe there is work to be done to promote and give status to the work that childcare and education practitioners do to facilitate interventions to support children at an early age.

One practitioner described the tension of wanting to accept a disabled or neurodivergent child, but not having the support available at the setting because the child was not eligible for the Childcare Scheme:

'If a child does not accept the childcare offer, unfortunately there is no support for these children. I understand they don't have to attend but if social services get in touch and ask us to take these children, or if parents ask us to take them so they can have a little bit of a break, it's our responsibility to make sure that all children are treated inclusively'.

The Cylch leader added here that she had paid for additional staff from the Cylch's budget when their funding request was rejected, and that the Cylch had purchased special resources to meet the child's needs.

Several practitioners reported that the ability of the setting to support an individual child too often depends on the financial situation of the nursery or Cylch:

'In our case we do have money but if some nurseries don't then some children with ALN could be excluded due to lack of funding and not being a part of the 20 hours free childcare'.

Some reported that financial help is not available to enable a disabled or neurodivergent child who needs support to attend wraparound provision.

Staff recruitment was an issue that was noted by almost all Mudiad Meithrin support staff as a factor preventing settings from offering fair access to disabled and neurodivergent children. It has been a challenging time with regards to recruiting staff to work in childcare and education settings, and an even greater challenge if the only funding available is for extra hands for a few hours a day:

'We struggled to fulfil 1;1 position as it was only 2 hours per day.'

Even if a recruitment drive was successful, there was a feeling among respondents that there was a shortage of suitable staff with expertise:

'We are doing everything we can to ensure that all children receive the same care, but sometimes we find this challenging, as getting one-to-one

support for a child with needs can be difficult, with no expertise among relief staff and the resources are scarce as well'.

One practitioner proposed a solution to address the lack of expertise and the recruitment challenge locally:

'Perhaps a pool of staff with qualifications and experience to offer the best care to ALN children would be beneficial. Not everyone has the skills to cope with the challenges.'

It should be acknowledged, though, that the reason why the supply of pool staff is often problematic is because the staff are offered jobs that are effectively permanent jobs (such is the demand).

Professional Advice

Practitioners say there is not enough expert advice available to equip them with the knowledge on the best way to support a disabled or neurodivergent child. They say that experts are needed to visit settings and provide advice, guidance, and ideas about suitable activities and resources.

One Cylch Meithrin reported that a child with a lack of speech, language and communication development had been identified as having ALN by the Local Authority. Despite having an IDP that lists the additional learning provision, the Cylch Meithrin leader said no one had visited the Cylch to offer guidance and suggestions regarding interventions to be piloted in the Cylch. The practitioners have come to know the child and build a relationship with him, but feel that they have not been given more expert guidance to be able to support him in the most suitable way.

This expertise is not expected from the Cylch, and practitioners are well aware that professional individuals, such as speech, language and communication therapists, are busy and find it difficult to see every child. Given that early intervention is emphasised as an important strategy to prevent any needs or difficulties from developing, it must therefore be ensured that the right advice and guidance is given to the practitioners dealing with the child on a day-to-day basis.

We support the Welsh Government's plans to have a cross-policy emphasis on speech, language and communication and the intention to upskill the workforce through the *All Wales Speech, Language and Communication Training Pathway For all childcare practitioners working with children aged 0 to 4 years*

11 months⁶; Mudiad Meithrin ran a course equivalent to a core level of skills expected of all early years practitioners. From the responses gathered from practitioners, and the particular emphasis on guidance on issues relating to this area, it is unclear whether the training is available to practitioners locally and if it is available through the medium of Welsh, which is essential for the workforce of Cylchoedd Meithrin and Welsh medium and bilingual nurseries.

Training and Resources

There was agreement in the responses that a variety of training was required for different aspects and levels of additional learning needs. From the responses, it is clear that Cylchoedd are adapting overall provision to respond to the needs of individual children; e.g. several mentioned creating calm/sensory areas, adjusting times to create quieter times in the setting. There was a willingness to invest in resources and pilot new resources:

'Last year I had four children with IDPs but I had to buy new resources like a sensory tent, etc., so I think it would be useful for some funding towards resources. Also staff training - we have all been on a Makaton course...I think courses on behaviour, autism and ADHD would be useful as well.'

While there is a willingness to make required adjustments to meet the needs of each individual child, costs associated with this can be difficult for Cylchoedd that are already under financial strain:

'We had to replace everything that had magnets in it, which is hard in our setting without much funds'.

Some practitioners identified the need for more guidance on providing for children with ALN in the context of expectations of 'Assessment arrangements for non-maintained funded nursery placements'. One practitioner reported that it wasn't possible to place all the resources that were supposed to be available to children and to incentivise free and child-led play, as some children with specific needs are at high risk if they would grab scissors or eat clay or paint.

Guidance should be offered to practitioners about assessment arrangements for a child with needs or difficulties, to ensure that they are assessing in a way that suits the child.

⁶ [Talk with me: all Wales Speech, Language and Communication \(SLC\) training pathway tool | GOV.WALES](#)

Locations not funded to provide education

Some non-funded, non-maintained nursery settings said they feel that they do not have the same opportunity to access training from the local authority as the offer is open to settings funded solely to provide education:

'Although we offer wraparound care, we are not offered the opportunity to attend ALN courses by the local authority as we do not provide Flying Start or education. There should be support for EVERYONE who works and looks after children, and also our club should receive information if a child has ALN or IDP / one page profiles etc.'

The same practitioner reported that a lack of information sharing about an individual child has led to confusion and inconsistency in the provision for that child, as he attends school as well; although the child was receiving social services support due to his intensive needs and attending another nursery setting as well, the practitioner felt that there wasn't adequate collaboration between everyone in the child's best interests.

This section has scrutinised the main issues of concern for settings when trying to offer equitable access to disabled and neurodivergent children. The main calls from this section shall be listed in Section 5.

Section 3: Additional Learning Needs (ALN) Code

'Local authority funded non-maintained providers of nursery education have a role in supporting local authorities to identify ALN and in helping local authorities to fulfil their statutory obligations. (1.85 ALN Code 2021).'⁷

This is the duty that has been placed upon nursery setting providers in the current ALN Code. From the responses received through the questionnaire, it can be inferred that practitioners' level of understanding is inconsistent across Wales. When the Code was published, Cwlwm asked the Welsh Government for clearer messages or guidance on how providers are expected to support the local authorities – what would that look like? The concern was that each local authority would offer different ways, rather than consistency across Wales. It was said that a number of local authorities have been misleading nursery settings with messages that go against the Code; e.g. practitioners are expected to create an IDP, organise multi-agency meetings, or attend detailed courses that are beyond the duty imposed on them in the Code.

There has been an attempt to address the mixed messages by putting together a blog on the Cwlwm website⁸ - a text approved by the Welsh Government. We no longer believe that this is sufficient, and therefore the Government should give concrete examples of what providers are expected to do under the duty imposed in the ALN Code. More concrete guidance would help providers understand what is expected of them, along with consistency across Wales, and would help to understand what is considered good practice for providers.

One of the main aims of the current ALN Code is to facilitate early intervention, but in order to do so successfully it is necessary to make sure that the right support is available for the child in the nursery setting. It is clear from the responses we have received from practitioners that they do not believe they have the appropriate tools to meet the child's needs, whether that is funding to offer more support in their provision and ensuring that the ratios are accurate or expert advice and training to understand how to support the individual child. This occurs in a context of great financial pressures on nursery settings and a crisis with regards to recruiting staff – particularly staff with experience of supporting children with ALN – and therefore it is understandable that there is pressure on practitioners to try to meet a child's needs under very challenging conditions.

⁷ [The Additional Learning Needs Code | GOV.WALES](#)

⁸ [Additional Learning Needs \(ALN\) Act and Code | Cwlwm](#)

Section 4: Support through the medium of Welsh

Pupil Level Annual School Census (PLASC) data provides a picture of the number of school pupils with ALN.⁹

We used data on the number of pupils in school language categories (dividing the numbers of pupils in bilingual or two-stream schools by two) to obtain an estimate of the number of pupils in the Welsh sector and the number of pupils in the English sector. In this way, it was possible to calculate the percentage of children in the Welsh and English sector and all pupils with ALN in 2021-22:

All ALN pupils % of all pupils	All ALN pupils % of the Welsh- medium sector	All ALN pupils % of English medium sector
14.85	15.90	14.59

Although this number is an estimate, it is good to see that the percentage of children with ALN in Welsh medium schools and receiving the majority of their education through the medium of Welsh is close to the percentage of ALN pupils receiving English medium education, and the percentage of all Welsh pupils with ALN. Therefore, by this estimate, there appears to be equitable access for children with ALN in Welsh language education.

When scrutinising the percentages for some local authorities, a greater gap is noticeable between the percentage of pupils with ALN in Welsh-medium education and those in English-medium education:

	All ALN pupils % of all pupils	All ALN pupils % of the Welsh medium sector	All ALN pupils % of the English medium sector
Neath Port Talbot	19.19	11.86	20.66
Bridgend	8.25	3.46	8.65
Vale of Glamorgan	10.44	5.66	11.19

From what we can see from the public data, it looks as if there is a gap in these counties and further research may be required to see if and why the gap exists.

⁹ [Pupil Level Annual School Census \(PLASC\) \(gov.wales\)](https://gov.wales/pupil-level-annual-school-census-plasc)

Mudiad Meithrin welcomes the recent publication by the Welsh Language Commissioner and the Children's Commissioner for Wales which emphasises the need to review and address the lack of Welsh-medium ALN provision.¹⁰ We agree that a full review of the current ALN provision is needed and that the information should be used to update local authorities' Welsh language strategic plans. We welcome the new Working Group which will scrutinise the current situation and prioritise work that needs to be done to level the playing field for children who need the provision through the medium of Welsh.

We also support the call for proposals to be developed on collaboration arrangements between local authorities. One of the challenges with Welsh language provision in the early years is that there are not enough Welsh-speaking health experts, which is one of the weaknesses of Welsh-language provision in the field of disabilities and neurodivergence in general. This has a direct impact on the choices of parents and carers:

'They are attracted to English childcare because there is more specialized provision available (given that there are more providers). Places with specialities are not usually available through the medium of Welsh.'

Speech, language and communication therapists were cited as a specific example of a professional group where there is a shortage of Welsh-language users:

'Many still get the advice that a child with needs can't cope with two languages! There is a shortage of professionals (e.g. speech and language) who can work through the medium of Welsh.'

We believe there is still work to be done to show parents and carers, as well as the health sector, that children with ALN can flourish in Welsh-medium education.

Section 5: Key calls to ensure equitable access to childcare and education

We call on the Welsh Government to:

- Ensure that financial support is available to childcare and education providers based on the child's need and the setting's ability to meet that need.

¹⁰ [Commissioners join forces to call for improved provision in the delivery of learning needs through the medium of Welsh \(welshlanguagecommissioner.wales\)](https://welshlanguagecommissioner.wales)

- Ensure that local authorities ring-fence money to support disabled and neurodivergent children to gain equitable access to childcare and education during school holidays and wraparound care.
- Offer clear guidance on the expectations of funded childcare providers under the current ALN Code.
- Early Years ALN Lead Officers to ensure that experts provide advice and guidance to nursery settings to improve their understanding of how to support a child.
- Invest in upskilling a proportion of the childcare workforce to be able to support children of disabled and neurodivergent children and raise the status of the role childcare practitioners can do to help early intervention in accordance with the ALN Code.
- Promote the benefits of Welsh language education for families of disabled and neurodivergent children as well as the health sector.
- Review the provision of Welsh-medium nurseries for children with Autism.

Cyflwynwyd yr ymateb hwn i'r [Pwyllgor Plant, Pobl Ifanc ac Addysg](#) ar gyfer yr ymchwiliad: [A oes gan blant a phobl ifanc anabl fynediad cyfartal at addysg a gofal plant?](#)

This response was submitted to the [Children, Young People and Education Committee](#) for the inquiry: [Do disabled children and young people have equal access to education and childcare?](#)

AEC 54

Ymateb gan: Cymdeithas Genedlaethol Meithrinfeydd Dydd
Response from: National Day Nurseries Association (NDNA)

NDNA are a charity and membership association supporting nurseries, early years settings and their workforce to deliver the best possible early education and care to our youngest children.

We are the national charity representing private, voluntary and independent (PVI) children's nurseries across the UK. We are the voice of the 24,000-strong nursery sector, an integral part of the lives of more than a million young children and their families.

We represent a network of over 20,000 members including PVI run nurseries and their practitioners in England, Scotland and Wales. NDNA Cymru is the office for Wales.

NDNA Cymru called for members in Wales to provide information to support NDNA to respond to the call for evidence.

We received responses from 22 members across Wales. The responses noted that understanding of the term neurodivergent varies greatly across settings. Over 80% of respondents noted that they had previously or are currently supporting children with neurodivergent, physical, sensory or learning disabilities, however less than 20% of these feel that their setting is currently fully suitable and that they are confident and prepared to welcome a child that is neurodivergent, has physical, sensory or learning disabilities into their setting in a way that will fully meet all their individual needs.

When asked what would help settings to feel more confident and prepared, nearly all settings noted that they would benefit from additional support from their local authority / multi agency teams and that they required further training. It was recognised that some generic training is available, but that it would be beneficial to have more specific training and that bite-size training sessions on strategies to support children would be beneficial, to aid settings to cater to children's individual needs.

One of the main overriding issues raised by respondents was that of funding to support settings to provide the required level of care for children with Additional Learning Needs (ALN), it was apparent from responses that this varies across local authority areas. Where funding is provided to pay for additional staff support for a child, the rate that is paid does not cover the additional costs incurred by the provider such as holiday pay, NI and pension contributions. This results in the childcare provider being required to cover these additional costs.

In local authority areas where there is no additional funding to provide support, it was noted that there is an expectation for childcare providers to be able to use existing staff which are counted in ratios as 1-1 support. Whilst settings want to be able to provide support to all children, this is not always possible and the expectation placed on them to be able to continue to provide quality experiences to all children within the setting when using a staff member that should be working on a 1:8 ratio to carry out a 1:1 role is unsustainable.

A number of settings raised concerns that this expectation impacts upon both the care and learning experiences that they can provide for the child with ALN and the care and learning experiences that they are able to provide for other children within the setting.

Settings also raised concern with the lack of equity in terms of funding and support for children outside of funded places and also between those which are funded under Flying Start and Childcare Offer.

One childcare provider noted that whilst within their local authority the new ALN system has had some benefits such as a clear referral pathway, providing additional support from the local authority team the funding available to provide adequate support remains a great concern. This was evidenced

by the local authority informing providers that they had run out of money and would not be able to continue to provide 1-1 support, they then later informed settings they would continue to provide support to existing children receiving it but that no more funding would be available from spring 2024.

This has caused concern as currently the setting is able to confidently support children with ALN (at some cost to themselves), however will be unable to continue to provide the same level of support to children with ALN in the future. When asked what support this setting would require it was noted that a case by case look at individual children is needed to ascertain if additional financial support would be required to enable the setting to provide the required care and learning. Settings need clarity to be able to plan for the children they currently have attending their setting and to make decisions about children who would like to attend. Currently in some local authority areas there is a no funding blanket approach on the horizon.

Some childcare providers have raised concerns that they are going to be unable to provide support to children with neurodivergent, physical, sensory or learning disabilities and are concerned that this will be seen as settings not being inclusive. Providers want to be inclusive but also want to be sure they can meet the needs of children in their settings.

NDNA Cymru would like further clarity from the Welsh Government on the requirements, expectations and role of the non-maintained providers in supporting local authorities to fulfil their statutory obligations. Without the required support, settings which do open their services to children which need additional support without the resources to provide it, may not be meeting children's individual needs. This could be detrimental to the children with neurodivergent, physical, sensory or learning disabilities.

NDNA Cymru would welcome the opportunity to provide further information to the Children, Young People and Education Committee and would be happy to work with individual providers to develop case studies as further evidence.

Note of School visit

29 June 2023

Attendees:

- James Evans MS
- Sarah Bartlett, Deputy Clerk.

██████████ is a day special school that provides education for pupils aged from 2 to 19 years.

The school is situated in ██████████ and maintained by ██████████ local authority. The school caters for pupils with a wide range of learning difficulties. These include severe learning difficulties (SLD), autistic spectrum disorder (ASD) and profound and multiple learning difficulties (PMLD).

The 2022 Pupil Level Annual Census showed that the school had 104 pupils, 63 boys and 41 girls, aged from 3-19. There are 15 full-time equivalent teachers.

1. Discussions with the School Council

1. The School council delivered a PowerPoint presentation. They raised a few areas that they would like to see some changes:

- They felt that there was a lack of resources and space compared to mainstream schools. They would like the use of more equipment in lessons e.g. power tools and bunsen burners, it felt that those who are able should have more opportunities to access these kind of resources. They also felt that the outdoor space could be improved for wheelchair users, the school are working with the local authority to improve the area.



- The school encourages participation in sports but the pupils felt that some of the facilities are limited. Pupils would welcome the opportunity to have more elements of the curriculum including PE on a weekly basis and the opportunity to be offered a wider range of sports including links with outside clubs.
- The school currently has one pupil sitting a couple of G.C.S.E's, pupils welcomed this opportunity and think if pupils are capable they should be encouraged to sit these exams as it would open up more courses in college. Leaders in the school are making links with colleges which will offer pupils more opportunities.
- Some of the pupils have had experience of mainstream school but prefer Ysgol Penmaes and wished that they had gone there sooner. They like being with their friends, they feel supported, understood and get the extra support and the help needed. There is also flexibility and understanding from the school e.g. medical appointments.
- Quite a few of the pupils travel quite a distance to school, some find that this can be quite disruptive.

2. The School and discussions with staff, parents and governors

Inclusive education

2. It is felt that children and young people with learning difficulties who attend mainstream schools aren't always having their needs met and getting the necessary support needed - it's like they are falling between the cracks. In some cases the children and young people don't necessarily need to attend a special school but being in inclusive education isn't right either as the support isn't available. Mainstream schools need an alteration in psychology, it's felt that they try to fit every child into one box.

3. More children are attending special schools after leaving primary school to get the support needed. However parents worry that they won't meet the entry criteria to access the special schools and therefore fear that they have nowhere to go.

4. For more children and young people with learning disabilities to be part of inclusive education there needs to be upskilling in the teaching workforce. There should be an ALN route

in Initial Teacher Education (ITT), previously you used to be able to do a PGCE in special education.

5. Covid impacted hugely on development of speech and language, social skills, children not being toilet trained. In terms of ALN, it was felt that a label helps but this takes time and needs to be evidence based. Sometimes parents themselves have learning disabilities and struggle to demonstrate this evidence and find it difficult to converse. What is needed is a multi-agency approach, it needs more than just the school and parent. You need a family liaison officer to help intervene and have the difficult conversations, they can advise mainstream schools what support is needed to help the family. A combination of a new inclusion system where all the information is in one place.

What could help: Training – making sure we are getting it right from the beginning for teachers, it's important to understand that all children are different.

Capacity of the school

6. More children are presenting with learning disabilities and quite a lot of their needs are complex. The school currently has 98 pupils and looking to increase this to 106 in September 2023. The Local authority is giving extra funding and a new funding and criteria system has been implemented but the schools still need more funding. The senior management team always find cost effective solutions and only seek help if really needed.

7. It's important that a balance is struck with taking in more pupils but not to the detriment of existing pupils. At present the school is at capacity, if it currently took in anymore pupils it would cause issues with existing pupils. It's about looking after the needs of the pupils e.g. there could be 8 in one class but 2 in another, not every class can simply increase its capacity as it depends of the needs of the pupils in that class and it can cause anxiety for children having to deal with change in class size. Having extra teachers isn't always the answer either.

8. The ALN system is too bureaucratic, to get the support needed you need to be have an evidence base and assessments which can be difficult to navigate for parents and teaching staff. Some mainstream schools aren't educated in ALN, that's why it's so important for teachers to have training on this. If schools don't understand ALN then how can they help the pupils.

9. There were a cohort of students doing ITT who wanted to specialise in teaching in special schools but this isn't recognised by the Education Workforce Council [EWC].

10. The support does vary between local authorities, there should be more joined up working: outreach in schools including peer to peer outreach, personnel from special schools going out

into the community and mainstream schools to explain what they do, teaching assistants from clusters coming together to find solutions and upskilling staff.

11. It's not always about money it's about the way the school manages the people, the ethos come from top and if an inclusive ethos is delivered then pupils will thrive.

What could help: a recognition of what is expected of staff especially teaching assistants. There is a tiered approach for teaching assistants, however in the school level 1 and level 3 do same job. Its more than just teaching, there are medical demands that staff need to deal with, it's about having balance of services.

Support for learners

12. The school provides a holistic person centred approach to learning, there is a community approach in school to provide individuals with the tools to function in the community.

13. The school looks at the individual child and what's best for their learning needs, it offers flexible learning e.g. what time of the day do they learn best, consideration of health needs.

14. The new curriculum is a basis for introducing holistic teaching into mainstream schools. The new curriculum isn't new for the school it has always been part of its teaching content. In transitions the school teaches children about a child's rights. The voice of the pupil is really important, they are always included in conversations and the school council is a strength.

15. Learning is at different levels by a certain age - 14-19 – WJEC pathway, pre entry, level 1, 2, 3 – new curriculum offers other qualifications. GCSE's are offered to Young people if they are capable. Parents are sometimes slightly confused about the different qualifications and career paths.

16. Within the school skills are widely taught. The local college also works with the schools it's a type of mentoring approach. The school is currently working with them to set up extra-curricular activities e.g. science club.

17. Transition to college past 19 years old is an issue. Young people move from a person centred approach and then go into adult world can be emotionally challenging and very difficult, work needs to be done around transitions.

What could help: More opportunities for children and young people outside of school e.g. school, holiday clubs and local opportunities to do residential life skills. Allied to this is respite with good quality additional care support for families, especially single parents.

Transport

18. It's not a barrier but there are a few issues. They have heard that's its sometimes a struggle to get funding for transport and that bus companies may find it responsibility to take on as children do have complex medical needs and could possibly have an episode on the way to school.

19. Pupils travel up to an hour to get to school - generally they enjoy travelling on a bus to, it's part of their routine and they like being with their friends.

20. As a school they found that after the travel to school children aren't ready to learn so in September they are trialling a new system where between 09.00 – 09.45 the children will do an activity to help with their mental health so that they are in a place for learning, it's about building relationships and having a holistic approach to the child, not one size fits all.

Bullying

21. Not within the school, there is a silver rights respect, there is more acceptance of being different and inclusivity. However, there is still a stigma in the community around special schools, they aren't seen as a school and aren't seen as good enough.

22. A lot of the pupils from the school live in rural settings which can lead to feeling isolated when they are not in school.

23. Bullying is more likely to happen in mainstream schools and outside of the school setting. People are recognising it more, lots of work has been done on antibullying, it's about educating pupils to recognise that's not how you should be treated.

What could help: You need to break down the stigma, senior leaders in mainstream schools should understand what special schools offer and that the pupils are offered the same education but it's just delivered in a different way.

Ysgol Bryn Derw – note of visit

29 June 2023

Attendees:

- Jayne Bryant MS
- Laura Anne Jones MS
- Naomi Stocks, Clerk.

1. The School and discussions with staff

1. The school opened in 2017 with 32 pupils in 4 classes. It is the only dedicated ASD Special School in Gwent. It currently has 112 pupils. Capacity is 96 students and they are in discussions with the local authority about capacity and expansion options. They have the potential to expand to 150 places. The school is over-subscribed. For example, they were able to make offers for nursery to reception places to 7 learners, but around 20 learners could have benefitted from joining the school.

2. The age range of pupils is 4-19. 30% of pupils have English as an additional language. This is higher than average. The school has learners with around 14 different languages, which include Russian, Urdu, Bengali, Czech and Polish. There is a range of English proficiency amongst families.

3. For formal review meetings, the local authority will pay for interpretation. For more informal engagement with a family, there are a range of options available including utilising staff language skills; and the school paying directly for interpretation. For day to day communication, the SeeSaw app is used to relay messages in different languages. The headteacher noted that during the lockdowns some learners with English as an additional language fell further behind.



- 4.** 42% are eligible for free school meals. This is higher than the average. This can partly be attributed to the challenges of balancing supporting a child with complex needs and paid employment. The headteacher noted that the introduction of FSM for younger pupils was helpful, saying this meant that parents could still be providing packed lunches with food they know their child[ren] will eat, but alongside that the school can provide a school meal without parents paying for food that may not be eaten. Exposing the children to school meals over time may help encourage them to try the food, building up from small steps such as touching the food and building up to tasting elements of the meal, before potentially building to them eating the full meal. This can help widen a child's diet, improving nutrition which has a wider impact on the child's physical and mental wellbeing.
- 5.** 72% of pupils are non-verbal. As a result the school uses lots of different communication systems. 89% of pupils are working below school age levels.
- 6.** The school is split across two sites. 84 learners are on the Melfort Road site (which was the one visited) which covers key stages 2-5. 28 learners are on Blaen-y-Plant Crescent site which covers foundation phase. This site is smaller and calmer, helping learners as they start on their school journey.
- 7.** The entry provision does enable them to take learners from outside Newport. Some families have moved to Newport specifically because of the complex needs of their child(ren).
- 8.** There are over 90 staff. In a typical class there will be approximately 8 children and 5 adults, but this will vary depending on specific needs. The school also buys in support from other providers such as the health board and third sector. The school has a Family Liaison Officer who works closely with learners and their families.
- 9.** The school does have some Welsh speaking staff, and a number of learners are keen to learn Welsh. The school has audited its Welsh provision with the headteacher describing the school as "on a journey..." For younger pupils there will be exposure to Welsh songs, bilingual instructions and then building up to some older pupils having some Welsh lessons.
- 10.** The school does not run a breakfast or after school club. However, they do have funding to provide breakfast at the start of the school day
- 11.** There is a strong focus on independent living skills, with spaces for learners to develop these skills, including use of household appliances. The school also has soft play rooms; sensory rooms; and therapy rooms. It has outdoor play areas, including a Forest School area.

Transport

12. While the school is well-situated, as learners are coming from across Newport, there can be some long journeys for some pupils. Around 80-90% of pupils come in on transport. Those learners who are brought in by their parents are those who are nearest the site. Some parents may feel less confident about their child[ren] traveling independently, however, independent travel can be positive and help support routine and independence.

13. A lot of families have to use learner transport, as they may have other children who are in different schools. This does mean that parents miss out on informal contact with the school that are more common when they are doing school pick up and drop offs. This can include informal face to face contact with teachers, and the development of parent community. As a result the school has to be more proactive in developing the broader parental community. This type of peer support is even more important to this group of parents, as they face additional challenges and barriers. The support from others who have experienced similar issues can be “transformative”.

14. Transport is funded for all pupils, but it does limit the other activities the school can offer such as breakfast or after school clubs.

15. There is not always the right type of transport, and the quality of provision can be poor. Taxi drivers or escorts may have limited knowledge on how to deal with ASD children and young people. The employment market is competitive, and the working opportunities are limited (people need to be available for around an hour at 9am and 3pm.) Taxis and driver numbers have decreased since the pandemic. The contracts are also not as attractive as similar transport contracts to mainstream education.

16. There is a good relationship with the local authority, but the challenge is that the team who procure transport are not ALN specialists. There is the need to balance administrative need with the need for bespoke provision for learners.

Wider support for families

17. Only 18% of families have a social worker. This means they can miss out on additional support. The complexities of managing direct payments and being able to “unlock” the support this can offer was highlighted. In particular the fact that a parent becomes an employer and all the additional administrative burden this causes.

- 18.** Providing after-school provision is challenging because transport is not available. Families would have to pick up children. Some schools provide different models of holiday support, but as this is often based on grant funding, it can be difficult to recruit and retain staff.
- 19.** Transitions between the unstructured holiday period to the structure of school can be challenging, in particular the longer summer holidays. It can take 2-3 weeks to reestablish routines after the break. Physical interventions are always at the highest at the start of the new school year. Some families dread holidays, but the school has supported families to establish routines at home that work for them. Establishing these routines at home can only really work once they've been established in the classroom.
- 20.** The school has chosen to spend a portion of its budget on a Family Liaison Officer who can provide sophisticated and intensive support to families. Previously this role had been part of a Deputy Head's role, but interventions were only being made when families were at crisis. As the school has grown, they identified a real gap for pro-active support. This provision removes some pressures from teachers and other school staff, it also reduces pressure on social services. It is a good model which other schools should look to learn from.

Teacher training

- 21.** Newly qualified teachers usually need additional training as teaching training does not have any mandatory requirements around teaching in a non-mainstream setting. The school has a number of teaching assistants who would make excellent teachers, but they would have to give up their current work to do teaching training, which would not necessarily cover teaching in special settings. One teacher said that nothing in their PGCE got them to their current role. There was agreement that the PGCE should cover teaching in specialised settings. Special needs and inclusive education should be part of the "bread and butter" of teaching training.
- 22.** Concerns were raised about the recent publication about the [Criteria for the accreditation of initial teaching education programmes in Wales](#), which stated that "School experience placements may take place in a special school or ALN unit. In these cases, Partnerships should ensure that no more than 30% of school experience is undertaken outside a mainstream learning environment to ensure that student teachers are prepared to teach both in mainstream and ALN environments." This report frustrated staff in specialised settings as it seemed to imply that those with training only in a specialised setting would not be equipped to teach in a mainstream setting.

23. Higher Level Teaching Assistants from this school are regularly going into mainstream settings to support them in adjusting and changing their teaching to accommodate special needs.

Support staff

24. All special schools struggle to recruit and retain staff. The pay is very low when compared to the demands of the job. In current economic situation this is a particular issue. Working part time in a supermarket can pay more than being a teaching assistant. Yet these are highly skilled people. The differences between what was expected of a teaching assistant in a special school and one in a mainstream setting were highlighted.

25. The broader package which once made working in a school more attractive is shrinking, as more employers offer greater flexibility such as term time working / school hours.

Transitions from school

26. There is a tripartite funding structure for post school education. They have cases where some learners don't know where they will be going in September. Yet these are learners who need support being put in place to help with the transition to a new setting. It was highlighted that if this happened within the UCAS system it would not be considered acceptable.

2. Discussions with the School Council

27. Issues raised during discussions with the School Council included:

- Lack of opportunities to access sporting clubs
- Lack of work experience opportunities
- Lack of breakfast and after school clubs.
- Lack of information about options after school.

3. Discussions with parents

Childcare

28. There is a lack of holiday club provision. One of the parents started childcare provision to plug the gap in holiday clubs for autistic children and young people. However, because they

were unable to recruit staff, the provision will not be running this summer. The provision is for 3-19 years old, with most being between 6 and 14.

29. Feedback from parents indicated:

- 70% of parents saw behaviour improve;
- 58% would use the service to enable them to go to work;
- 100% felt the provision was safe and that their child was adequately supported; and
- 86% of those who went participated in new activities.

30. The scheme has a waiting list, but can't expand due to the challenges of recruiting staff. It is a much needed service, but is expensive to run. The parent felt this should be run by the local authority. They currently support 55 individual children.

31. There is a play scheme in Newport, but it's not well known. People are usually referred by social services, so parents who don't have social service support aren't aware of it. Parents agreed that securing childcare was more of a pressing issue than education for their families.

Capacity in special schools

32. There is insufficient special school capacity for the level of need. Special schools in Newport are over-subscribed. They felt that there are children in Learning Resource Units who would benefit at being in Ysgol Bryn Derw. This also has an impact on other children in mainstream provision.

Post 16 provision

33. There is a lack of appropriate post 16 provision. The nearest is in Pontypool, but there is no suitable transport.

Transport

34. Parents felt that their children have very limited choices partly because of a lack of appropriate transport. They do not have the same choices as their peers, for example they can't go to after school clubs.

35. Some indicated that there are "massive safeguarding issues" with transport. They cited examples where background checks had not been made, and that escorts did not have sufficient English language skills. It was highlighted that these children and young people are

more vulnerable than their peers in mainstream education. There was concern that the procurement process allows sub-contracting which dilutes the quality of provision.

36. It was also highlighted that some provision is good, with drivers /escorts who build effective and positive relationships with learners. However, there can often be issues at the start of the new year, when there may be new drivers and the children have to build up new relationships. Consistency in terms of drivers / escorts / firms makes a big difference. The impact of having a bad experience on transport into school can be significant on the rest of the school day.

Family support

37. They all agreed that having a Family Liaison Officer in post should be replicated across other schools. Individual examples were given of the difference the FLO's support had made in helping to introduce systems and routines at home. This input was intensive and took a "whole family approach." The FLO had also provided support when there were other changes and events within the family that had an impact on the learner.

38. There was wider discussion about the support all school staff provide to learners and their families. The school approach is centred in looking at the whole family, and ensuring there is sufficient support. One parent described how her blood pressure went down as soon as her child started at the school.

39. There was discussion about how you are often "lurching from one battle to another battle". There is a "constant battle for every service". This goes much wider than education and childcare, and includes issues such as the DLA. Some spoke of how they had to go through complaints processes to try and get access to the right services for their child.

40. One family talked about the support they have received through the IBPS Programme. This is a Welsh Government funded project in Gwent, which provides intensive support to 3 families. It provides support to stabilise families to avoid children having to go into care. It was described as "excellent" and provided space for counselling.

41. The impact of having a child with complex needs on the wider family was highlighted, in particular on the parents and siblings. Parents talked about their other children being "missed out" because their behaviour is not as disruptive or challenging. They also have to take on a caring role. One parent described the importance of summer childcare provision, as this meant they could spend some time with their other children. One parent cited a statistic that 4 out of 5 marriages with a disabled child fail.

42. There was discussion about the impact of supporting a child with complex needs on employment opportunities. Parents talked about how they had to stop working as they have to be available at all times. As well as the financial impact on the household, it also has a negative impact on emotional and mental wellbeing. Not being able to work also limits future opportunities “it changes your future.”

Other education settings

43. Parents spoke of how much “restorative work” has to be done when previous placements had not worked out. One said their child had to have therapy to “undo” what had happened previously.

44. Some felt that the staff in the Learning Resource Units did not have the right level of training. In comparison, the staff at Ysgol Bryn Derw centre the child and their needs. In other settings, it was felt that it was about what’s best for the school and not the child. These children cannot conform to what a school wants them to be. They can be nurtured if you have the right staff. One described the LRU being a “constant battle”.

45. While Learning Resource Units were “not bad in themselves” it was felt they were not child centred. It was felt some LRU staff were not right for the setting. Getting the right staff with the right attitude was felt to be most important, with training then provided for any specialised skills.

Ysgol Bryn Derw provision

46. Parents said that since their child had joined Ysgol Bryn Derw they didn’t worry about the education they are receiving. They are being taught how to develop into adulthood. They are being taught to grow into a world that believes in them. Parents wanted to see this provision available for everybody.

47. Equity not equality is needed, as these children need more support.

48. Non verbal children still have a voice and have something to communicate. They want to communicate but are not always listened to.

Respite provision

49. There was discussion about access to Oaklands Residential Short Break Home. This is the only residential unit in the area, and has been under threat. One parent described of how they were only able to access Oaklands because their child’s behaviour was so challenging.

Ysgol Goffa – note of visit

29 June 2023

Attendees:

- Sioned Williams MS
- Sian Hughes, Senior Researcher

1. The School

1. Ysgol Goffa caters for learners aged 3-19 with profound and multiple disabilities. There are 111 pupils on roll, and there is a waiting list for the school.
2. Two pupils provided a tour of the school and discussions were held with staff and pupils in each classroom.
3. The school will be shortly moving to a new site with a new build school. The children at the school have had input into its design. Although there will be greater capacity at the school, the headteacher felt that they would still be oversubscribed due to the extent of the waiting list for the school. Currently, space is an issue at the school with many of the children requiring multiple pieces of equipment (such as wheelchairs).

2. Discussions with parents, staff, governors and pupils

Training

4. Staff spoke of the training that they have undertaken. As well as training for the new curriculum and other general professional development, they require more specialist training,



such as health and medical related training. Staff greatly welcomed the support they received from specialists such as speech and language specialists and community nurses who regularly attend the school.

5. A member of support staff spoke of the qualifications that she was undertaking and her wish to progress for a formal teaching qualification. However, this would mean leaving the school or taking unpaid leave as teacher training placements cannot be wholly undertaken at a special school.

Inclusive education

6. It is not always easy to determine what is in the best interests of the child. The curriculum, staff ratios and the level of staff training in mainstream schools provide a different experience for learners, which may not be the most appropriate for learners with additional needs.

7. There may be positive benefits for other learners in mainstream schools in terms of learning about inclusivity, but it may not always be in the best interests of the learner with additional needs.

8. There are some challenging attitudes about special schools and parents may feel stigmatised. All the parents were very positive about their children's attendance at the school. Some felt that for some, inclusive education was a 'dogma' and not necessarily in the best interests of the learner.

Qualifications

9. If learners wish to study for exams such as GCSEs, the school has arrangements with a local secondary school. The school said that they do not put any limits on the learners.

Childcare

10. Parents suggested that this was a 'massive gap' in accessing childcare. Summer holiday provision was not always well advertised – with social workers advising parents of its existence – and places were filled very quickly.

Funding

11. Funding for special schools is not made in the same way as it is for mainstream schools and the headteacher had managed to ensure formula funding for the school, although funding was an issue.

Information

12. Parents spoke about the 'fight' that they have had to access the right education for their children. Information on choices was not readily available or pro-actively offered to parents. It had to be sought out.

13. The head teacher had been helpful in advising parents of their access to social workers and direct payments. Parents spoke about not being aware of the provision that was available and that they would have to 'know to ask' for support.

Transport

14. The school had good transport arrangements and the pupils enjoyed the social interaction and independence of traveling by bus.

15. However, it was not always clear why decisions to offer free school transport were made. An example was provided of two children living in the same house where one was offered transport and another not. School transport escorts had been told that they were not to knock the door of any family where the child was not ready to attend school and this meant that the child would often miss a day at school.

16. There were issues for post-16 college transport where learners would need to find their own way to their provision.

Agenda Item 4.1

**Y Pwyllgor Plant, Pobl Ifanc
ac Addysg**

—

**Children, Young People
and Education Committee**

Cllr Ian Roberts,
Education spokesperson
Welsh Local Government Association

Senedd Cymru

Bae Caerdydd, Caerdydd, CF99 1SN
SeneddPlant@senedd.cymru
senedd.cymru/SeneddPlant
0300 200 6565

—

Welsh Parliament

Cardiff Bay, Cardiff, CF99 1SN
SeneddChildren@senedd.wales
senedd.wales/SeneddChildren
0300 200 6565

11 September 2023

Children and young people vaping in schools

Dear Cllr Roberts

We are aware of worrying instances of children and young people vaping in schools. One of our Members recently cited an example of children as young as 8 vaping in school. We are understandably concerned about this. I have raised these issues informally with the Minister for Education and the Deputy Minister for Mental Health and Wellbeing, and understand they are also aware about these issues.

As well as being interested in what can be done in schools to tackle the issue, we are also interested in what is being done to prevent the sale of vapes to under 18s. We would welcome further information on how trading standards across Wales are tackling the illegal sale of vapes to under 18s. We would also be interested in any data or information you may have on the extent of this issue.

Can you also outline what work Trading Standards across Wales are doing to deal with the sale of illegal and unregulated vapes. We are particularly worried that these can often be in flavours that are more attractive to children and young people than those that are legally available.

If you would like more information about this request, please contact the Committee clerks on seneddchildren@senedd.wales

We would appreciate a response by 11 October

Yours sincerely,

Jayne Bryant

Jayne Bryant MS
Chair

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.

Agenda Item 4.2

Julie Morgan AS/MS
Y Dirprwy Weinidog Gwasanaethau Cymdeithasol
Deputy Minister for Social Services

Jayne Bryant, MS
Chair
Children, Young People and Education Committee
Welsh Parliament,
Cardiff Bay,
Cardiff
CF99 1SN



13 September 2023

Dear Jayne,

I am pleased to provide Committee with a written response to question 6 within your letter dated 14 July.

The Committee's question was in relation to recommendation 6 on data: *In relation to each point of data not currently routinely collected and published in Wales (as set out on pages 50 to 52 of our report and the WCPP report), a narrative on the Welsh Government's rationale for this not being necessary / possible / helpful to shape policy response in Wales.*

As outlined in our response to recommendation 6, Welsh Government does currently undertake a range of data collections regarding children's social care. In addition to these data collections, which focus on those children receiving care and support, Social Care Wales collects a large amount of data for the social care workforce. They undertake an [annual data collection](#) from all social care employers, which provides data on people working in residential children's services and foster care, as well as social workers who may support children.

In developing policy and strategy, data is invaluable in allowing us to measure outcomes and ensuring that we are making a difference. The Transforming Children's Services Delivery Group will be establishing a sub-group including members with a statistical background to review the data currently collated, the barriers to collating any data and identify gaps in current data collection. The Group will also work to better understand what data is needed and achievable to collect as part of population needs assessments which can be factored into local authority planning including as part of their placement commissioning strategies, preventative strategies and service delivery.

In conclusion, we do agree with Committee that it is important to have robust data which allows us to measure outcomes to help us inform policy and strategy.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Julie', is placed below the 'Yours sincerely' text.

Julie Morgan AS/MS
Y Dirprwy Weinidog Gwasanaethau Cymdeithasol
Deputy Minister for Social Services

Transformation of Children's Services Programme – Communication Update

September 2023



**Julie Morgan MS,
Deputy Minister for Social Services**

Introduction

I am pleased to introduce you to our first Transformation of Children's Services communications update. There is a lot of co-productive work underway to drive forward change within Wales and we wanted to share this with you.

The Welsh Government's vision for children's services in Wales is clear - we want more children supported to remain with their families with fewer children and young people entering care. We want the time that young people stay in care to be as short as possible, consistent with meeting the needs of the young person. While children are in care, we want them to remain close to home so they can continue to be part of their community - the child's network.

Our Programme for Government contains 8 commitments which provide the framework to do this. The delivery of these commitments will effect change across the whole system in Wales and aligns to the aims and objectives in our [Children and Young People's Plan](#). Both these commitments and the Plan will be delivered over this whole Senedd term.

Programme for Government commitments for Children’s Services:

1. Explore radical reform of current services for looked after children and care leavers.
2. Eliminate private profit from the care of looked after children during the next Senedd term.
3. Fund regional residential services for children with complex needs ensuring their needs are met as close to home as possible and in Wales wherever practicable.
4. Strengthen public bodies in their role as ‘corporate parent’.
5. Prevent families breaking up by funding advocacy services for parents whose children are at risk of coming into care.
6. Provide additional specialist support for children with complex needs who may be on the edge of care.
7. Continue to support and uphold the rights of unaccompanied asylum-seeking children and young people.
8. Support our national Fostering Wales scheme.

We know that the changes needed to deliver our vision will take time and cannot be achieved overnight, but we do know that things can change quickly when everyone works together. We can for example learn from and build on good examples of services already being provided for care experienced children and young people in Wales. We have therefore established our Transformation Programme which is built on three key elements - radical reform, future provision of services and the whole system working together – running through all of this is the voice of care-experienced children and young people.

This bulletin introduces our roadmap for the Transformation Programme and the governance structure we have set up to support its delivery. The bulletin also provides an update on the work we have been doing and what is happening next.

Voice of a Care-Experienced Young Person

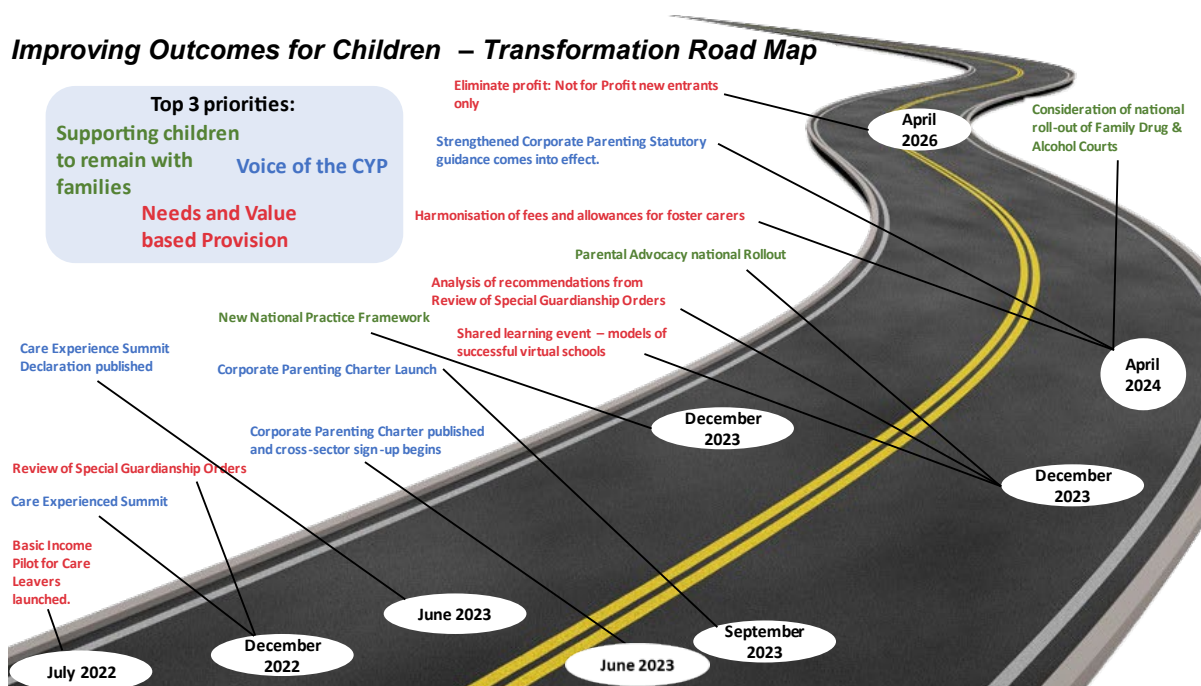
“We were pleased to talk to the last meeting of the Transformation Delivery Group about the Summit meeting between Ministers and care experienced Young Ambassadors, and the [declaration](#) we agreed.

The Vision in the Declaration is really ambitious, and we know that not everything can change overnight. But when the Ministers and Young Ambassadors meet again next year we expect to understand clearly how the Vision is being delivered. That’s why the work of the Transformation Delivery Group is so important, and why we think it’s important for us to be part of it.”

*Hope Hover and Rhian Thomas
Voices From Care Cymru Ambassadors*

Our Transformation Programme Roadmap

To support and deliver our Transformation Programme of work we have a programme budget of circa £70m from 2022/2025 to drive our plans outlined in the roadmap below:



Examples of the work which has been taken forward in 2022/2023 include the development of a National Practice Framework,(read on for further information on the Framework),investment of £1.6m this Senedd term to upscale parental advocacy services across Wales and work to strengthen public bodies in their role as corporate parents through publication of the Corporate Parenting Charter.

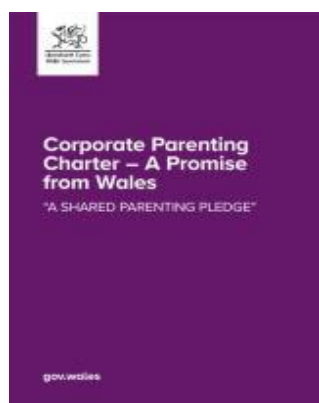
To manage delivery of the Transformation Programme, a Ministerial Oversight Board has been established and met for the first time in May this year. The Board is jointly chaired by the First Minister and Deputy Minister for Social Services. A Transformation Delivery Group has also been established and includes representatives from across sectors with an interest in children’s services including care experienced young people themselves. This Group has met three times this year and is chaired by Jonathan Griffiths, Transformation lead for children and adult social services.

Progress so far, achievements and next steps

The following gives a more detailed update on some of the areas within the roadmap highlighting some of the achievements and the plans for next steps:



On 3 December 2022, the Inaugural Care Leavers Summit took place between Welsh Ministers including the First Minister and the Deputy Minister for Social Services and 50 care-experienced young people or ambassadors. The outcome of the summit is a [declaration](#) which was signed by the First Minister on behalf of Welsh Government and by 4 of the young ambassadors on 10 May this year.



On 29 June 2023, we published online the Corporate Parenting [Charter](#). The Charter developed by the Corporate Parenting Implementation Group outlines a set of principles for public and private sector bodies to follow when providing services to care-experienced children and young people, so they get the same life chances as everyone else.

A wider public launch of the Charter will take place this month.

National Practice Framework

Work is underway to develop the National Practice Framework. The Framework will be the first set of national standards for children’s services in Wales, sitting alongside other all-Wales procedures like the All-Wales safeguarding procedures. The standards will be multi-agency, because we recognise children who need help and protection often need the support of a number of professionals who work together as a team. We anticipate delivering up to 5 new standards of practice by the end of 2023 with further standards being co-produced by the end of 2024.

Eliminate Private Profit from the care of looked after children.

We have established 4 new workstreams under the Eliminate Programme Board to utilise a wide range of skills and experience to really drive progress in ensuring sufficiency of placements and building resilience in the sector including:

- Expanding and Developing New Local Authority/ Regional Provision
- Expanding and developing new Not-for-Profit Provision

- Transitioning Independent/Private Sector
- Best Interests Transition Group

Two subgroups have also been set up under work stream 1 focussing on placement stability and exploring solutions to reduce the need for Operating without Registration arrangements, alongside issues associated with the recruitment and retention of the children’s residential workforce.

In addition, two subgroups have been set up under workstream 3 to consider organisational value/assets and business structures/models.

We have invested an additional £68m into the sector over three years to support and drive delivery of our vision to eliminate private profit from the care of children looked after. This funding will be focused on building local authority residential and foster care provision, on moving children out of residential care back into a family setting, on providing locally based and designed services, including specialist provision for children with more complex needs and above all improving outcomes for children.

The consultation associated with proposals for primary legislation to support ‘eliminating profit from the care of children looked after’ was launched on 17 August and ended on the 7 November. The [summary of responses](#) was published on 22nd June.

On 27 June this year the First Minister announced there will be a Social Care Bill introduced in the latter half of the Sept 23 to July 24 Senedd year to support our commitment to eliminate profit.



We have continued to invest in our national fostering scheme, Foster Wales, to improve the ability of local authority fostering services to recruit and retain foster carers. This will help them to realise their collective ambition of placing more fostered children in local authority placements, within their home area, keeping children close to their networks and communities wherever possible and appropriate.

Kinship (inclusive of Special Guardianship Orders)

We are committed to ensuring that kinship foster carers receive the same support as mainstream foster carers and through the Foster Wales National Commitment we are working towards an agreed package of training, support, and rewards being consistently available to all kinship foster carers through all 22 local authority fostering agencies in Wales.

We want Kinship Foster Carers to receive financial support on a par with mainstream foster carers. Our current work on fees and allowances is focussed on ensuring consistency of financial support across Wales to all approved foster carers.

We have also set up a Special Guardianship Expert Group which has representation from the statutory and third sector alongside service users. It will be looking at developing an improved and consistent needs-based approach to supporting Special Guardianship families across Wales.

Adoption

The Wales 'Adoption Support Commitment' outlines the support that all adoptive families in Wales can expect to be able to access at each stage of their adoption journey. The Commitment is the first document of its kind in the UK and aims to ensure adoptive families in Wales feel confident that information and support is available when needed, from professionals with specialist knowledge of adoption and children's care needs.

As part of a modern adoption service for Wales, alongside the National Adoption Service we are focussing on further improving adopted children's contact with their birth families where it is safe and appropriate to do so.

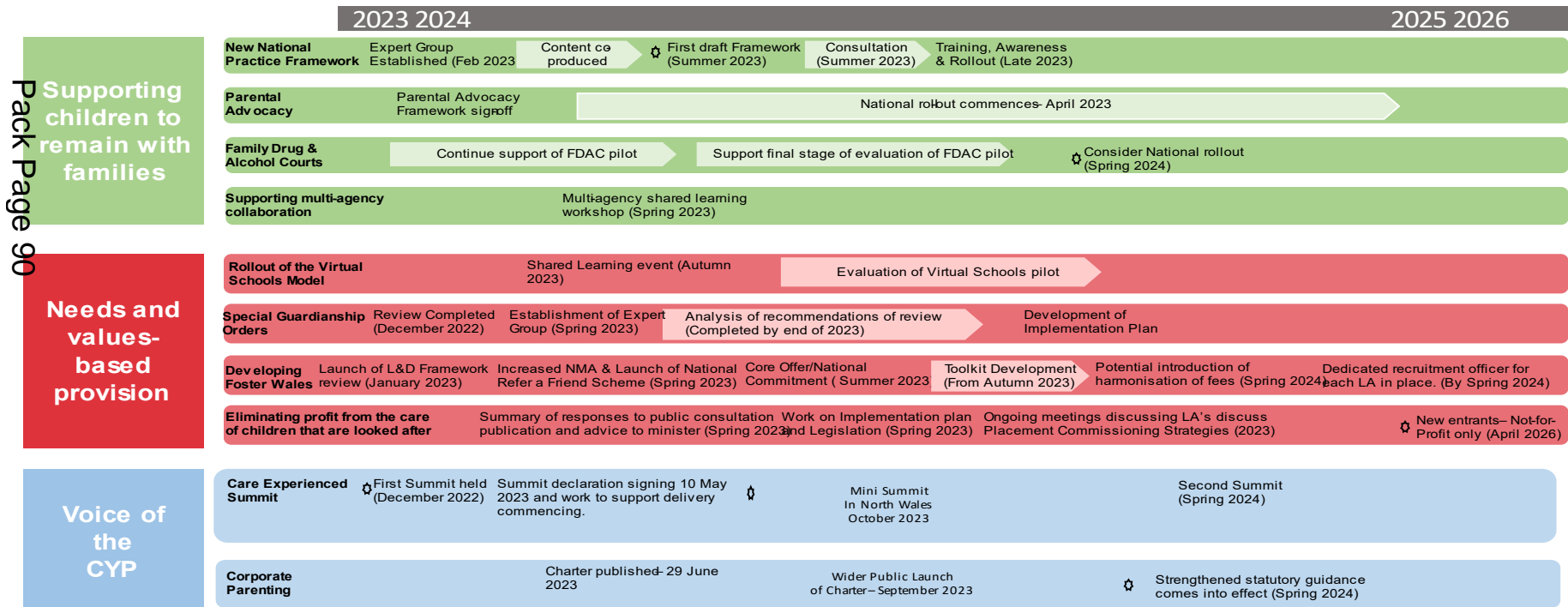
The Deputy Minister for Social Services issued a formal apology on behalf of the Welsh Government for the experiences and lifelong impact of all those affected by historical adoption practices in Wales. We continue to work with the National Adoption Service to consider the support that can be put in place to support those affected by such practices.

Whilst adopters are provided with support throughout the adoption process, subsequent support is also required from employers to help adopters and those waiting for a child to join their family. The National Adoption Service for Wales has launched a new employer toolkit to help businesses and organisations enhance their support for employees who are adopters or waiting to adopt.

Some of the highlights for the next six months

We are continuing to build on the work we have already begun on the Transformation Programme as outlined above.

Milestones in our Transformation Programme



The voice of the child will continue to be central to everything that we do and building on the **Inaugural Care Leavers Summit** we will be working with Voices from Care to hold a North Wales region care leavers summit in October.

Of particular focus for the remaining of this year will be the publication and communication of the Corporate Parenting Charter which is key in the delivery of the Care Leavers Summit Declaration.

We will continue to work with the Corporate Parenting Implementation Group to consider future steps for Corporate Parenting including the development of guidance to support the implementation and a dedicated chapter on Corporate Parenting to support local authorities in their role as corporate parents within the relevant Part 6 Code of Practice for looked after and accommodated children. A consultation of the draft chapter and guidance will take place this winter.

On the National Practice Framework work will be undertaken to widen the consultation process, using the draft national standards as a basis for becoming confident that the final version of the Practice Framework is going to make a difference to children's lives over time. . We will work with practitioners across Wales to ensure the practice framework is being applied and meets the needs of children.

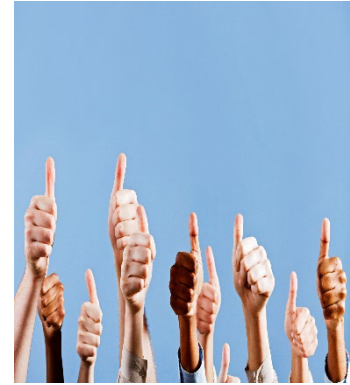
We continue to invest in **Foster Wales** and direct our investment to ensuring we can recruit foster families that meet the evolving and varied needs of the children that need care and support. We will continue to implement a consistent core offer of support to foster families across Wales to ensure our foster families can access needs-based support whenever they need it and wherever they are located in Wales.

The **Foster Wales National Commitment** has been launched which offers an agreed package of training, support, and rewards consistently available to all local authority foster carers in Wales. Work continues with local authorities in Wales to support the implementation of the various components outlined within the commitment. Work is progressing with the financial modelling relating to the National Minimum Allowance and a new set of harmonised payment arrangements.

For further information please contact:
plantsynderbyngofal@llyw.cymru/
lookedafterchildren@gov.wales

Factsheet: Sustainable Social Services Third Sector Grant Scheme

Did you know about some the projects we fund through our Sustainable Third Sector Grant Scheme:



<p>Ar Trac – Welsh Women’s Aid</p> <p>The Ar Trac project supports children and young people who have experienced or witnesses domestic abuse, and who are exhibiting difficulties with their family and peer relationships. By addressing these difficulties and building upon strengths within childhood, Ar Trac aims to minimise the impact of the adverse childhood experiences associated with domestic abuse and improve physical and mental well-being later in life.</p>	<p>Parent Advocacy Programme - National Youth Advocacy Service</p> <p>The project aims to support Welsh Government’s plans for providing family intervention support with the aim of reducing numbers of children entering the care system in Wales. The project’s key aim is preventative intervention whilst ensuring the rights of the child are fully upheld.</p>
<p>Project Unity - National Youth Advocacy Service</p> <p>Project Unity offers support to care experienced pregnant young women and young mothers up to the age of 25 across Wales. It provides one to one emotional and practical support with the aim of keeping families together, wherever possible.</p> <p>This project provides intensive wraparound support for care-experienced mothers and helps builds peer support</p>	<p>Skills PLUS (Skills+) - Action for Children</p> <p>Skills+ is a service for Care-Experienced Young People (CEYP) aged 14-24. The project is delivering bespoke Pathways that support CEYP’s transition to adulthood, through a range of interlinked interventions designed specifically to reduce their vulnerabilities and equip them with the resilience, skills/tools to help them to cope positively with the challenges of independent living.</p>

<p>networks for them. The aim of the project is to help break the cycle of the children of these care-experienced mothers being taken into care themselves and help prevent them becoming subject to child protection processes.</p>	
<p>Supporting BAME Children and Young People in Wales – EYST</p> <p>The services is a referral-based service for BME Children and Young People aged 0-25 with ‘additional’ or ‘multiple’ support needs. The service aims to improve the wellbeing outcomes of BME Children and Young People with social care needs, through a race-, faith- and culture-sensitive, person-centred and rights-based support service, building on and connecting to EYST’s work with BME Children and Young People in Swansea.</p>	<p>Supporting Young People in NPT and Swansea - Plattform</p> <p>Plattform’s Young People’s Project provides a safe space for young people aged 13-16 years to pause, breathe and connect. Through the provision of a wellbeing programme, peer support and one-to-one support, young people will be given the opportunity to explore what mental health and wellbeing means to them. Young people will have the opportunity to meet others facing similar challenges, share stories of recovery and everyday strategies for wellbeing. The project provides the opportunity for young people to train to become peer mentors and will give young people a platform to shape the direction of the project.</p>
<p>The Fostering Network Wales</p> <p>The Fostering Network aims to deliver a programme of work which will empower the fostering community to improve well-being outcomes for looked after children and young people within the national well-being framework. These include:</p> <ul style="list-style-type: none"> • Hosting ‘Fosterline Wales’ a high-quality information and advice service, offering phone support accessible digital resources toolkits and webinars; • Offering Professional Development aimed at the fostering workforce through events and webinars assessable throughout Wales; • Proving independent advice and mediation to all foster carers and services staff to help resolve conflict, complaints or allegations. • Supporting good practice to reduce and prevent incidents that can risk placement breakdown and de-registration. 	

Factsheet: Transformation Programme for Children's Services Key Facts

A total of £3.5m of Regional Accommodation funding was used by 15 projects across all regions in Wales and has resulted in:

- Creation of 26 new beds of regional provision for children with complex needs
- Support for 62 children and young people with complex needs.

In 2022/23, Regional Partnership Boards assigned approximately £50m of Welsh Government funding through the Regional Integration Fund to invest in 86 projects across Wales.

We are investing £1.6 million of funding during this Senedd term through the Care Experienced Children Change Fund, to scale up existing parental advocacy services across Wales.

We have invested an additional £68m over three years to support local authorities and drive delivery of our vision to eliminate private profit from the care of children looked after.

There were over 40 Care-experienced children who took part in the Inaugural Care Leavers Summit which took place on 3 December 2022. This was the first event of its kind in Wales.

Since 2017, we have provided £1m annually for the St David's Day fund which provides money directly to young people who have experienced care to help them access opportunities that will support progression to independence. The

The Welsh Government has joined the Civil Service Care Leavers Internship Scheme for 2023 and is offering three roles in the latest recruitment round.

Ms Amanda Wilkinson
Director, Universities Wales

Jayne Bryant MS
Chair, Children, Young People and Education Committee
Senedd Cymru

13 September 2023

Dear Jayne

International Students

Thank you for your letter dated 6 July 2023 regarding mental health support for international students in higher education. I welcome the opportunity to respond to your queries.

Universities Wales recognises that support for physical and mental wellbeing should be clearly signposted to international students, and student support services should reflect the full diversity of the international student community, in terms of culture and nationality, and mode of study.

Universities have an important role in supporting international students to navigate life in Wales, through the promotion of spaces and structures providing information on key areas such as access to healthcare, accommodation, transport, and advice on finances.

Regarding living costs, international students are required to have a certain level of funding for themselves and for their families, as part of the requirements for a Tier 4 Visa. Although some there are different evidence requirements in place for some countries (such as the US or countries in the EU), most international students need to evidence that they can pay for their course for one academic year and that they have access to £1023 per month for courses outside of London. Each dependant also requires a further £680 per month. This is made very clear in the [visa and application processes](#).

Universities take their duties in relation to Tier 4 requirements very seriously both for the benefit of students and to ensure institutions can continue to offer international students the opportunity to study in Wales. UUK has recently [published guidance](#) on best practice in this area.

Our International Network, chaired by Dr Ben Calvert, has committed to agreeing a set of principles for international recruitment including the expectations on signposting, engagement with local partners and provision of advice and guidance.

Please let me know if you require any further information.

Yours sincerely



Ms Amanda Wilkinson
Director, Universities Wales

Agenda Item 4.5

Jeremy Miles AS/MS

Gweinidog y Gymraeg ac Addysg
Minister for Education and Welsh Language



Llywodraeth Cymru
Welsh Government

Jayne Bryant MS
Chair
Children, Young People and Education Committee

13 September 2023

Dear Jayne

Thank you for your letter of 12 July in relation to the Elective Home Education statutory guidance, and the correspondence you have received from home educators.

For many families, the decision to home educate would have been a positive choice. However, we know this may not have been the case for everyone. This is one of the reasons why the new statutory guidance, published in May, is so important to ensure that all learners have a suitable and efficient education.

In developing the proposals for EHE, the Welsh Government used a wide range of approaches to fully engage and consult with key stakeholders including home educating families. This included online public consultations and in-person regional consultation events. All consultation responses on the statutory guidance were considered in full, including those responses that referenced human rights and data protection legislation. Further information on the consultation is available on the Welsh Government [website](#).

Feedback from consultation meetings, and the events held with home educators and home education representative groups, went on to inform several subsequent amendments to the statutory guidance and home educator's handbook.

My officials have engaged EHE representative groups and I myself met with Education Otherwise. More recently, following further discussions with one of the EHE representative groups, I have agreed minor amendments to our guidance since publication. I have also already committed to evaluating the guidance, to ensure that

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1SN

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400

Gohebiaeth.Jeremy.Miles@llyw.cymru
Correspondence.Jeremy.Miles@gov.wales

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

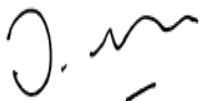
its impact can be assessed, and to determine how local authorities are using it. The evaluation will be undertaken independently and will commence in May 2024.

To ensure that home educating families were aware of why the changes to the guidance are important, and to provide clarity on the issues referenced within correspondence, the Children's Commissioner for Wales hosted further engagement sessions between Welsh Government officials and home educators on 26th and 28th June. The sessions were an opportunity for home educators to discuss their concerns with the Welsh Government, and for officials to provide reassurance in relation to various aspects within both the guidance and handbook. Feedback from my officials indicated that the sessions were constructive and allowed for all attendees to have their say, in a supportive and neutral setting.

Following the sessions, the Children's Commissioner's office collated all queries raised during the sessions. These queries were grouped into themes, and my officials have drafted a paper detailing the responses, which will be shared with home educators via the Children's Commissioner. The paper, which is attached at Annex. 1, includes responses to the concerns raised in the correspondence received by the Committee. However, you may wish to note that many of the submissions have also been sent to the Welsh Government, and therefore the correspondents have received separate responses from my officials.

Children's rights are at the forefront of the EHE proposals and I am committed to ensuring that all children receive an education that enables them to achieve the best possible outcome for their future. Now that the guidance has been published, my officials will work with local authorities to embed the guidance and continue dialogue with the EHE community, to ensure that the views of families, including home-educated children are heard.

Yours sincerely,



Jeremy Miles AS/MS
Gweinidog y Gymraeg ac Addysg
Minister for Education and Welsh Language

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1SN

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400

Gohebiaeth.Jeremy.Miles@llyw.cymru
Correspondence.Jeremy.Miles@gov.wales

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**Children's Commissioner for Wales Elective Home Education (EHE) Forums
26th & 28th June 2023**

Background

The Children's Commissioner for Wales facilitated two sessions between the Welsh Government and EHE families, to clarify any queries families may have in relation to the new statutory guidance and parental handbook on EHE, which were published on 12th May and 9th June respectively.

An invitation was sent by the Welsh Government on behalf of the Children's Commissioner for Wales to local authorities for them to share with their EHE networks and those stakeholders who had previously expressed an interest in this area. Within that invitation, families were asked to email CCfW to register their interest and were then issued with joining instructions. Although 50 spaces per event were initially allocated, the number that expressed an interest exceeded this and some additional places were allocated before a cut-off date two weeks before the event.

Time restraints did not all allow for questions asked by attendees to be answered during the sessions and therefore responses to the queries posted in the 'chat bar', and subsequent queries e-mailed independently to the Welsh Government following the sessions, have been captured below.

Where questions included statements based on personal experiences or opinion, the Welsh Government has not commented, except to answer the question and to correct misinterpretations of the law or policy.

General

Pack Page 99	1. Could you just sum up what is new in what we've just seen?	<p>The purpose of the guidance is to support local authorities in effectively discharging their existing duties in relation to home educated children and assisting them in providing support to home educated families. Specific changes include:</p> <ul style="list-style-type: none"> • a more detailed description of what constitutes a 'suitable and efficient education' includes suggested characteristics so that LAs can more easily determine if a child is in receipt of a suitable education • detailed section for LAs on assessing suitability of education • emphasis on seeing the child • clarity on the duties under the new ALN Act and Code. • more detail on support for home educated children than the previous version • a specific section on examination access • detail on School Attendance Orders • more comprehensive section on safeguarding • recent case law Goodred v Portsmouth City Council
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Theme 2: Meetings with a local authority and relationships with them

2.	What happens if parents refuse a meeting with either their child or themselves?	Section 4.21 of the statutory EHE guidance acknowledges that a parent or Gillick competent child can refuse a meeting with the local authority.
3.	The guidance is not clear on that. It either is mandatory or it isn't and there shouldn't be any negative effect if parents and home educated children decide that a face-to-face meeting is not in the child's interest.	Whilst parents are free to refuse a meeting with the local authority, it is questionable whether the local authority can reasonably assess suitability of education without seeing and communicating with the child. This decision is a matter for the individual local authority.

<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Pack Page 100</p>	<p>4. Could this be clarified in the guidance - the word 'should' meet in the guidance suggests that a meeting is ordinarily required? This would disregard the wishes of a child who just doesn't want to meet a stranger.</p>	<p>Section 4.21 of the EHE guidance acknowledges that “parents and Gillick competent children are not, however, obliged to meet with the local authority and are free to decline a meeting if they so wish”.</p> <p>Additionally, section 4.22 of the guidance states that “there may be occasions where it is not in the best interest of the child for the local authority to meet with them”.</p> <p>Section 4.27 of the EHE Guidance outlines that a meeting may not be the only method for the local authority to be satisfied that the education is suitable. A local authority, if it thought appropriate to do so, could send a pre-meeting questionnaire that home educating families and their children complete together. This will form part of a more holistic approach to assessing the suitability of education. The local authority can use the response to the questionnaire to inform their discussion with home educating parents and children.</p> <p>Section 2.26 of the EHE handbook also outlines that there may be other ways by which a parent could demonstrate that the child is receiving a suitable and efficient education and provides examples for parents.</p>
	<p>5. How is the decision made about whether it is/is not appropriate to see the child? Especially in relation to things like hidden disabilities, neuro divergence and mental health for example. I am wondering about who is qualified within the LA to make this judgment?</p>	<p>This will be down to individual local authority officers.</p> <p>Section 4.22 of the statutory EHE Guidance outlines that there may be occasions where it is not in the best interest of the child for the local authority to meet with them, or in some circumstances, the local authority can conclude without seeing and communicating with the child that they are receiving a suitable education. Where such a conclusion is reached an appropriate date for the decision to be reviewed should be set, taking into account the individual circumstances of the child.</p> <p>where learners have identified ALN which could include neurological, mental health diagnosis, good practice would be for EHE officers to discuss with colleagues who work within and alongside statutory teams to</p>

		<p>determine alternative ways in which evidence could be provided</p> <p>Where learners do not have an identified need and parents feel it is not appropriate to see the child, EHE officers will need to seek views from statutory teams who have experience in dealing with learners with additional needs, as to whether a meeting is in the best interests of the child.</p>
Pack Page 101	<p>6. The law states that the parent is responsible for the education of the child not the local authority. Home education is also allowed by law. As these laws have not been changed on what basis does the local authority to insist on meetings to assess the suitability of the education I provide to my child.</p>	<p>Parents have a responsibility to ensure their children receive a suitable and efficient education either at school or otherwise. However, determining the suitability of education is the legal responsibility of the local authority. They must:</p> <ul style="list-style-type: none"> a) make arrangements to identify children not in receipt of a suitable education, and b) take action if it appears that the child is not in receipt of a suitable education. This is detailed under section 436A of the Education Act 1996. <p>Section 437 of the Education Act states that if it appears that a child of compulsory school age in their area is not receiving suitable education, either by regular attendance at school or otherwise, local authorities shall serve a notice requiring the parent to satisfy them that the child is receiving such education.</p> <p>An authority's duty under section 436A of the Education Act 1996 (and that under section 437) forms sufficient basis for informal enquiries to the parent/carer to determine what education the child is receiving and whether the local authority believes this is suitable and efficient.</p>
	<p>7. Do you understand why the community have so many questions and concerns about the content of guidance? It is essentially asking one person, one individual LA representative to make a judgment of</p>	<p>The statutory EHE guidance does not change a local authority's existing duties. The guidance supports them to carry out their functions and clarifies these within the context of EHE.</p>

<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Pack Page 102</p>	<p>how well a parent is raising their child without ANY evidence of a need to do that. Do you know how stressful and upsetting it is for families to have to experience one person, one stranger we know little about, judge how well a parent is raising their own child because of a choice the family have wanted or needed to make in declining the option of state educational provision?</p>	<p>The local authority's role and statutory duty is to determine what education is being provided and whether this is suitable and efficient. There is no assessment or judgement on how the child is raised or a parent's life choices.</p> <p>A parent has the right to choose to home educate their child, however, home education is not an automatic right of parents; it is dependent on provision of a suitable and efficient education.</p> <p>Section 7 of the Education Act 1996 sets out the duty placed on parents to secure a full time, suitable and efficient education for children of compulsory school age, either by sending the child to school or through other means - one of these means is for a parent to decide to home educate. Balanced against this decision, is the expectation that local authorities can assess the suitability of the education parents provide. In order for a local authority to carry out that function, it is not unreasonable for local authorities to ask parents about their approach and the education being delivered.</p> <p>If the education being provided is deemed to be neither suitable or efficient then local authorities will have their own processes in place to escalate cases where more formal action may be necessary.</p>
<p>8.</p>	<p>I have already been threatened with an SAO by my local authority for simply refusing to write a report despite providing them with a report the previous year. And successfully home educating for 25 years with my older children now attending university. They did not believe I was not providing a suitable education. They were purely using it as a threat. How will this kind of behaviour be avoided.</p> <p>Similar question raised via separate correspondence: What happens when parents refuse to give "samples"</p>	<p>This is clarified under Question 5. Local authorities must be satisfied that a suitable education is being provided. A local authority's duty under the Education Act 1996 (section 437) forms sufficient basis for informal enquiries to the parent/carer to determine what education the child is receiving and whether the local authority believes this is suitable and efficient. The guidance clarifies that the local authority should attempt to obtain the necessary information and engage with the family before issuing an SAO. If the parent/carer refuses to provide any information and the local authority is unable to assess the education provision, it may have to issue an SAO.</p>

	of “work” because they or their child do not consent for legal, moral, philosophical or educational reasons?	<p>Section 5.3 of the statutory EHE Guidance states “in the absence of information that suggests a child is being suitably educated and that the parents’ refusal to answer is for some unrelated reason, the only conclusion that the local authority can reasonably come to is that the home education does not appear to be suitable”.</p> <p>The guidance acknowledges that the approach home educating parents take is likely to be dictated by their own philosophy or views, and in many cases, the absence of formal assessment may be a feature of the education provision. This will be fully considered by local authorities but they must still be able to undertake their statutory duties. The statutory EHE Guidance states 4.33 that: “Legal precedent has established that local authorities can make informal enquiries of parents for details of the educational provision for their child”.</p>
6 Pack Page 103	From the response to the statutory guidance so far, do you believe the guidance will build bridges between local Authorities and home educators?	<p>The purpose of the guidance is to clarify existing requirements in law and to help ensure that there is consistency of approach across all local authorities and to ensure that children are supported to access the universal services and benefits normally available to children and young people in mainstream education.</p> <p>As the guidance is implemented, we acknowledge the need for ongoing engagement with stakeholders to ensure that any remaining concerns are addressed.</p>
10.	Do you feel that forcing meetings effectively will boost positive relationships?	As outlined in the response to Question 2, parents are free to refuse a meeting with the local authority, however, it is questionable whether the local authority can reasonably assess suitability of education without seeing and communicating with the child. This is a matter for the individual local authority. (See section 4.21 of the Statutory EHE Guidance).
11.	Given that the handbook says that tutors should not meet with children alone, what measures are there to	Local authorities will have their own systems and processes for meeting with families and learners which would safeguard both the local authority

	protect LA officials carrying out meetings, especially where meetings may be held because parents feel as sense of pressure or of negative consequences if they don't, or when children with ALNs, through no fault of their own, may be triggered into meltdowns and fight-or-flight violent outbursts by their presence, questions or by the stress of the implications of failing to "please" them?	<p>officer, parent and learner.</p> <p>Arrangements for meetings with learners with ALN has been clarified under response 5.</p>
12.	Can they meet children without interviewing them? Watch them in a lesson, for example?	<p>Section 2.26 of the Welsh Government's handbook for home educators outlines the different ways evidence could be provided by parents. Families should discuss provision of evidence with their local authority.</p>
Back Page 104	Why is an SAO the response to educational concerns with home education when schools receive help and support to improve - surely the equivalent would be a home education support service?	<p>The local authority is expected to make all reasonable efforts to provide help and/or support to the family. The guidance clarifies that the local authority should attempt to obtain the necessary information and engage with the family before issuing an SAO.</p> <p>In this instance, this is an offer of support and the parents are under no obligation to accept it.</p>
Theme 3: Recourse against local authority decision making		
14.	Local authorities are a law unto themselves. They quite frequently make up their own agenda and do not adhere to rules and best practices. They lie and mis-direct, mis- inform. What protection do parents have in regard to this?	<p>Driving consistency of practice across all local authorities is a key aim of the new statutory guidance.</p> <p>The Wider Package of Support clarifies the existing statutory responsibilities on local authorities, namely: -</p> <ul style="list-style-type: none"> • the local authority must decide whether or not the child has ALN if it is brought to its attention that the child may have ALN • securing provision of counselling services for EHE learners in line with the offer available in schools • providing access to youth support

		<ul style="list-style-type: none"> • providing access to advice from Careers Wales <p>As outlined in the response to question 13, the local authority is expected to make all reasonable efforts to provide help and/or support the family. This may include providing parents with information about preventative services and, where appropriate, gaining parental consent for a referral to those preventative services available locally.</p> <p>If parents have any concerns, they are encouraged to discuss these with the local authority and if they remain dissatisfied parents can follow the local authority's complaints process.</p> <p>Parents are also able to refer their concerns to the office of the Children's Commissioner for Wales. Contact Us - Children's Commissioner for Wales (childcomwales.org.uk)</p>
Pack Page 105	What happens when the parent and the LA disagree? there is no appeals process or scrutiny apart from going through the courts	As a matter of good practice, local authorities are advised to regularly review all of their procedures and practices, including those in relation to home education. Home education organisations and home educating parents and children should be involved in the review process. Effective reviews, together with the sensitive handling of any complaints, will help to build and secure more effective partnership.

Theme 4: Qualification / experience / training of local authority officers		
16.	What qualifications will LA decision makers have? What disabilities and mental health training will LA	It is up to local authorities to appoint officers with the necessary skills and experiences to undertake the role, and to provide ongoing training and

	<p>EHE officers be given? What philosophies will LA EHE officials be educated in?</p>	<p>professional development.</p> <p>However, local authority officers did receive a package of training prior to the implementation of the new statutory guidance to include awareness of the different philosophies, learning styles and approaches to home education. Training materials are attached, as referenced in the answer to questions 17/18.</p>
<p>17.</p>	<p>Can the EHE officer training materials be shared with the home educating community?</p>	<p>The topics covered and relevant PowerPoints are included as an attachment with this document.</p>
<p>Back Page 106</p>	<p>Please would the department make the full range of resources and content used in training LA employees for EHE fully visible to the public so that we can evaluate how useful or appropriate these were? This would seem especially important in building trust and communication as it would seem that no home educators were involved in the development of this training.</p>	<p>The Welsh Government held two seminars on 28 February and 21 March 2023.</p> <p>The purpose of these seminars was to notify Welsh local authorities of the forthcoming publication of the Elective Home Education guidance and to facilitate discussion of the guidance, the responsibilities of local authorities and to raise awareness of best practice throughout Wales in working with home educators.</p> <p>Attendance at the seminars was voluntary, all Welsh local authorities participated with some contributing materials and leading elements of the discussion.</p> <p>The meetings were held as the draft guidance was being finalised for publication. The focus on these sessions was on local authority responsibilities as outlined and there was not an opportunity to discuss the drafting.</p> <p>With particular reference to the Gypsy, Roma and Traveller PowerPoint, an official for the Welsh Government gave a presentation on academic studies of the Gypsy, Roma and Traveller communities and home education. The purpose of the presentation was to highlight: -</p>

		<ul style="list-style-type: none"> • that the decision to home educate was not always due to a nomadic lifestyle • the variation in practice across the responding Local Authorities in England, • the need for LA EHE officers to liaise with their local traveller service • that the recommendations of this report were far more extensive than forthcoming Elective Home Education guidance <p>This presentation then set the scene for an LA Officer from the Gypsy, Roma and Traveller community with experience of home education to share their experiences and provide advice for colleagues when assessing the suitability of home education and interacting with these communities.</p>
18. Pack Page 107	<p>What lived experience regarding home education do <i>Welsh Government staff</i> have, that allows them to train others?</p>	<p>Civil servants are impartial, and proposals or policies are not personal views. Experience of Welsh Government staff is in policy development and advising ministers across a range of areas, informed by those with a key interest or specific experience.</p> <p>The WG official who ran the training provided to local authority staff is an experienced local authority officer on secondment with experience of supporting home educating families and has an awareness of the factors which can contribute to a parental decision to home educate.</p> <p>Existing local authority officers working in this field supported the training by delivering relevant presentations which included general application of the statutory guidance to meet local authorities' statutory duties, across some specific areas (e.g., philosophical approaches suitable and efficient education (as per guidance), Gypsy Roma Traveller policy, and ALN).</p>
19.	<p>Is it left to the discretion of a particular officer, whether they think evidence is suitable? LAs seem to differ</p>	<p>The key purpose of the statutory guidance is to promote consistency across Wales and sections 4.1 to 4.18 of the guidance provide clear guidelines to</p>

	widely between supportive and empathetic people to a culture of hostility and suspicion in other LAs.	local authority officers.
Theme 5: Local authority / Welsh Government responsibilities / roles and evaluation of guidance		
20.	How will consistency be assured across LAs, we already see overstep in many areas.	Driving greater consistency across LAs was a key driver for bringing in statutory guidance. However, it will be for local authorities to implement the legislation and ensure that they adhere to the guidance. The Welsh Government will continue to chair the EHE National Steering Group to facilitate discussion with local authority officers in relation to policy implementation
Back Page 108	<p>Before we end today, can you clarify that: you understand the duty of the LA is only to identify children who are missing education, and that it is a parents responsibility to decide on education suitability. LA role is to support, not to judge assess and monitor? And that State educated children are not CME if their education is not suitable?</p> <p>Similar question received by email outside of the engagement sessions: In the recent meetings hosted by the Children’s Commissioner for Wales, it was claimed by the Welsh Government that it is the role of Local Authorities to decide whether a child’s education is suitable, not the parents. Please would you provide the legal basis for such a claim if this is believed to be the case, as education is the responsibility of parents, not the authorities.</p>	<p>Determining the suitability of education is the legal responsibility of the local authority and not the parent. The legal basis for this is provided in more detail under questions 5 and 6.</p> <p>Until the local authority is assured the home educated child is receiving a suitable education then the child is potentially within scope of the section 436A duty and Welsh Government statutory guidance on children missing education will apply (Statutory guidance to help prevent children and young people from missing education GOV.WALES).</p>
22.	What measures will you be putting in place to ensure that what you are saying here today is what is carried out by local authorities to prevent the situations being	An independent evaluation of the statutory EHE guidance will begin in May 2024. The evaluation will review what impact the guidance has had on supporting local authorities to undertake their statutory duties. Local

	talked about here?	<p>authorities and the Welsh Government have a steering group for EHE, where impact of policies can be discussed and any issues addressed on a regular basis.</p> <p>The Welsh Government will continue to chair the EHE National Steering Group to facilitate discussion with local authority officers in relation to policy implementation.</p>
23.	Will you make sure that all LAs will be informed that meetings are NOT mandatory and that declining a meeting can't be used to issue a SAO?	<p>Section 4.21 of the statutory EHE guidance acknowledges that a parent or Gillick competent child can refuse a meeting with the local authority. Whilst parents are free to refuse a meeting with the local authority, it is questionable whether the local authority can reasonably assess suitability of education without seeing and communicating with the child. This decision is a matter for the individual local authority.</p>
24.	Evaluating when though? I do not recall if it was one year or two during which many families feel persecuted. Those who replicate school at home are probably less concerned, but those who do not are even too frightened in many cases to attend those meeting.	
Theme 6: Partnership working		
25.	<p>How are LA's working specifically with Health and other organisations who specialise in supporting families who face a range of challenges as a result of both diagnosed and undiagnosed "conditions" So by this I mean the number of families who are parenting neuro divergent children or those with mental health needs, who would experience high anxiety at the very nature of a meeting for example. How are LA's equipping themselves to have this understanding? This is a challenge for schools and why a number of families choose to remove their children. How will LAs equip themselves with such specialist understanding?</p>	<p>A parent or guardian who chooses to home educate opts out of state education provision. However, this does not mean that they opt out of state health services. Home educated children are still entitled to health services normally offered through schools.</p> <p>Counselling for learners who are home educated is available in line with the provision for children attending school. This has been agreed and is included within our Wider Package of Support.</p> <p>Where learners have identified needs, it is expected that home education officers work closely with other departments in the local authority, such as the education welfare service (EWS), additional learning needs (ALN) to</p>

<p>I have been a manager within the Local Authority of Family Support and Educational Welfare Provision and I now work privately as a therapist working with a number of families impacted by systems which due to their inflexibility cause extreme anxiety which is harmful to both children and parents/carers.</p>	<p>support home educated children and there is an expectation on the local authority to make all reasonable efforts to provide help/support to the family. This can often include working with other LA services and signposting families to appropriate agencies.</p>
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Theme 7: Evidence of suitable education		
Pack Page 110	<p>26. What kind of evidence would an LA like to see?</p>	<p>Examples of evidence are referenced within the Handbook within sections 2.25 and 2.26. They are as follows:</p> <ul style="list-style-type: none"> • information sent by email as an attachment • the child showing some of their work or talking about their learning • original work • photocopies of written work • photographs • artwork • scrapbooks • musical and sporting achievements (certificates) • a diary of events • CD recordings • using digital media • websites contributed to or created by the child's family • a written report
	<p>27. Can you outline what you would like a "typical school year" to look like in terms of the relationship/communication between a family and the LA/EHE officers?</p>	<p>The guidance is clear that a meeting should take place between the family and the local authority at least once a year to ensure the suitability of education is maintained and that the child is considered to be making suitable progress.</p>

		<p>However, the frequency of meetings with home educating families should be proportionate and based on the individual circumstances of each child.</p> <p>If the local authority has concerns about the suitability of education, it will need to consider whether to see the family on a more frequent basis to assure itself that the child is receiving a suitable education.</p> <p>The local authority may need to liaise with other relevant partners of the local authority dependent upon the circumstances of the child when deciding on the frequency of meetings with the family.</p> <p>Aside from this, we would expect that local authorities to communicate frequently with families to share information, signpost them to services and respond to any queries families may have.</p>
28. Pack Page 11	How can LAs evaluate such diverse and varied “evidence”? It seems an impossible task without criteria being imposed, which we don’t want, but then it comes down to individual bias.	It is for local authorities to determine, from the information parents submit, whether a suitable and efficient information is being provided and the statutory guidance supports them to do that. The EHE handbook provides examples on how to evidence satisfactory education provision, to help support greater consistency across local authorities. Please see question 26 for more detail.
29.	Who decides on the level of numeracy, literacy, language.	<p>As outlined in section 3.9 of the EHE handbook, a suitable education should provide children with experience in linguistic, mathematical, scientific, technological, human and social, physical and aesthetic and creative education; along with experience in speaking and listening, literacy, numeracy and digital skills.</p> <p>Regardless of the approach taken to deliver a suitable education, it is important for local authorities to consider whether the approach is suited to the needs of the individual child which means efficient education suitable to the child's age, ability and aptitude and to any SEN/ALN the child may have. This is not however defined in terms of number of hours or set</p>

		standard other than to specify that the provision must correspond with the child's general ability (including any SEN/ALN they have) and enable the child to acquire: listening and speaking skills, reading skills which include vocabulary and comprehension; and writing skills which include grammar, punctuation and spelling. Local authority officers are responsible for assessing the suitability of this provision in conjunction with the other elements of the child's education.	
Theme 8: Support for home educating families / funding for LAs			
Pack Page 112	30.	Regarding support what support is available and where do I go to get this, my son is home educated as a result of a very long and stressful battle with school/ cahms/education officer and was advised to home school due to a phobia of school.	Where it has been identified that a family are home educating, support and advice where appropriate, can be made available by the local authority should the family want it. Families should discuss any support requests in the first instance with their local authority EHE officer.
	31.	Can support effectively be offered via the same people who are also judging provision? Compare with the separation of school improvement advisors and Estyn judgements for schools.	EHE officers are likely to be the individuals with the closest relationship with the family and as such would be better placed to consider the education being provided holistically and over time.
	32.	How many of the offers of things like CADW and counselling were available anyway before the guidance? If so, why does the guidance portray these as if positive new ways of "support"?	Whilst many aspects of the Wider Package of Support were already available, these were not consistently available to all learners. Referencing these in the statutory guidance will promote greater consistency of the offer available to learners and their families.
	33.	The provision of a package of support is mostly resources that are already available to us. We can already access Careers Wales, already have access to libraries yet we have difficulty accessing exam centres. Why are you listing access to resources that we already have access to	
	34.	Will there be better funding for local LEA teams, ours is overstretched and under resourced, leading to them	It is up to local authorities to ensure that sufficient resource is in place to enable them to discharge their statutory duties.

	not being able to provide the support that perhaps they might be required to provide HE families.	However, to support the effective implementation of the Elective home Education Guidance, Welsh Government has provided local authorities with additional funding over a 3-year period to support local authorities to discharge their duties in relation to home education.
Pack Page 113	35. Welsh Government have taken up safeguarding related recommendations when issuing this guidance but have ignored other financial recommendations included in the same reports. Jeremy Miles often suggests that home educators receive a package of support that equates to 1.7 million pounds. This is misleading as he has confirmed in an answer to a written question, that 1.1 million is for Local Authorities to discharge their duties and the remaining 600 thousand is divided between home educating families across the whole of Wales. This equates to approximately £120 per family, Approximately £3 per week when based on an academic year of 38 weeks, far less than the cost of school meals for 1 child for 1 week. Why haven't Welsh Government taken up the recommendation of equal financial support for home educated children and state educated children?	<p>Parents who choose to home-educate their children must be prepared to assume full financial responsibility for their children's education. However local authorities are encouraged to provide support where resources permit.</p> <p>The funding provided by Welsh Government to local authorities to support home educating families is unique within the UK.</p>
Theme 9: Evidence around home education		
36.	Home Education has been legal in the UK for 50 years. Why hasn't there ever been a commissioned study into home education?	The Welsh Government will consider this point. The Minister noted his intention to evaluate statutory guidance and a commissioned evaluation starts in summer term of 2024 which will allow time for this guidance to be implemented by local authorities.
37.		

	What is the evidence to support the proposals ie why make it legislation and not advisory	The development of statutory guidance is in direct response to concerns previously raised by the Children’s Commissioner for Wales (CCfW) and the National Independent Safeguarding Board (NISB), both of whom called on the Welsh Government to enhance their guidance on Elective Home Education (EHE)
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Theme 10: ALN

Pack Page 114	38. Where does a parent stand if they do not wish the local authority to label their child with an ALN? Is an ALN non negotiable ?	<p>The same duties apply to LAs in relation to children with ALN regardless of how they receive their education. Section 2.13 of the EHE statutory guidance says that where it is brought to its attention or otherwise appears to a local authority that a home education child (other than a looked after child) for whom it is responsible, may have ALN, the local authority must decide whether or not the child has ALN and, if it decides that the child has ALN, prepare and maintain an IDP (individual development plan) and secure the ALP (additional learning provision) described in that plan.”</p> <p>Children, their parents and young people can challenge decisions made by a school, PRU, local authority or college about ALN if they disagree with them. This includes decisions about whether a child or young person has ALN. Further information about challenging decisions about ALN made by local authorities can be found in A guide for parents about rights under the additional learning needs (ALN) system [HTML] GOV.WALES.</p>
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Theme 11: Examinations

39	Will the exam support offer be publicly advertised on LA websites?	This is a matter for individual LAs. We would suggest that home educating families contact their local EHE officer for advice. Section 6.14 of our Statutory EHE Guidance outlines that “It will be the responsibility of the home educator to contact the local authority and enquire about the precise way in which they handle private candidates.”
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40	Exam provision in our area of Wales is non-existent. WJEC board is not accessible to home educators. Also home educators can't take WJEC exams because of coursework element. This is also likely to get worse with the WJEC exam reforms under consideration, with all but Maths proposed to have significant NEA elements. Access arrangements for non-school based candidates are another big area that needs to be supported for exams access to be equitable.	<p>Welsh Government has worked with local authorities to enable home educating families to access WJEC examinations at an identified examination centre.</p> <p>All local authorities have agreed to accept independent candidates from home educated families at an identified examination centre.</p> <p>Further education colleges should also be encouraged to open up their facilities to home educated children for examinations.</p>
41.	The legislation states that equal opportunities and practical support will be provided for home educators. Yet since the Welsh government has become more involved, the provision of exam centres has become much much worse. Why is this?	<p>Local authorities should, where possible, direct home educating families to schools and centres that will let external students sit exams. Home education officers are encouraged to work with identified examination centres providers in their local authority to accommodate home educated children where possible.</p>
42.	It would really help if exam centre access weren't limited to one exam board. For example, we might be doing iGCSEs because of coursework requirements, or using English exam boards because we're getting online tutoring. I appreciate that LAs are overstretched, but I think the benefit to parents and children would be huge, compared to the cost to LAs.	<p>It will be the responsibility of the home educator to contact the local authority and enquire about the precise way in which they handle private candidates.</p>
43.	The schools choose surely not the LA? Independent schools have become reluctant to accept HE young people for exams as the demand is high and they cannot cover SEN requirements.	
44.	Are the exam costs going to be covered, or is it just the provision of a local centre?	<p>This a matter for local authorities.</p>

45.	Can we discuss issues around examinations with you further as there are issues that need to be clarified that can't be answered today?	<p>If there are any further queries in relation to the statutory EHE Guidance and examinations that have not be clarified by responses to the questions in this section then individuals can contact the Welsh Government at: ElectiveHomeEducation@gov.wales.</p> <p>Local authorities are best placed to answer questions in relation to access to examination centres. Please contact your Elective Home Education Officer for more information.</p>
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Theme 12: Further input and engagement		
46. 47. 48.	Going forward how will WG continue the dialogue with the community?	<p>The Welsh Government is committed to engaging with all stakeholders as we implement the statutory guidance. We are actively considering how best to facilitate further engagement and dialogue with all stakeholders, including the home educating community.</p>
	The community responded to home ed consultations and have repeatedly tried to engage with Welsh Government. Will anything discussed during these meetings make a difference to how the education department work with the community going forward?	
	Can the community have input into the handbook, there are many inaccuracies, out of date information, etc. it would be worth having a handbook that is relevant	<p>The Welsh Government would welcome constructive feedback on the handbook to ensure we can build on this resource and make it as helpful and relevant as possible for all members of the home educating community. Ways in which we can facilitate this are being considered, as part of wider and ongoing engagement.</p> <p>If there are specific aspects of the handbook that are perceived to be inaccurate then this feedback can be shared with the team at ElectiveHomeEducation@gov.wales, so that we can rectify as soon as possible.</p>

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Theme 13: Voice of home educators		
49.	Is there home educator representation on the LA steering groups? Could this be considered on a regular basis?	<p>There is currently no home education representation on the Welsh Government EHE national steering group as the purpose of this group is to ensure greater consistency in implementation of statutory guidance.</p> <p>The Welsh Government will continue to chair the EHE National Steering Group to facilitate discussion with local authority officers in relation to policy implementation</p> <p>As outlined in response to question 46, we are considering how best to facilitate ongoing input and engagement from the home educating community.</p>
50.	Do you consider this new guidance to have been fully Co-produced with Home Educators? Have home educators been involved in every step?	<p>A full consultation on the statutory guidance was held during 2019, which included face to face engagement opportunities. The Welsh Government considered the responses and views of all stakeholders before finalising the guidance, however all views were balanced against the primary policy aim of the statutory guidance to support local authorities to ensure all children are receiving a suitable and efficient education.</p>

Theme 14: Voice of children and young people		
51.	What about young people having their voices heard by the people making decisions?	<p>The 2019 consultation included a Young Person's version of the Guidance and Handbook. The Welsh Government also facilitated face to face engagement sessions, which provided an opportunity for children and young people to share their views.</p>

<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Pack Page 118</p>	<p>52. How often are children in school asked 'Would you prefer to be home educated?' They are never asked. Home education is not school. schools are inspected as Government commissioned services which are answerable to their funders (Government) and answerable to their service users (parents).</p> <p>The following similar questions were asked in correspondence:</p> <p>Does the LA listen to every single school child's concerns? Or course not; so why this insistence on the LA interviewing our children? This question has been asked many times by several home educating families and we don't get a good enough response, if it all.</p> <p>Could I ask the minister of Education if he plans to do this in all the schools in Wales too? Will he be asking all children in Wales about their Education including those that attend school?</p>	<p>There are significant opportunities for all children in maintained schools to have their voice heard; this is heavily embedded within the schools' system. This includes School Councils, which are underpinned by regulations. In addition, the Children and Families (Wales) Measure 2010 requires local authorities to promote and facilitate participation by children and young people in decisions that might affect them, including in school. Learner voice is also embedded in the new Curriculum for Wales and the Welsh Government's National Mission. As part of their statutory inspection processes Estyn will also gathers pupils' views through a questionnaire before inspecting schools and may talk to pupils, review work and observe lessons.</p> <p>Seeing and communicating with home educated children will provide a mechanism to ensure the voices of home educated children are heard. Clarification on seeing the child is provided in responses to questions 2, 3 and 5.</p>
<p>53.</p>	<p>With regards to school councils being used to prove children's views are heard, this is not gaining every single child's view on their education provision. So can we have a council of home educated children rather than each child so that we are inline with schools?</p>	<p>As outlined in response to question 46 we are considering how best to facilitate ongoing input and engagement from the home educating community. This will include consideration on how to capture the views of home educated children.</p>
<p>54.</p>	<p>I know of children who are unhappy in school and would like to be home educated, will you be offering mediation to those families to help them into Home Education.</p>	<p>Whilst parents are free to choose to home educate their children, it is important that the parental decision to home educate is a positive choice and not as a result of perceived failings within the school system, or negative experiences with a particular school. We would always encourage families to work with their</p>

		school and local authority to resolve any issues, to ensure that appropriate support can be put in place support for children.
Theme 15: UNCRC		
55.	Why are articles 5, 14, 16 and 18 of the UNCRC not included in the guidance? These articles refer to states parties respecting parents, respecting privacy and Article 18 states parents have the primary responsibility for the upbringing and development of the child. How does the guidance adhere to these articles?	<p>Children’s rights are enshrined in Welsh law under the ‘Rights of Children and Young Persons (Wales)</p> <p>Whilst the Welsh Government gives due regard to all requirements, there are four overarching principles within the UNCRC, including Article 12 (respect for the views of children).</p> <p>The Measure places a duty on the Welsh Government to give appropriate weight to all articles of the UNCRC, balancing them against all other relevant factors.</p>
56.	The human rights of the child have been quoted in the welsh legislation. Will the right of my child to not attend a meeting and not comply with a SAO be respected?	Clarification on seeing the child can be found in responses to questions 2,3 and 5.
Theme 16: Impact assessments		
57.	Why has there not been a regulatory impact assessment, a data protection impact assessment or an up to date children’s rights impact assessment published before guidance was released? These assessments were promised to the community by Kirsty Williams during a written statement.	<p>An integrated impact assessment , which includes a children’s rights impact assessment was undertaken on the statutory guidance, and can be found here. The Written Statement issued under the previous government refers to the processes and assessments that would be undertaken ahead of the database regulations being implemented. As the database will require data regulations, a regulatory impact assessment and data protection impact assessment are being developed alongside that policy work. The statement referred to in the question is included at the following link:</p> <ol style="list-style-type: none"> 1. Written Statement: Children Act 2004 Education Database (Wales) Regulations 2020 and the Education (Information about Children in

Agenda Item 4.6

**Y Pwyllgor Plant, Pobl Ifanc
ac Addysg**

**Children, Young People
and Education Committee**

Senedd Cymru

Bae Caerdydd, Caerdydd, CF99 1SN

SeneddPlant@senedd.cymru

senedd.cymru/SeneddPlant

0300 200 6565

Welsh Parliament

Cardiff Bay, Cardiff, CF99 1SN

SeneddChildren@senedd.wales

senedd.wales/SeneddChildren

0300 200 6565

Lynne Neagle MS

Deputy Minister for Mental Health and Wellbeing

15 September 2023

Ongoing work relating to the mental health of children and young people

Dear Lynne,

As you know, the Children, Young People and Education Committee has committed to considering children and young people's emotional and mental well-being in all of our work. Recent areas of our work that have focused specifically on mental health include:

- Mental Health Support in Higher Education. Thank you for your engagement with our inquiry, and for your support in facilitating a joint Ministerial debate on our report in Plenary on 14 June.
- Transitions between CAMHS and AMHS. Thank you for your letter dated 23 May responding to our letter dated 31 March, which we considered during our meeting on 14 June.

Children and young people's mental health and emotional wellbeing continues to be a key concern for us, and is an issue we will continue to scrutinise with vigour. With that in mind, I would like to begin the 2023-24 academic year by making a renewed request for information to build on the work we have carried out to date, and to support us in our ongoing scrutiny in this crucially important area.

Before I do so, I want to acknowledge your personal commitment to improving children and young people's emotional and mental wellbeing. We know this is an issue that you are very driven to improve, which was particularly demonstrated during your tenure as Chair of our predecessor Committee. As you know, an important part of driving forward improvements for children and young people across Wales is effective scrutiny of the Welsh Government and other public bodies. The work of our predecessor Committee is testament to the improvements that can result from scrutiny.

We are also conscious that the current public services climate is incredibly challenging, both financially, but also in terms of the volume of service demands and the complexity of these demands being placed upon them. This makes scrutiny even more important. We know the power of constructive scrutiny and how it can improve things for children and young people in Wales.

We note in the final paragraph of your letter dated 23 May that you would welcome a discussion about:

"...how we can use the development of the successor to Together for Mental Health to consolidate this work [recommendations made in the past from a range of Senedd committees]. This would ensure that any recommendations we are continuing to work on shape future actions, ahead of the public consultation on the strategy."

You and I had an initial discussion during our recent meeting about your thinking on this, but collectively we would welcome more detail on how you wish to consolidate this work.

The specific issues about which we would appreciate more detail are set out below.

Transitions from CAMHS to AMHS

1. As I mentioned in the debate on our report on Mental Health Support in Higher Education, we would like clarity as to which recommendations from 'Sort the Switch' don't align with the programme of work already under way to improve transition services. This clarity will be helpful to our scrutiny of this important issue. We can also share this with the young people who came up with the recommendations of Sort the Switch so they can better understand what work is being done to improve transitions and how it aligns with their recommendations. By providing this clarity now we believe it will save work in the longer term, and will help us understand what areas are being specifically prioritised by the Welsh Government.
2. We would appreciate an update on the Delivery Unit's work on CAMHS, as requested in our original letter dated 31 March. In your response you say that all Health Boards have now received their individual reports, with further work ongoing on the development of a thematic report. However, in light of the broad findings, you have "commissioned the NHS Executive to work with Health Boards to develop a consolidated specification for CAMHS...." which will help with consistency, service expectations and "most importantly, a more streamlined and effective service for children and young people." You commit to give us an update in "due course". This sounds like a key development and we would welcome greater clarity on the timelines for development of this specification, and what plans, if any, there are to include children and young people in the development work. We would also ask if the thematic report can be shared with the Committee so we have a

better understanding of the overarching issues around CAHMS service delivery, and for an indication of when you expect this report to be completed.

3. Can you let us know what concrete actions came out of the transitions workshops held over winter 2022/23? In your response to our letter you note that the workshops provided some “useful insights and areas for improvements, including a strengthened framework for monitoring implementation of the guidance and the replacement or redesign of the young person passport.”
4. We asked for information on how the Welsh Government “more generally evaluate the effectiveness of transitions support and services across Wales.” We would appreciate more clarity on how this is being done, in particular how children and young people are involved in any evaluation of services and support.

The whole-school approach

Concerns about children and young people’s mental health have been raised regularly by pupils, school leaders and teaching staff during our engagement work as part of our [Senedd-long inquiry into the implementation of education reforms](#). We also note the concerns raised by certain members of the Welsh Youth Parliament during their [meeting with you on 10 July 2023](#) that Welsh Government’s high level policy and funding announcements may not be translating into change on the ground.

We have seen first-hand that there are pockets of excellent practice across Wales. However, as you yourself acknowledged on 10 July, we believe that the whole-school approach is being implemented inconsistently, with some schools responding to mental health issues among learners much more effectively than others.

We are currently considering how we can best add value to the important work that has been carried out by the Welsh Youth Parliament and others in relation to the whole-school approach. To help us with our deliberations, please could you respond to the following.

5. On [23 November 2022](#), you described a greater focus within Welsh Government on delivery and implementation of the whole-school/whole-system approach. Please could you provide an update on work undertaken to date and planned actions which reflect this focus, including reference to:
 - a. The work of Public Health Wales’ implementation co-ordinators, how well-established the network of co-ordinators is across Wales, and what impact this work is having.
 - b. An update on work to measure and evaluate the implementation of/outcomes from the whole-school approach, following the publication of the [evaluability assessment](#) in January 2022.

- c. Barriers identified so far to the successful implementation of the whole-school approach across Wales (for example, in relation to the capacity of school staff to support children and young people's emotional and mental wellbeing, and the availability of specialist support in local areas).

We would appreciate a response by 1 November.

I am copying in the Chair of the Health and Social Care Committee because of their shared interest in these issues.

Yours sincerely,



Jayne Bryant MS
Chair

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.



Agenda Item 4.7

**Y Pwyllgor Plant, Pobl Ifanc
ac Addysg**

**Children, Young People
and Education Committee**

Senedd Cymru

Bae Caerdydd, Caerdydd, CF99 1SN

SeneddPlant@senedd.cymru

senedd.cymru/SeneddPlant

0300 200 6565

Welsh Parliament

Cardiff Bay, Cardiff, CF99 1SN

SeneddChildren@senedd.wales

senedd.wales/SeneddChildren

0300 200 6565

Jeremy Miles MS

Minister for Education and Welsh Language

Vaughan Gething MS

Minister for Economy

20 September 2023

Follow up from recent joint ministerial session

Dear Jeremy and Vaughan,

Thank you for coming to give evidence to the Committee on 5 July. We appreciate you attending before the summer recess.

Following the session, we have some areas we would like further information on including:

- drop off rates for apprenticeships;
- degree apprenticeships frameworks;
- careers advice; and
- Big Ideas Wales.

Drop off rates for apprenticeships

1. During the session, we asked about the decrease in people completing their apprenticeships, for which the competition rates dropped from 80.9% in 2018-2019 to 66.3% in 2021-22. During the session, the Minister for Economy said that the initial evidence indicates that cost of living pressures are one of the main factors for this decrease. He also indicated that this was an issue of concern, and that "we still want to understand how far, and is it more than the cost-of living crisis or not."

2. We are concerned that the target of creating 125,000 all-age apprenticeships may be affected by factors that are causing this increase in the drop off rate. We note that the timeline for this target has been extended by a year, but are concerned that the wider pressures for people to get into full

time paid employment may affect the attractiveness of apprenticeships. The pressure to pay bills right now could over-ride the longer-term financial benefits of a completing an apprenticeship.

3. Can you outline what work you are doing to better understand the reasons behind the drop off rates, and if you can commit to share this work with us? We'd also like more information on how the Welsh Government is working to support and encourage take up of apprenticeships as an attractive option particularly during the current cost of living crisis.

Degree apprenticeships

4. We discussed degree apprenticeships and the potential expansion of the number of degree apprenticeship frameworks. During the session the Minister for Economy confirmed that rail would be "online" in September 2024, with construction and digital following in September 2025. Thank you for your further note on expansion of degree apprenticeships which we considered at our meeting on 14 September.

Careers advice

5. Thank you for providing us with the data on the contact between Careers Wales and young people with additional learning needs. We considered this at our meeting on 14 September.

6. As raised during the session, concerns around the quality and breadth of careers advice being given to young people with disabilities has been raised as part of our inquiry: Do disabled children and young people have equal access to education and childcare? We will continue to explore this as part of that work, but at this stage, we would welcome further information on how the Welsh Government can ensure that children and young people with disabilities can get the best quality careers advice to ensure they can pursue the right education and career opportunities that meet their aspirations.

7. This was also an issue raised when I visited Cardiff University on behalf of the Committee earlier this year, to find out more about the Engage to Change project. I heard directly of how people with learning disabilities are not always offered the same opportunities as the wider population and saw how projects like Engage to Change can widen horizons and open up career opportunities that would otherwise not have been available.

Big Ideas Wales

8. We would also welcome some more information on how Big Ideas Wales is promoted, the levels of take-up and the outcomes or any current evaluation on the programme.



I would appreciate if you could provide a response by 10 November.

I am copying this letter to the Chair of the Economy, Rural Affairs and Trade Committee because of the relevance of this issues to their remit..

Yours sincerely,



Jayne Bryant MS

Chair

Cc: Paul Davies MS, Chair, Economy, Rural Affairs and Trade Committee

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.

Agenda Item 4.8

Senedd Cymru
Y Pwyllgor Cyllid

—
Welsh Parliament
Finance Committee

Rebecca Evans MS,
Minister for Finance and Local Government

22 September 2023

Dear Rebecca,

Evidence papers supporting the 2024-25 Draft Budget

Many thanks for your [letter](#) of 8 September.

I am grateful for the constructive manner in which you have engaged with the Finance Committee on ways that ministerial written evidence on the Welsh Government's Draft Budget proposals can be improved, with the aim of addressing the issues identified in my [letter](#) of 23 June.

I welcome your intention to confirm when Ministers will provide their evidence papers to Senedd Committees ahead of the 2024-25 budget round. I am also grateful that Senedd Committees will be offered a technical briefing on the Draft Budget.

In terms of your request for a clear indication from the Finance Committee on what would be considered essential for inclusion in ministerial evidence papers, it would not be appropriate for me to provide a single list of proposals without consulting Committee Chairs first.

Whilst I see benefits in developing a high level template for evidence papers, and although I am supportive of co-operation between committees to avoid duplication and overlap in its areas of focus during budget scrutiny, a consistent



Senedd Cymru
Bae Caerdydd, Caerdydd, CF99 1SN

 SeneddCyllid@senedd.cymru

 0300 200 6565

Welsh Parliament
Cardiff Bay, Cardiff, CF99 1SN

 SeneddFinance@senedd.wales

 0300 200 6565

approach may be difficult to achieve in practice given that Committees will naturally have different priorities and areas of focus.

I would also want to guard against the development of a template that may foster a prescriptive approach to the provision of written evidence, which may end up diluting the information made available to individual Committees as they seek to hold ministerial spending decisions to account.

The difficulties faced by Ministers in providing specific details for Committees relating to each MEG during the 2024-25 budget is a case in point. Although I recognise the challenges posed by this year's budget timetable, this should not restrict Committees from requesting detailed information relating to individual portfolios as this is crucial to informing public evidence sessions with Ministers, particularly when time to consult with stakeholders is limited.

I am therefore willing to explore ways in which a template could be developed, although I also acknowledge that developing consensus on this issue may take time and that it is unlikely that any changes will be agreed for the forthcoming budget round.

I am copying this response to all Senedd Committees with an interest in budget scrutiny to facilitate further discussions, and will raise this matter at the next meeting of the Chair's Forum on 23 October.

Yours sincerely



Peredur Owen Griffiths MS
Chair of the Finance Committee

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.



Agenda Item 4.9

Y Pwyllgor Plant, Pobl Ifanc ac Addysg

Children, Young People and Education Committee

Julie Morgan MS

Deputy Minister for Social Services

Senedd Cymru

Bae Caerdydd, Caerdydd, CF99 1SN
SeneddPlant@senedd.cymru
senedd.cymru/SeneddPlant
0300 200 6565

Welsh Parliament

Cardiff Bay, Cardiff, CF99 1SN
SeneddChildren@senedd.wales
senedd.wales/SeneddChildren
0300 200 6565

25 September 2023

Cardiff and Vale Family Drug and Alcohol Court Pilot

Dear Julie,

We have been advised that the Cardiff and Vale Family Drug and Alcohol Court Pilot (FDAC) has been terminated. This is, of course, deeply worrying to the Committee.

As you will recall, we sought clear assurances, at our recent scrutiny session on 14 September about the pilot's funding. We were pleased to hear from you and your officials that this was not an area where the Welsh Government was looking to make savings as part of the current in year changes to the Welsh Government's 2023/24 budget.

You will also be aware that one of the twelve 'radical reforms' in our [recent report on services for care experienced children](#) is the long term roll-out of the FDAC as follows:

Subject to a successful full evaluation, roll out the problem solving court model (The Family Drug and Alcohol Court model, or 'FDAC') across Wales.

It is clearly very concerning therefore to be informed that not only will the FDAC not continue in the long term but that the pilot itself is to end early, with uncertainty around the current active cases and what this means for those children and their families.

Due to the timeliness of this issue, we would appreciate a response as soon as possible as to what Welsh Government is doing to secure both the short and long term future of the FDAC, as you told



us was your intention on 14 September. We are also writing to both Cardiff and Vale of Glamorgan councils to express our concerns.

Yours sincerely,

Jayne Bryant

Jayne Bryant MS
Chair

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.

Agenda Item 4.10

**Y Pwyllgor Plant, Pobl Ifanc
ac Addysg**

**Children, Young People
and Education Committee**

Senedd Cymru
Bae Caerdydd, Caerdydd, CF99 1SN
SeneddPlant@senedd.cymru
senedd.cymru/SeneddPlant
0300 200 6565

Welsh Parliament
Cardiff Bay, Cardiff, CF99 1SN
SeneddChildren@senedd.wales
senedd.wales/SeneddChildren
0300 200 6565

Paul Orders,
Chief Executive, Cardiff Council

25 September 2023

Cardiff and Vale Family Drug and Alcohol Court Pilot

Dear Mr Orders,

You may be aware we have recently published a report looking at the experiences of children and young people in the care system. This report sets out our views on what radical reform of the care system should look like. You can see from our report, that we recommended that the Welsh Government work with local authorities, the judiciary and other stakeholders to roll-out a consistent FDAC model across Wales, subject to the successful evaluation of the Cardiff and Vale pilot. (Recommendation 9). This recommendation was accepted by the Welsh Government who said that they would review the evaluation from the pilot before considering sustainable delivery models for a national rollout.

We held a further scrutiny session on 14 September with the Deputy Minister for Social Services to further explore all aspects of the Welsh Government's response. As part of this session, we sought assurances from the Deputy Minister that the funding for the pilot was not part of the wider Welsh Government work to find in-year savings to the Welsh Government budget. We were pleased to hear confirmation from the Welsh Government that Welsh Government funding for the pilot was secure.

We have subsequently been advised that the Cardiff and Vale Family Drug and Alcohol Court Pilot has been terminated. This is, of course, deeply worrying to the Committee. Our concern is that that not only will the FDAC not continue in the long term but that the pilot itself is to end early, with uncertainty around the current active cases and what this means for those children and their families.



We would appreciate a response as soon as possible as to what your local authority is doing to secure both the short and long term future of the FDAC.

Due to the timeliness of this issue, we would appreciate a response as soon as possible. We are also writing to the Deputy Minister for Social Services and the Vale of Glamorgan Council.

If you need any further information, please contact Naomi Stocks, Committee Clerk on seneddchildren@senedd.wales or 0300 200 6222.

Yours sincerely,



Jayne Bryant MS
Chair

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.

Agenda Item 4.11

Y Pwyllgor Plant, Pobl Ifanc ac Addysg

Children, Young People and Education Committee

Rob Thomas,
Chief Executive, Vale of Glamorgan Council

25 September 2023

Cardiff and Vale Family Drug and Alcohol Court Pilot

Dear Mr Thomas,

You may be aware that we have recently published a report looking at the experiences of children and young people in the care system. This report sets out our views on what radical reform of the care system should look like. You can see from our [report](#), that we recommended that the Welsh Government work with local authorities, the judiciary and other stakeholders to roll-out a consistent FDAC model across Wales, subject to the successful evaluation of the Cardiff and Vale pilot. (Recommendation 9). This recommendation was accepted by the Welsh Government who [said](#) that they would review the evaluation from the pilot before considering sustainable delivery models for a national rollout.

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We have subsequently been advised that the Cardiff and Vale Family Drug and Alcohol Court Pilot has been terminated. This is, of course, deeply worrying to the Committee. Our concern is that that not only will the FDAC not continue in the long term but that the pilot itself is to end early, with uncertainty around the current active cases and what this means for those children and their families.

Senedd Cymru

Bae Caerdydd, Caerdydd, CF99 1SN
SeneddPlant@senedd.cymru
senedd.cymru/SeneddPlant
0300 200 6565

Welsh Parliament

Cardiff Bay, Cardiff, CF99 1SN
SeneddChildren@senedd.wales
senedd.wales/SeneddChildren
0300 200 6565

We would appreciate a response as soon as possible as to what your local authority is doing to secure both the short and long term future of the FDAC.

Due to the timeliness of this issue, we would appreciate a response as soon as possible. We are also writing to the Deputy Minister for Social Services and Cardiff Council.

If you need any further information, please contact Naomi Stocks, Committee Clerk on seneddchildren@senedd.wales or 0300 200 6222.

Yours sincerely,



Jayne Bryant MS
Chair

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.



Dr Chris Llewelyn

Prif Weithredwr / Chief Executive

**Cymdeithas Llywodraeth Leol Cymru
Welsh Local Government Association**

Un Rhodfa'r Gamlas

Heol Dumballs

Caerdydd

CF10 5BF

Ffôn: 029 2046 8600

One Canal Parade

Dumballs Road

Cardiff

CF10 5BF

Tel: 029 2046 8600

Ein Cyf / Our Ref: CYPE 092023

Dyddiad / Date: 26 September 2023

Gofynnwch am / Please ask for: Sharon Davies

Llinell uniongyrchol / Direct line:

Ebost / Email: sharon.davies@wlga.gov.uk

Jayne Bryant MS

Chair, Senedd Children Young People and Education Committee

Dear Jayne

IMPLEMENTATION OF EDUCATION REFORMS (2ND CHECK-IN)

Thank you for your letter of 17 July seeking WLGA views on two aspects of the new Additional Learning Needs (ALN) system: the role of the Designated Clinical Liaison Officer (DECLO) and the roles of schools and local authorities in relation to Individual Development Plans (IDPs).

We consulted ADEW colleagues in order to develop our response. The attached paper reflects comments from local authorities across all of the seven LHBs in Wales.

You specifically asked to know how many local authorities had published their set of principles. Currently 13 have published; the remainder are in the process of completing and/or consulting on their draft principles and expect to publish their final versions in this Autumn term.

I hope this information is helpful to the Committee.

I am copying this letter, as yours, to the Minister for Education and the Welsh Language.

Your sincerely,

Sharon Davies

Head of Education

IMPLEMENTATION OF EDUCATION REFORMS (2ND CHECK-IN): WLGA AND ADEW EVIDENCE PAPER TO THE SENEDD CHILDREN, YOUNG PEOPLE AND EDUCATION COMMITTEE

The role of the Designated Clinical Liaison Officer

1. There are currently three DECLOs in post across the 7 LHBs in Wales. One DECLO works across three LHBs; in a further LHB the original DECLO has left the post and interim arrangements are in place pending recruitment of a new DECLO. The local authorities concerned have been invited to be part of that process.
2. The picture is mixed across local authorities. It is generally positive in terms of professional working relationships with the DECLOs at operational level: authorities welcome having the DECLO as a single point of contact within the LHB and improved communication, collaboration and joint working with health are all widely reported. However, there are questions about the extent to which the ALNET Act is successfully helping to improve health responsibilities in meeting ALN needs for all learners.
3. DECLO attendance at key meetings is widely reported, for example at ALNCo Forums, ALN Panels, Early Years Forums, Regional Health & Education ALNET Strategic Groups, ALN Implementation Steering Groups. In some cases the DECLO coordinates or chairs such meetings (sometimes jointly with the local authority) and/or marshals other relevant health personnel to attend or contribute (eg Health Visitor input at Early Years Panels). DECLOs attend LA-run training events for ALNCos (or contribute to them); some have worked to develop online training packages and other resources for ALNCos and schools.
4. As well as DECLO attendance at formal meetings and events, many authorities also report good day-to-day channels of communication - via email, telephone, online meetings etc - enabling education and health colleagues to discuss urgent and/or emerging concerns in a timely manner.
5. For the majority of local authorities, the DECLO role has brought about improvements in communication, collaboration and joint working between authorities and the LHBs across the early years, statutory education and post-16, helping to support statutory compliance in a range of ways:
 - making links and strengthening relationships between health and key education personnel such as headteachers and ALNCos;
 - improving understanding of respective roles and responsibilities;
 - improving communication among all partners;
 - raising awareness of the ALN system among health staff;

- improving shared understanding of process and operations;
 - identifying priorities for collaboration between the local authority, schools and health board;
 - helping to ensure cross-service alignment;
 - helping to identify and address potential problems at an early stage;
 - enabling quicker information-sharing and improved handling of requests for information from health, particularly in early years;
 - enabling collaborative problem solving and the development of consistent messaging;
 - helping with development of local authority or regional notification forms for referrals under Sections 20, 64 and 65 of the ALNET Act to try to ensure a consistent approach;
 - providing guidance and advice for schools on health-based processes and support available;
 - helping to share good practice / national developments with other regions/LHBs
 - supporting Tribunal cases. A number of local authorities are very positive about the impact of the DECLO's role on joint working in relation to dispute resolution and Tribunal appeals.
6. Notwithstanding the above - and recognising that local authorities and their DECLOs will continue to work together as implementation of the ALN reforms progresses - the impact of the role to date does vary across authorities. Some authorities are very satisfied with their DECLO's input at both operational and strategic levels. However, some others feel that the pace of implementation of the ALN reforms is slower in health than in education and the hoped for improvements have yet to fully materialise. Of those, some report there are still only limited links between education and health and/or no notable increase in joint working as a result of the legislation.
7. Other authorities welcome their DECLO's operational input but feel their strategic influence is more limited. This is not a reflection on any individual DECLO but more about the differences in the ways the ALNET Act statutory duties apply to local authorities and health. There is an ongoing feeling that the relationship between education and health under the Act is not an equal one. And some of the challenges local authorities faced under the old system - eg capacity or funding issues in health and different operating terms of reference or working culture - still exist and DECLOs do not necessarily have the 'teeth' to change those.
8. Some of the more common issues or challenges reported by local authorities relative to health service engagement on IDPs or health responsibilities generally under the ALNET Act include:

- the different legal timeframes for managing ALN processes. For local authorities the ALNET Act and ALN Code stipulate a 12-week consideration timeline for IDPs. However, health services work to a different legislative framework and performance indicators (eg length of waiting lists). Health's obligations under the ALNET Act are, effectively, secondary to health's main legislative drivers and it is sometimes challenging for authorities to get the necessary input into PCP meetings and IDPs within the statutory timeframe;
- inconsistent attendance of health professionals at PCP meetings. Some authorities report that health services ask for 6 weeks' notice to attend PCP meetings, which does not align with the 35-day timescale for schools to complete the IDP process;
- differences in understanding and interpretation of the ALNET Act in relation to referrals under Section 20 ('Additional Learning Provision: Local Health Boards and NHS Trusts'). This section allows local authorities to make requests to the LHB for health ALP but not schools. Thus, while there may be effective collaboration on complex IDP cases, some authorities comment that further work is needed to develop the same approach for less complex cases so that all learners with ALN benefit from multi-disciplinary, multi-agency input. Otherwise, there is a risk of a two-tier IDP system, where only children and young people with a local authority IDP will be able to have health ALP listed in Section 2C. A related development is that in LHBs where some local authorities have 'delegated' Section 20 referrals to schools, those LHBs are reported as stating it is 'not in the spirit of the Act' and raises legal issues about the constitution of the local authority. This issue has already been raised with the Welsh Government and a paper will be going forward for further discussion at ADEW and the ALN Reform National Steering Group later this month.
- differences in understanding or lack of clarity as to what constitutes 'Health ALP' and when it should be included in Part 2C of the IDP. Some authorities express concern or even surprise that very few IDPs have health provision written into Part 2C, even for learners going into special schools who may have significant assessed medical and/or therapy needs;
- delays in obtaining health assessment /information/reports. Difficulties may be around criteria for services, capacity and health paperwork or other bureaucracy. Some of these may be linked to operation of Section 65 of the ALNET Act ("Duties to provide information and other help"). There is some difference of opinion across local authorities as to whether schools can make section 65 requests direct to the LHB for information they may feel is needed for a learner's IDP. There is no legal requirement on health to respond to such requests and some authorities comment that they are not popular with health.

Where such requests are made, health structures are complicated or confusing making it difficult for schools and sometimes local authority officers to know who is responsible for what. Sometimes there are health complaints that schools are inappropriately sending out generic letters to all medical professionals they think might have relevant input, creating unnecessary bureaucracy, especially as many cannot add to the conversation around education need or barriers to learning and ALP. Equally, schools complain about health forms being 'unnecessarily detailed and bureaucratic' and see them as barrier for accessing advice when needed;

- delays in learners receiving the episode of care outlined in their statement / IDP due to lack of available health staff;
- some reports of health professionals recommending specialist education placements – outside of their remit – without any knowledge of what ALP is available within schools. There are also reports of Health Visitors making inappropriate referrals to Early Years Forums even though SOGS (Schedule of Growing Skills) reports do not indicate significant developmental need;
- increasing use by parents of private health reports, due to NHS waiting lists or when a learner does not meet criteria for NHS services times. Schools and local authorities are not health professionals, making it difficult for them to challenge the validity of such reports or whether they are correct, relevant or suitable evidence for an IDP.

The roles of schools and local authorities in relation to IDPs

9. Thirteen local authorities have published their principles. The rest expect to do so in this Autumn term, some after completing their final consultations.
10. All local authorities have had significant discussions/consultation around IDP responsibilities with stakeholders (schools, headteachers, ALNCos, Inclusion Officers, Educational Psychologists etc) as a prelude to publishing their principles or to issuing guidance or other support tools (eg Inclusion Toolkit) pending publication of their principles. In some cases, guidance or tools have been issued on a regional basis to provide clarity on what provision should generally be made available in schools for learners with ALN. Authorities have also ensured professional development and training for their ALNCos to support them in navigating their respective IDP decision-making processes. In many cases, schools, settings and other partner agencies have also received training. Training is widely backed up by extensive supporting documentation.
11. As a result of the above, local authorities generally feel there is clarity (among ALNCos, schools, parents and learners) about whether IDPs are held (maintained) by the school or the local authority. Differences of view are not

extensively reported, irrespective of whether or not the authority has published its principles, but some ongoing operational challenges identified as areas for improvement include:

- further support/training for schools who may be struggling to make appropriate referrals for local authority IDPs, to avoid late referrals which can result in complex cases escalating and a risk of increased Tribunal work;
- continuing to address communication issues - despite huge amounts of information going out to schools and parents about the ALN reforms and new processes, misunderstandings can and do proliferate and expectations are sometimes at odds with the legislation;
- a need to reinforce the public sector equality duty as it applies to schools, to ensure learners are not determined to have ALN before consideration is given to whether reasonable adjustments would have been appropriate to mitigate any identified barriers to access or participation.

12. Some local authorities which published principles in 2022 have since reviewed and revised them in the light of experience, usually with the aim to provide further clarity for where the responsibility lies for schools and the authority respectively to fund and implement ALP.

13. The widespread view is that that schools are best-placed to review and amend IDPs for their learners with ALN. The most common approach, therefore, is that schools hold (maintain) IDPs unless it is otherwise specified in the ALN Code (or if there are exceptional circumstances such as learner in a mainstream school with complex needs requiring specialist ALP over and above what the school can provide), in which case the IDP will be held (maintained) by the local authority. . At least one local authority has created a number of 'designated officer' posts to lead on IDPs for specified groups (Children Looked After, EOTAS, EHE and Post-16), to ensure the PCP process is led by someone with expertise and strategic oversight, who can respond to the specific needs and circumstances of each group. Most authorities also hold IDPs for learners in specialist settings (special schools and resource bases), though there are variations: at least one authority has delegated responsibility after consulting its specialist setting leads; others report ongoing discussion about the possibility of delegation going forward

14. All local authorities have agreed funding arrangements in place for supporting learners with ALN in schools, and what ALP it is appropriate to expect a school to provide with the available funding. Budgets are more often than not fully delegated to schools, either with an indicative ALN support budget or some form of enhanced funding on top of the school's core budget. Different funding mechanisms may exist for specialist settings where the LA holds the IDP. Many

authorities have also put arrangements in place for mainstream schools to access additional resources directly to help inform or supplement their ALP or to help develop their universal offer or early intervention, including specialist advice (eg educational psychology) or specialist teaching, training or equipment.

15. In terms of resolving differences of opinion where they do occur, a range of arrangements exist across local authorities. Most commonly ALN Panels have been set up to decide on requests from schools for the LA to maintain an IDP, with responses offering constructive advice and feedback to schools where relevant. Such panels may also have the role of providing further support, advice or be able to devolve additional funding to the school so it can continue to maintain an IDP. Other arrangements include independent disagreement resolution panels to help communicate and explain IDP decisions to schools and parents, or resource panels where schools can request further support or resources. One local authority has set up an ALN Helpline to give young people, parents and carers direct access to the authority for advice or support or if they want to request a reconsideration of a school IDP decision. This has helped avoid cases escalating and allowed the authority to intervene early if it appears a school may need support for their practice.
16. Additionally, most local authorities have processes in place to ensure quality assurance and consistency of IDPs at both local authority and school or specialist setting level.
17. In terms of identified issues or challenges related to responsibilities for IDPs, cross-border placements have been raised by a number of local authorities. Authorities are only required to consult the schools they maintain about their IDP principles and expectations, meaning the thresholds and criteria for local authority and school IDPs may differ between neighbouring authorities. This can cause problems where a learner from one authority attends school at another authority and has an IDP requiring ALP. One authority has flagged with the Welsh Government the fact that the ALN Code (Paragraph 12.86) does not appear to be strong enough or clear enough about how local authorities should work together to fund ALP if it is not available at the school. There is a risk that local authorities will have no alternative than to demand local authority-maintained IDPs for cross-border children solely to secure funding through Inter-Authority Recoupment (IAR). However, the current IAR regulations only relate to Statements and there is no guidance to ensure consistency throughout Wales.

Delyth Jewell, AS
Chair
The Culture and Welsh Language Committee
Welsh Parliament
Cardiff Bay
Cardiff
CF99 1SN

10 July 2023

Dear Chair

Locating Specialist Perinatal Mental Health Services in North Wales

I am writing to you on behalf of the Cymdeithas yr Iaith Health and Wellbeing Group which campaigns using non-violent methods for the rights of the residents of Wales to receive health and care services in Welsh. As a group, we are very concerned about the Welsh Government's plans for specialist perinatal mental health services for the north of Wales to be located outside of Wales, depriving women and their families of their right to receive care through the medium of Welsh. We call on the Culture and Welsh Language Committee to carry out an investigation into the matter for the reasons outlined below.

There is increasing evidence that patients feel more comfortable, confident and able to discuss their health in their mother tongue (Misell, 2000; Madoc-Jones, 2004; Prys, 2010; Iaith, 2012; CYG, 2014; Hughes, 2018; Martin et al, 2019); and it would be completely unacceptable if these mothers were not able to use their Welsh, given that they are already in such a vulnerable position. Furthermore, if you want to reach someone in a state of mental anguish, it is essential to have effective communication that is appropriate to their language needs (Pavlenko, 2012; Santiago-Rivera and Altarriba, 2002). This can be key for carrying out accurate and reliable assessments, and delivering meaningful and effective treatments (Karliner et al, 2010; de Moissac and Bowen, 2019; Seale et al, 2022). For this reason, there is no doubt that having the opportunity to speak their own language could make such a difference to the experiences and outcomes of the patients in question.

We are aware of wider services provided across the border where expertise has been embedded for many years. However, we believe that this situation is quite different as we already have the mental health expertise in north Wales - often through the medium of Welsh. It must be noted that we are talking about women in their most vulnerable state. We can only imagine the nightmarish situation that they are facing which would be made worse by being in an environment where everything feels unfamiliar, especially the language around them. In such a situation, the treatment must be linguistically appropriate or there is a risk that it will not be effective - or even suitable for the individual.

We are very disappointed with the response of the Deputy Minister for Mental Health and Wellbeing to the discussion (see the Senedd record of proceedings on 15/2/23 and the minister's written response to Cymdeithas yr Iaith on 1/6/23). By disregarding the importance of the Welsh language in the planning process, the Welsh Government is abandoning the core principles of its strategy *More Than Just Words* and is undermining the human rights of vulnerable women. We call on the Culture and Welsh Language Committee to urgently carry out an investigation into this matter, to considering the evidence in full and re-open the discussion. We are confident that this would lead to new planning in order to protect the language rights of mothers and families in their most vulnerable state.

Yours sincerely

Gwerfyl Roberts
Chair
Health and Wellbeing Group
Cymdeithas yr Iaith



Llywodraeth Cymru
Welsh Government

Jeremy Miles AS/MS
Gweinidog y Gymraeg ac Addysg
Minister for Education and Welsh Language

Eich cyf/Your ref
Ein cyf/Our ref

Jayne Bryant MS
Chair
Children, Young People and Education Committee
SeneddChildren@senedd.wales

29 September 2023

Dear Jayne,

Thank you for your letter of 15th August accompanied by the letter from EYST regarding concerns about racist bullying in schools, the challenges of reporting and collecting data, and the links with school exclusions.

Reporting and recording racist bullying and/or harassment in education settings

It is vital that we all challenge negative attitudes and behaviours that underpin prejudice-related bullying, including racist bullying. It is imperative that children and young people are taught, both at home and in school, about respect, tolerance, and kindness and the Welsh Government condemns bullying and harassment in any form. As set out in our statutory anti-bullying guidance, 'Rights, Respect, Equality', we expect every allegation of bullying and racism to be fully investigated by schools and education settings, with appropriate action taken to address the matter and prevent further instances from happening.

Our guidance also advises that education settings in Wales should record and respond to all racist incidents. Any incident of racial bullying within a school or setting should be recorded and reported to the local authority. When incidents happen, the setting should be clear about their arrangements to challenge racism and support all children involved, including those who may have heard or seen the incident. It is also very important that they engage and work with families of those involved.

While we acknowledge the need to create consistency in our systems of reporting and monitoring data on bullying and harassment, as set out in the Anti-Racist Wales Action Plan, there needs to be a lawful basis for the collection of this data on a national level. This would need to be done by amending The Education (Information About Individual Pupils) (Wales) Regulations 2007.

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1SN

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400

Gohebiaeth.Jeremy.Miles@llyw.cymru
Correspondence.Jeremy.Miles@gov.wales

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

It is important that any data that is collected is collected for a purpose. Any data about bullying and harassment should not exist in a vacuum but must be acted on to improve the experiences of children and young people.

My officials are currently considering the collection of data at a national level, including assessing what type of regulatory changes might be needed for this to be undertaken.

Update to the Welsh Government's anti-bullying guidance

As you know, the Welsh Government is also updating and improving our statutory anti-bullying guidance, specifically in relation to prejudice-related bullying. While the work on our system of reporting data is ongoing, we will use this update to advise education settings and local authorities about how data can be effectively used at a local level to prevent bullying and to assess the effectiveness of responses to bullying. This will share effective practice so that data that is already available can be acted on effectively.

In updating this guidance, my officials are drawing on existing and forthcoming evidence around children and young people's experiences of bullying (and specifically racism) in schools, as well as our own recent engagement with children and young people.

One of the key pieces of evidence will be the outcomes within the forthcoming report by the Children's Commissioner for Wales on experiences of racism in secondary schools in Wales. During a recent meeting with the Commissioner, we discussed her concerns regarding progress in supporting learners from ethnic minority communities, including Gypsies, Roma and Travellers. The results of the Commissioner's report are due to be published soon.

As this is an update to statutory guidance, there may be a need to first consult with the public on the proposed changes. If this is necessary, I expect this consultation to take place in early 2024.

My officials are already considering the support schools, education settings and local authorities may need to implement the updated guidance and how this should link with the wider professional development offer to practitioners. My officials will also develop further engagement with practitioners and local authorities during the guidance development which will also inform the delivery and implementation of the updated guidance.

School exclusions

I note that the letter from EYST raises the issue of school exclusions. As set out in section 1.7 of the current Welsh Government guidance, the Equality Act 2010 protects learners from discrimination based on protected characteristics.

The Equality Act does not prohibit schools from excluding learners with a protected characteristic but does prohibit schools from excluding learners *because* of their protected characteristic (e.g. excluding a disabled learner because of their disability) or discriminating unlawfully during the exclusions process. This applies to permanent and fixed-term exclusions.

It is direct discrimination to exclude a learner because they are perceived to have a protective characteristic or because they are associated with someone with a protective characteristic.

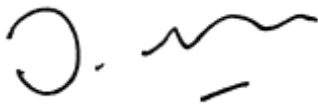
We are taking a two phased approach to revising the Exclusion from School and Pupil Referral Units (PRUs) guidance. The first phase will involve amendments being made to the tone and language used in the guidance, so that it reflects a rights-based and trauma-informed approach, including good practice. The update will also include

amendments to reflect recent changes to legislation. It is my intention is to publish this update during the autumn term.

The second phase will consider what further updates are needed to the guidance. This will involve, for example, amending the guidance in relation to our stated policy intentions and providing guidance about the exclusion of specific groups of children, such as those who are disproportionately excluded.

To support this phase, we have commissioned research into practices used by maintained schools and PRUs to prevent fixed-term and permanent school exclusions; and to explore how local authorities, schools, learners, and their parents/carers can be supported to prevent exclusions from schools and PRUs. It is important the findings of the research, which are expected to be available in the autumn, inform the fully revised guidance. This phase of the guidance will be subject to full consultation.

Yours sincerely

A handwritten signature in black ink, consisting of a large 'J' followed by a series of wavy lines and a short horizontal stroke at the end.

Jeremy Miles AS/MS
Gweinidog y Gymraeg ac Addysg
Minister for Education and Welsh Language

Agenda Item 4.15

Y Pwyllgor Deisebau

Petitions Committee

Senedd Cymru
Bae Caerdydd, Caerdydd, CF99 1SN
Deisebau@senedd.cymru
senedd.cymru/SeneddDeisebau
0300 200 6565

Jayne Bryant MS
Chair
Children, Young People and Education Committee
Tŷ Hywel
Cardiff Bay
CF99 1SN
2 October 2023

Welsh Parliament
Cardiff Bay, Cardiff, CF99 1SN
Petitions@senedd.wales
senedd.wales/SeneddPetitions
0300 200 6565

Dear Jayne

Petition P-06-1347 Review Additional Learning Needs policies & make compulsory to FULLY train all teachers and TAs in regulation techniques

The Petitions Committee considered the above petition at our meeting on 11 September, alongside correspondence from the Minister for Education and Welsh Language and the Petitioner.

At the meeting members agreed to write to your Committee in order to bring your attention to the petition and ask if the petition and correspondence received can be considered as part of your inquiry on equal access to education and childcare.

Further information about the petition, including related correspondence, is available on our website at: <https://business.senedd.wales/ielssueDetails.aspx?Ild=41438&Opt=3>.

If you have any queries, please contact the Committee clerking team at the e-mail address below, or on 0300 200 6454. I would be grateful if you could send your response by e-mail to the clerking team at petitions@senedd.wales.

Yours sincerely



Jack Sargeant MS
Chair

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.



Eich cyf/Your ref P-06-1347
Ein cyf/Our ref JMEWL/00920/23

Jack Sargeant MS
Chair - Petitions committee
Senedd Cymru
Cardiff Bay
Cardiff
CF99 1SN

12 July 2023

Dear Jack,

Thank you for your letter of 25 May regarding issues raised in a petition received by the Petitions Committee from Clare Anna Mitchell.

The reforms Welsh Government are making to the education system in Wales have equity and inclusion at their heart. We are committed to delivering a system where individual needs are identified early, addressed quickly and all learners are supported to reach their potential.

Our education reforms include changing the Curriculum in Wales and introducing a new system to support learners with ALN. The [Curriculum for Wales](#) has been designed to raise the aspirations for all learners. It sees every learner as an individual with different strengths and areas for development, who may progress in different ways and at different paces.

Alongside Curriculum reform we are phasing in a new ALN system which is gradually replacing the special educational needs (SEN) system. The ALN system changes both the legal framework, and practices to support children and young people so their needs are met in a more timely way. The new system ensures that learners aged 0-25, who require additional learning provision to meet an ALN, have that support properly planned for and protected in a single statutory plan called an Individual Development Plan (IDP). It also strengthens children's rights and ensures the views, wishes and feelings of the child and their parents are heard. The ALN system is underpinned by the ALN and Education Tribunal Act and the [ALN Code for Wales](#).

We recognise the importance of a skilled workforce to the success of our education reforms. In both Initial Teacher Education (ITE) and continuing professional learning for teachers in practice, meeting the needs of all learners is identified as a priority. Supporting learners with

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1SN

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400

Gohebiaeth.Jeremy.Miles@llyw.cymru
Correspondence.Jeremy.Miles@gov.wales

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

ALN is part of a student teacher's core studies and professional standards for teaching and leadership make clear the responsibility on all teachers and leaders to ensure the needs of all learners are met, including learners with neurodivergent (ND) conditions. All staff who work with children and young people with ALN have a responsibility for ensuring that their learners' needs are identified and provided for.

The Programme of Professional Learning and Initial Teacher Education (ITE) has been designed to prepare student teachers to foster inclusive classrooms, so that teachers remain equipped to meet the needs of all learners. As part of a refresh of the accreditation criteria for ITE programmes, we have strengthened expectations for supporting learners with ALN as part of student teachers' core studies.

A key part of our work on implementing the new ALN system aims to help ensure teachers can develop the skills they need to meet the needs of learners with ALN so they can put in place differentiated teaching or other targeted interventions so children can learn more effectively, and to help make best use of the expert advice and support provided by specialists.

Teachers have responsibility for their own professional learning and development. To assist them and other practitioners, we have developed a national approach to professional learning and a professional learning entitlement which promotes the support practitioners, system leaders and advisors are entitled to.

As part of the professional learning available to all teachers we have developed an online national ALN professional learning pathway, which is available on [Hwb](#) in Welsh and English. The training is to help all teachers support learners with ALN, and especially ALN Co-ordinators (ALNCos) who have a strategic role in schools and are the first point of call for staff seeking advice and guidance on ALN. Key elements of this learning include person-centred and inclusive practice, the whole-school approach, and the effective coordination of additional learning provision across educational settings. We have also been working with the Third Sector Additional Needs Alliance to produce information for schools on certain types of learning difficulties and/or disabilities.

Teachers who want to take their knowledge further can undertake the National MA (Masters) in Education (Wales) – ALN. This pathway is available in Welsh and English and gives teachers the opportunity to enhance their ALN professional knowledge, engage with research and improve their ALN practice.

We have developed [training](#) and resources to raise awareness of the new ALN system in general and have published guides to assist practitioners which detail effective interventions for learners with [sensory impairments](#), [autism](#) and [ADHD](#) in education settings. We also work with Wales' [National Autism Team](#) which helps raise awareness of ND conditions across all professions, with [dedicated resources](#) for practitioners.

Teaching Assistants (TAs) are a valued and integral part of the school workforce and have an important role as part of a high-quality education profession. Our existing TA Learning Pathway offers professional learning to support TAs throughout their career. We have established a Professional Learning Steering Group to look at all professional learning for TAs in Wales. The aim of this group is to ensure equality of access to targeted, high quality and consistent training for our TAs. An investment of £1 million per annum is made to help with the development and professional learning of all TAs in the system.

Ensuring a supply of skilled, Welsh language teachers and teaching assistants is a key part of developing our Welsh language workforce. Our [Welsh in Education Workforce Plan](#) sets out a number of actions including developing and promoting more pathways to becoming

teaching assistants in Welsh-medium schools and developing specific and targeted professional learning for all teaching assistants to be confident to support learners to develop their Welsh language.

Regarding Welsh language provision for learners with ALN, one of the core aims of the ALN Act is to create a bilingual system of support for learners with ALN. The ALN Act requires local authorities and education settings to consider whether additional learning provision (ALP) should be provided to children or young people in Welsh. Where a learner has a need for ALP in Welsh, this must be specified in their IDP, and all reasonable steps must be taken to ensure that it is provided. Local authorities all have Welsh in Education Strategic Plans (WESPs) in place which include an objective on how they are improving Welsh medium ALP within their areas.

We recognise there is a need to develop more Welsh language resources for learners with ALN. Through the newly established bilingual educational resources company, 'Adnodd', we aim to continue creating new Welsh-medium resources to support the teaching and learning of the Curriculum for Wales and identify and commission resources to better support learners with ALN.

Regarding data collection, there is no code in the Pupil Led Annual School Census (PLASC) for 'universal provision' which is not a term defined in law or referenced in the ALN Code. This term is one which schools and local authorities are using to include strategies, resources and adaptations to the curriculum and environment adopted by practitioners to remove barriers to learning for all children and young people.

The 'General Learning Difficulties' (GLD) code was also removed from the PLASC. Removing the GLD category appears to have led to many pupils being removed from the SEN register altogether since they could not be identified as having another category. This strongly suggests that many pupils categorised as having GLD did not in fact meet the legal definition of having SEN or ALN.

Changes to the ALN PLASC data collection is part of a longer-term piece of work to ensure it represents a robust data source on learners with ALN. A working group is being convened to plan and engage key stakeholders in any proposed changes to the data requirements for the January 2025 data collection. Until then no additional changes will be made in order to track and monitor a consistent data set for the remainder of the implementation period.

Regarding signposting for parents of learners with ALN, local authorities have a duty under the ALN Act to have regard to the views, wishes and feelings of the child and their parent; the importance of the child and their parent participating as fully as possible in decisions regarding their ALN/ALP; and the importance of the child and their parent being provided with the information and support necessary to enable participation in those decisions. This duty reflects the ethos of person-centred practice. We have published a [parents guide to rights](#) under the ALN system, and further information on involving and supporting children and their parents can be found in Chapter 4 of the ALN Code for Wales. Independent advice and guidance for parents is also available from [SNAP Cymru](#).

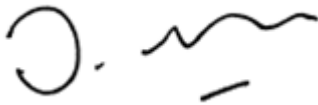
SNAP Cymru has been running a series of free face-to-face ALN reform awareness raising events for families of children with ALN across Wales and more events are planned. Information about these events will be posted on the SNAP Cymru website when it becomes available.

Through our ALN implementation programme we are working with the sector to ensure there is sound understanding of the ALN system and that learners with ALN are supported through a person-centred and needs-led approach.

A medical diagnosis is not required to access appropriate educational support to meet learner need and neither should support be delayed whilst learners wait for an assessment. As part of its work to build on the foundations of Wales' autism strategy and statutory code of practice for autism services, Welsh Government [announced](#) in July 2022 that it is investing £12 million in a new national improvement programme for neurodevelopmental conditions to 2025, and provided a progress [update](#) on 2 May. This programme is addressing immediate pressures on assessment waiting times and developing sustainable integrated needs led services with a skilled and resilient workforce, which includes supporting schools and teaching staff. It will also include additional advice and support services for parents and carers. In April this year we launched a pilot of an extension to the C.A.L.L. helpline, the Neurodivergence Listening Line which provides a safe space for neurodivergent people and their parents and carers to talk about their experiences (the contact telephone number is 0800 132737).

A [Neurodivergence Ministerial Advisory Group](#) has been established to provide advice to the Deputy Minister for Social Services on the progress of this programme, which includes representation from education and people with lived experience of neurodivergence. Our [National Autism Team](#) also provides expert advice, training and guidance on autism and other neurodevelopmental conditions. Their resources are available on the [AutismWales](#) website and on Hwb, the Welsh Government's online learning platform.

Yours sincerely,

A handwritten signature in black ink, consisting of a stylized 'J' followed by a wavy line and a short horizontal stroke.

Jeremy Miles AS/MS
Gweinidog y Gymraeg ac Addysg
Minister for Education and Welsh Language

P-06-1347 Review ALN policies & make compulsory to FULLY train all teachers and TAs - Correspondence form the Petitioner to the Committee, 29.08.23

Dear Petitions Committee,

I am writing to provide a comprehensive response to the email sent by Jeremy Miles, the Education Minister of Wales, in relation to the pressing issue of **mandatory** neurodiversity (ND) training for education staff. I must emphasize that while Mr. Miles' email highlights various initiatives, it falls short of directly addressing the central demand of our petition: the need for **mandatory** ND training for all education professionals in Wales.

I would like to address several critical points raised in the email:

1. **Initial Teacher Education (ITE) Requirements:** The suggestion that teachers should have an "understanding" of Additional Learning Needs (ALN) is insufficient. We advocate for thorough training, involving both experience and specialised training led by ALN specialists and individuals with ALN themselves.
2. **Challenges of Online ALNCo Training:** The proposal for online ALNCo training may overwhelm already overburdened professionals. Given their administrative duties, family interactions, and student support obligations, expecting ALNCo staff to engage in additional online courses is impractical.
3. **Workload and Time Constraints:** ALNCo professionals often support large groups of staff and students. With limited time available, expecting them to complete workbooks and assessments on top of their other responsibilities is unrealistic, especially considering the current strain on school budgets.
4. **Equity in Training:** While the national neurodiverse team focuses on professionals, it is essential to extend their efforts to the general public, ensuring broader awareness and understanding of neurodiversity.
5. **Effectiveness of the Response:** The email's tone is aspirational, but it falls short of adequately addressing the core concerns. To assess success, there must be clear metrics and accountability mechanisms in place, ensuring that Local Education Authorities (LEAs) fulfil their obligations.
6. **Guidance for ASD/ADHD Needs:** Clear guidelines must be provided to ensure that decisions made are driven by the needs of ASD/ADHD students.

The Equality Act's interpretation and guidance should be utilised to shape these decisions.

7. **Mandatory Training Necessity:**

A member of our campaign team, a parent governor went to school to talk about her experience of ADHD and ASD and spoke for 20 minutes to teachers and TA's who for the most part knew nothing about the difficulties we experienced as parents/children
This highlights the knowledge gap that exists within the education system. Compulsory training is vital to bridge this gap and provide essential learning.

8. **Importance of Diagnosis:** The concept of intervening without waiting for a diagnosis is flawed, as it fails to account for the diverse needs of each child. Diagnosis provides a personalised understanding that is crucial for effective interventions.

9. **Systemic Inefficiencies:** The current system's delays and lack of knowledgeable staff are impeding the timely support that neurodiverse students need. ALNCo professionals are overwhelmed, and the burden placed on them is unmanageable.

10. **Training for Teaching Assistants:** Training opportunities for Teaching Assistants (TAs) are lacking, and the process of diagnosis is too slow to enable timely interventions. Compulsory training could ensure that all staff members are prepared to support neurodiverse students.

11. **Scaling DARPL Initiatives:** Replicating DARPL initiatives for ALN training may not be effective, given the substantial disparity between the number of education staff and those reached by DARPL.

12. **Transparency and Funding:** The allocation and utilisation of the £12 million funding for neurodiversity training need clarification. Parents and students have yet to see the benefits of this allocation.

13. **Support for Individual Needs:** Without proper training, it's unclear who will identify, address, and support neurodiverse learners, as highlighted in the Minister's commitment to early intervention and support.

14. **Promoting Awareness:** I would like to propose the idea of a national campaign focused on neurodiversity awareness, involving televised initiatives and billboards. Such a campaign could significantly contribute to breaking stigma and promoting a truly inclusive society.

Furthermore, I've suggested the implementation of arena-style training days in each county. These events could feature neurodiverse speakers from various fields, inspiring educators to adopt effective teaching strategies for neurodiverse students. Such events could be both impactful and cost-effective.

I wish to reiterate the need for serious consideration by the Petitions Committee.

Our children are being failed by the current education system's lack of **mandatory** neurodiversity training. This deficiency in training impacts their education, their lives, and their futures.

The current variance in training from school to school perpetuates a postcode lottery, denying consistent, high-quality support to all students.

Teachers require regulated, evidence-based training, and universal provision must be clearly defined and consistently implemented across all schools.

Thank you for your attention to this matter. Urgent action is required to ensure a fair and equitable education system for all.

Sincerely,

Petition Feedback from Grassroots



1. Why is ND training not compulsory?
2. My daughter is due to start nursery in September and worried is an understatement she is non-verbal doesn't show interest in anything and I just been told she has to attend a mainstream school first her assessment for ASD is a year away I feel so alone because I don't know where to start I let my son down when I sent him to a mainstream before he got moved in year 5 and now I feel I'm doing the same with my daughter.
3. To use Neuro affirming language. I'm fed up with the acronym ASD. I'm not a disorder. For training to be given by Neurodivergent people. Here's a blog <https://www.thepdaspace.com/blog/neurodiversity-affirming-glossary-of-key-words-for-families-and-professionals>
4. I have been telling my child's school since nursery and they tell me he's disrupting the class and can't keep still it's 2 weeks now and he's finishing and going to comp and last week telling me they do see he's got a problem so now going to pass this problem. Over to comp I have told them I don't know how many times of what he's like and they really don't care I'm not getting anywhere.
5. Essential to create engaging training. Not just online. Needs to be mandatory!
6. Neurodiversity training for schools/teachers is an absolute must and it should be standard across the country. This should include how to work with parents rather than against them and to be completely inclusive of our children with ALN rather than creating/putting up constant barriers.
7. Being autism/ADHD affirming rather than trying to get our children to conform to neurotypical behaviours.
8. Maybe including parents accounts/views within the training to better educate schools on what it's really like to care for children with ALN 24/7 because I really think so many people have no awareness or appreciation of how tough things can be.
9. Why Primary schools only get a very limited amount of hours of Ed psych time rather than the amount of time needed? This leads to some children never getting the help needed as it has to be rationed. Education in Wales is failing our children.
10. Why children are not getting their 121 support because although statements (IDPs) are in place there is no additional funding.
11. Why children from a LAC background do not receive extra funding , as in England, thus making them second class compared to their English counterparts.
12. How they can say the ALN reforms are good when all it does is take children in need of support off the support list and into a so called "universal provision " which in reality doesn't work (I know this from experience in a professional capacity). These reforms are a cost cutting exercise.
13. Why the majority of home educated children in Wales are so because they have been failed by the ALN policy and autism policy? Then, why WG is making it more difficult to home educate when the state provision has already FAILED these children?
14. How can Welsh government ensure that schools and LA's are complying with this mandatory guidance... and can we make sure that it is co produced with disabled pupils, parent carers and disabled people? <https://www.gov.wales/sites/default/files/publications/2018-04/planning-to-increase-access-to-schools-for-disabled-pupils.pdf>

15. I think neurodiversity training would be an excellent idea (I'm assuming they don't have any at the moment, since understanding is so godawful!)
16. The different ways that ND can present in women/girls/AFAB - it's not just boys with train obsessions!
17. Appropriate/Affirming, identity first language (use 'Autistic' as a default for example not 'on the spectrum' or 'has ASD' / definitely never say "suffers from...")
18. An awareness of masking, and the long term impacts on mental health and access to education (just because a kid seems 'fine' in primary school, it doesn't mean that the trauma isn't building up, leading to serious problems in high school).
19. If schools could just stop defaulting to a base layer of parent blame, that would be super! (Stop assuming that just because the kid is so well behaved at school that it means the parents are at fault!) most parents are excellent, and doing their best, and it's exhausting having to constantly justify ourselves.
20. It's (training) very much needed at some schools, particularly around masking and just how good some of them are at masking, but that it doesn't mean they're fine/coping, different presentation between girls and boys across ND too.
21. For primary, it needs to cover how more 'traditional' rewards aren't appropriate for ND kids. Ours had general policies apply to all, and then would adjust if necessary, but would be a more positive approach if they were just more inclusive to begin with. My 7 year old would really struggle to sit still and 'nicely' to get a dojo point, even though it would leave her disregulated . Negative impact on self esteem not recognised.
22. Our ALNco hadn't realised that the ND team can support with OT assessments without a diagnosis, you just had to have a referral accepted. We also weren't made aware that the school can contact CAMHS for advice with anxiety. Both these things caused delay to support that we could have accessed. So think it needs better awareness of who/how to link in with support.
23. Also how important it is that other kids in the class are aware of ND and making sure it's a positive thing. I'm coming from experience of primary age kids not having any awareness and my 7 year old having to explain to friends when she was only starting to understand things herself.
24. Mandatory training for headteachers, governors and all staff in relation to the equality act 2010!
25. Unless evidence stating otherwise, parents should be listened to about concerns raised about their child and not told child is fine and parent blamed. This process adds months and months of upset anxiety and lack of education and trauma. Masking especially amongst girls is very common and school refusal in itself needs to be enough to warrant further investigation and referrals.
26. If you want some Wales specific research data to strengthen your case, feel free to quote some of the findings reported within the preliminary report considering 'The Education of Autistic Pupils in Wales' published in 2021.Steffan Davies Research @SDResearch - https://swanseauniversity-my.sharepoint.com/:f/g/personal/856614_swansea_ac_uk/EsLZBQ_6JRZGnkoH4VW4OvYBgFAGKgGRhBLWcx6IDXNGOA?e=B1ZVI9
27. Curriculum that includes inclusivity awareness, making children aware of neurodivergent conditions. It just seems that if a child acts out in school then other children are not aware of the possible reasons and will then go home and be told oh they are just a naughty child. I appreciate this is not the case for everyone but I do still hear it happening

and it makes me so sad because my own child was portrayed as a naughty child and left out of activities with her peers. Offer the opportunity to be informed to everyone.

28. I think the inclusivity training & awareness shouldn't just be making children aware of neurodiversity but their parents too - making it an open conversation within schools especially during welcome meetings/transition sessions when children first start. It would hopefully help to make it a less 'us & them situation' - I have seen plenty of neurotypical children behave badly but I always feel like my daughter will be more harshly judged if she does because she's ALN - if people were more educated generally then hopefully this would get better. I also know there are plenty of books aimed at children about neurodiversity that could be provided for parents to read to their children via school.
29. Will neurodiversity training also be for nursery/preschool teachers? Or at least for nurseries attached to a school? My sons nursery are lovely, but have been clueless with noticing any of his ND behaviours. Outreach from specialist schools had to come in to point things out.
30. Training is needed for ALL school staff not just teachers and heads. Training must include autistic traits in girls and pathological demand avoidance (these children have no understanding in schools at all and are seen as naughty with unacceptable behaviour)
31. My son has moderate dyslexia acknowledged and autism traits, on the waiting list for assessment. He cannot cope with mainstream. Why is he not meeting ALN criteria as told by his ALNCo? The mainstream 'universal provision' cannot cope with individual needs and reasonable adjustments fitted to the child. Why are children that were supported before criteria changed not being supported now?
32. Awareness of the right to education and the rights of people with disabilities, as well as the expectations of the new ALN framework/Act. teachers need to know the rules of the game have changed and ND kids are not meant to be shunted out.
33. I see more and more of parents being asked for medical evidence for their child. The attendance and wellbeing officer told me they should be getting marked in. Be great to clarify from them because doctors don't give medical evidence for children unless you pay for it.
34. To have an all Wales approach to supporting children with ALN, not each council making it up as you go along. Different levels of support are offered within each Local Authority. I know it will be due to funding but an all Wales approach needs to be implemented to make it fair for all.
35. Schools (Nursery) should be given the same funding and training as the staff at flying start - there seems more training is given in that setting than the teaching staff in schools.
36. My daughter has dyscalculia and we STILL can't get her statemented. We offered to pay for an assessment but they said they wouldn't accept it unless it was done by someone her school approved.
37. Why are they leaving children diagnosed with no IDP until they are left unsafe and struggling ? why are parents finding out years after diagnosis that they child has learning needs that need to be in special schools ? this is because the ipds are done before assessment of their needs by ep .these idps are a waste of time . Why are the schools saying no resources and lea saying they get the funding for 121 ? why are they sending children to year 7 with o support ? Why do panel not go and see the child suffer as they are the ones forcing parents to accept placements that are not suitable .Why are schools getting away with constant exclusions when it is them the ones failing a childs and setting them up to fail. What is the role of an ALN exclusions officer ?

38. LEA are causing our children trauma and Aces they know well the effects of ACES.
39. It is no wonder so many kids especially girls end up self harming, feeling alone and disconnected to their peers because their really brilliant brain works differently to what is expected. Can we put in a massive safeguarding referral because to me that's what it comes down to, the system as it stands is causing harm and neglecting those kids who are ND.
40. Intelligent, neurodivergent children struggling to attend school have no schools to support their needs.
41. Children being left with no education or setting because they don't fit into mainstream and don't fit into ALN school.
42. This is the situation with my middle child. 18 months now with no education.
43. Please mention the need for compulsory training in Initial Teacher Training programmes PLUS for established teachers, in how to set up environment and learning for ND pupils (which also aids neurotypical pupils). Most importantly, teachers & support staff need updated information about ASD and ADHD, including in girls and inattentive type, to dispel the myths about ADHD occurring mostly in 'bouncy boys'.
44. Why do we have a predominantly one size fits all high stakes exams system which does not capture what ND children know can do and care about?
45. Definitely a need for all teachers to have training. I find especially Welsh schools. They haven't been used to having ALN children but now more are going through them and they don't know what to look out for as much, I find.
46. Much more training for ALN needs to be part of the Teacher training courses
47. I agree the ALN training given in ITE (Initial Teacher Education) programmes in Wales isn't sufficient for what those teachers will encounter when they enter schools. One ITE provider I know has an ALN conference for one day during the whole ITE year and that is it really in terms of ALN training. During that conference they approximately 1 hour workshops on different types of ALN. I suspect similar anecdotal evidence can be found in other ITE providers.
48. To stop focusing so much on academic achievement and more on social and emotional welfare. Schools are judged on academic success so schools have to focus on that, time to focus on wellbeing. Also to listen to parents when they say their children are finding School hard even when they appear fine in school but behaviour at homes indicates they are not. To recognise private diagnosis when they are completed to the same and sometimes above NHS standards. Parents only go private through desperation to get help for their children.
49. The amount of schools not accepting private diagnosis' are shocking. Parents come to me desperate for help and wanting to go private but I have to warn them about this all the time.
50. One company I spoke to said according to the SEN act they legally can't say no. It is just so confusing. My son can have an operation done privately but can't have an autism assessment done, makes no sense.
51. It's actually saving the schools budgets... helping them out but yet wham another barrier to learning for these pupils is put in place.
52. We should be holistically all working together for what's best for the child and if that means private assessments (that parents can afford- another discussion needed for whether it should actually come to that - as for some parents this isn't an option) which parents are able to complete then these should 100% be accepted.

53. Why aren't parents views taken into consideration? My son masks in school and they won't refer him to be assessed because they don't see what we see!
54. Exactly when did these untrained teachers with so much power become doctors? Why do children with ASD diagnosis still don't get believed if they are high functioning and again no support.
55. we've been fighting for 5 years. Writing everything thing down, all our concerns and still he can't be referred. Parents should have rights too.
56. my 9 year old is excellent at masking I school, then either withdraws completely once home because she needs to reset or we have emotional dysregulation so intense sometimes that she cannot physically hold herself upright. I have had to explain so many times that she is masking and every single time they say we are struggling with her behavior - I don't understand how they can so blatantly disregard parents concerns and fob of with I being behavioural
57. my girl comes home and unload everything she found overwhelming and frustrating.
58. Training made compulsory for ALL staff in all conditions ADHD, autism, pda, pica, tourettes etc the Welsh government fund autism Wales to do training for neurodiversity awareness and hardly any schools have taken it up.
59. IDPS need to also include mental health/anxiety.
60. Parents listened to more of what their child needs not told no they don't get bothered by noise, it's not school causing anxiety, they said they will go on stage at a concert, etc when you know they have cried, had meltdowns, panic attacks and even self-harmed the night before anxious over it.
61. Masking needs to be recognised.
62. Parents observations also taken into account for an IDP not just the schools as masking children are getting missed and getting no support at all many end up so anxious they suffer long term mental health problems and self harming.
63. More EP places as children are being refused phase B as not enough slots.
64. More sensory rooms.
65. Better support while waiting for diagnosis (CAHMS refuse to support anyone on the waiting list and there's no service to replace them during this time) . Reduced waiting times for diagnosis.
66. Play workers in school specialising in ASD/ADHD
67. More specialised placements.
68. Stop penalising parents threatening them and giving them fines when their child is struggling to attend school and stop excluding students constantly for a medical condition they cannot help.
69. Consideration to autistic/ADHD needs to be given for discipline procedures like detention and shouting at children at it is not helpful and makes matters worse.
70. definitely need more ed psych phase b and c slots...unreal loads of diagnosed children don't ever get seen by an ed psych so how can an idp be weighted ?
71. My daughter has been refused an IDP on the basis she can cope academically and isn't disruptive in class. The fact she got so anxious and sat in class self harming and the supply teacher was oblivious to it and got shouted at for walking out of class to come and find me in the library doesn't matter. The fact she has panic attacks, makes herself so stressed she's physically sick don't matter, the fact she has violent meltdowns at home don't matter. Simply her mental health which 99% school cause doesn't matter.

72. Eating provisions for ALN in mainstream for those with high sensory needs ,so many ALN children school refuse at the thought of lunchtime overload.
73. I'd like to know why the ALN Act did not adopt any of the protections of the Children and Families Act 2014 (England) for children where attending a school would be inappropriate? English EOTAS law was significantly updated, Welsh law was not. Why?
74. A major step forward would be for schools to have dedicated Occupational Therapists alongside school nurses, especially for those kids that struggle prior to diagnosis. Also sensory stimuli should be available, as an example my 9 year old uses an exercise ball at home, we have one weighted with sand and a normal, she focuses amazingly using this, she also is sensory seeking so sitting still is unnatural for, dynamic cushions in class would make a lot of different for her as would sensory oriented play to support regulation. I am sure she is not alone in this. An OT with sensory integration training could support formulation of strategies specific to each child's needs.
75. Educational psychologist with a well trained support team in every secondary school is required now. Some primary schools are not referring pupils, they get to comp and are then disengaging from learning, 4+ year wait is ridiculous.
76. I'd like to see a more positive focus on nd. Not the superpower stuff but highlighting the positives of the individual. Give the children a sense of pride in their ND identity. The focus is too much on what they can't do, what's wrong with them. This leads to low aspirations their whole life.
77. I think it would be good to talk money to them. That's the language they speak. Unmet needs leads to traumatised children which costs a lot in MH support, lost earnings and tax from parents who can't work. Then when these children become adults without education and qualifications it costs a fortune in out of work benefits. If things were picked up so much sooner all this could be avoided.
78. School ALN budgets need to be protected so when a school is making cuts, the most vulnerable aren't the first to miss out.
79. There needs to be accountability for LA/schools who discriminate and delay our children getting the full time education they are entitled to. The system of complaining to the school who is causing the harm must be changed. Parent/school relationships are key to the child's needs being met. The current complaint system seriously damages this and it's too complicated for parents to navigate.
80. The language used in referring to autistic people must be right. All research done shows autistic people overwhelmingly prefer identity first language. I'm autistic, I don't have autism. Using the right language gives a sense of security that they have up to date information and have consulted with autistic people.
81. Autistic children will need specific education to help them succeed in life too. Things like, knowing their rights and where to get help if they are violated. How to advocate for themselves. What DWP access to work programme can do for them? How to spot red flags in relationships? How to set boundaries. We are more vulnerable to abusive relationships so these things are crucial.
82. Adequate compulsory training that is created by ND people. Across Wales not just pockets of schools who decide to take it up.
83. Early intervention and believing parents first concerns.
84. A website for each LA that shows ALL available provision and parents can easily find out what they need. It seems to be a dark secret that they deliberately hide when they don't want to pay for what the child needs.

85. Schools to understand that all behaviour is communication. Discipline and punishment doesn't work for our kids. They need understanding and help to get through the big emotions they experience. They don't need to be made to feel shame when this happens. This would help all children not just ND.
86. To start listening to the parents. they need to realise how these children masks their emotions in school and really try to confirm themselves to 'normality' that they overwhelm themselves and leave it all explode when home in their comfort space where there is no judgement, just love and understanding, how they try their best to keep up with others in work that they stress themselves over every subject.
87. all neurodiverse children are being left floundering in mainstream education because teachers and teaching assistants lack the reasonable training and our issues are being swept under the rug because they seem functional in school.
88. If the ALN act is up to age 25 why do the education tribunal not deal with cases of discrimination ETC at college?
89. What impact assessment has been conducted on the deliverance of provisions and also early identification of ALN pupils if teachers are not aware of behaviours displayed by pupils with neurodivergence conditions.
90. How do policy change the behaviour of ALN pupils with current use of sanctions / detention?
91. Are WG advising schools that a separate behaviour policy should be implemented regarding ALN pupils punishments and ALL staff dealing with ALN pupils during this should be FULLY trained in pupils suspected disability.
92. the diagnosis process is the real problem and ignorance to scientific facts with the chemical imbalance and people aren't trained properly these days to keep up with the modern ways of life.
93. I've got many points but I'd say it would be great to mention what several other comments have said around the ALN provision given to training teachers on Initial Teacher Education courses. I was on a PGCE primary course during the 2021-2022 academic year and the only ALN content was the one day ALN conference which back then was online and we had 1 hour sessions on different ALN with guest speakers. That was it. I had to drop out of the course but that is a whole other story! Thankfully I now have an ASD diagnosis.
94. When I then studied the ALN module on my Masters degree, the majority of the newly qualified teachers on the module agreed that this ALN training was not sufficient.
95. I work with early years, (0-4) and parents struggle to find any one to speak to if they have concerns about their child's development. They are told to talk to GP who directs them to health visitor who may send them back to GP, and so the cycle begins. Generally they pay for private support, increasing the gap between haves and have nots! We need to be putting support in place asap for all children and their families, not waiting for school to identify, assess, bring in outside agencies etc.. we all know this can take years, which equals a failed child and family!
96. I know what a hard time my mum's cousin had with her son between these ages. Just felt she was getting no where with schools/professionals/local authority for years...really impacted on her wellbeing.
97. Why do the GP's tell you that the school have to refer? They won't refer though just 'monitor' which they don't even do that. That was my GP's response just last Sept? Even if you are lucky enough for a referral the wait is 4+ years. How can a child go through 8

years of primary without being picked up with adhd? Why are our children being left with low self esteem due to not receiving correct support at school, why are teachers just punishing when there is clearly an unmet learning need?

98. I worked in a nursery and had concerns over a child, (ALN/sensory) I was told to not say nothing, it's awful.
99. School is the wrong place to ask, it needs to be multi disciplined approach. They are underfunded and simply can't afford to have a child diagnosed with anything that would require money thrown at it. Hence the "we don't see that behaviour here" routine. Without more funding in schools for additional needs we will never get fair play for our children.
100. My Grandson who has adhd regularly misses breaks for fidgeting. He even has been slapped by one TA and told to shut up!
101. Why has the WG behaviour policy for schools not been updated for over 10 years and does not incorporate ALN pupils? <https://www.gov.wales/behaviour-management-classroom-guidance-secondary-schools>
102. My son today had isolation, missed his lunch completely, told he was not allowed to eat his lunchbox items, got 9 sanctions and is having detention for these again tomorrow during lunch? How many punishments are enough?
103. why does the definition of ALN in the new system still contain words like 'deficit' 'significantly greater difficulty' 'prevents' 'hinders' - it's very medical in it's focus - there has to be problems in the child themselves. It's not very social model when this system is meant to be moving to a social model of disability.
104. In terms of teacher training there should be refreshers linked to understanding behaviours needs and how to teach for and when teachers know they have these needs in their classes - cannot possibly cover all needs in one course what can end up being years before knowledge is practically needed.
105. The amount of times I've been back and forth the GP with my son since the age of 3. 'go to the school' the school sent me to the GP, and it then became a vicious circle. My son told me aged 4 he wanted to kill himself. I phoned CAMHS, they said he isn't priority. So I phoned my GP. They told me to look online for a link. He's 9 on Wednesday and we are currently on the pathway after fighting for it. He has no support in school. He the 'naughty' child as far as they are concerned.
106. All school staff need training in neurodiversity. All TAs need to be highly trained as they are the people often assigned to help ND children.
107. Teaching assistants need to be well paid or they will keep leaving the jobs. What is the average lifespan of a TAs employment?
108. Much more training for primary school teachers needed. I went through teacher training and did additional module in SEN and still didn't recognise ADHD in myself! Much more awareness needed particularly in how girls present. Would love to see some kind of basic screening at primary level so children have chance of support and being able to reach their full potential rather than struggling all the way through education.

Y Gwir Anrh/Rt Hon Mark Drakeford AS/MS
Prif Weinidog Cymru/First Minister of Wales

Jayne Bryant MS
Chair
Children, Young People and Education Committee



Llywodraeth Cymru
Welsh Government

3 October 2023

Dear Jayne,

Ministerial appointments

I am writing in response to your letter of 6 July regarding Ministerial Appointments.

Our public appointments follow the Governance Code on Public Appointments, published by the Minister for the Cabinet Office in line with the Public Appointments Order in Council 2016. The regulation of public appointments against the requirements of this Code is carried out by the Commissioner for Public Appointments who is appointed by the King and whose remit is independent of the Government and the Civil Service.

The Commissioner's functions are set out in the Public Appointments Order in Council 2016 which sets out which appointments are covered by this Code. CETR was not a public appointment as listed in the agreement between the Senedd and the Welsh Government. As CETR is a new organisation, it only joined the Order in Council on 20 July 2023. However, all public appointments made to the Board of CETR have adhered to the code in principle.

The appointment of the CETR Chief Executive role was somewhat unusual and sits outside the process which is concerned with the appointments of Non-Executives to Boards. I note the Minister for Education and Welsh Language wrote to you on 13 June;

I appreciate the Committee have long-standing concerns about the pre-appointment hearing process for public appointments, but as the report acknowledges this was not a public appointment. The first person appointed as Chief Executive to the Commission is a Ministerial appointment as set out in Schedule 1 to the Tertiary Education & Research (Wales) Act 2022. However, in recognition of the significant role that the Committee plays in education and the importance of this appointment, I committed to an introductory hearing during the passage of the Act. This is an important distinction, not least because the appointment process for the Chief Executive is not regulated by the Commissioner for Public Appointments.

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1SN

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400

Gohebiaeth.Mark.Drakeford@llyw.cymru
Correspondence.Mark.Drakeford@gov.wales

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Ministers have ultimate responsibility for appointments and thus the selection of those appointed rests with Ministers who are accountable to the Senedd for their decisions and actions.

In addition to the Code, I have established the pre-appointment hearing process to ensure wider engagement with the Senedd previously agreed to introduce pre-appointment scrutiny of some Chair appointments by Senedd Committees in order to further improve the scrutiny and transparency of the public appointment making process. Pre-appointment scrutiny is held in the form of a pre-appointment hearing of the preferred candidate conducted by the relevant Senedd Committee.

The team dealing with Public Appointments is very small and deals with over 500 appointments. We are not seeking to extend the remit to include Chief Executive Officers or those deemed to be employed by the organisations they work for. This process will still be overseen by the Chairs of those Boards with whom you engage via the pre-appointment process.

The latest version of the OiC is attached. We currently have circa 450 regulated appointments and a further 75 unregulated appointments.

We do not keep the data in the format that you request. All appointments are advertised openly with each candidate assessed against the same criteria for the role in question. For all competitions there is full transparency of the appointee's details, [published here with the decision report](#). Decision reports are published once appointments have been made by the relevant Minister or Deputy Minister.

In rare and exceptional cases, such as during Covid or a Health Board going into Special Measures, Ministers may decide to appoint a candidate without a competition. When this happens, we make the decision public alongside the reasons for doing so and, as per the Code, consult the Commissioner for Public Appointments in good time before the appointment is publicly announced.

I hope this goes some way to responding to your interest.

Yours sincerely,

A handwritten signature in black ink that reads "Mark Drakeford". The signature is written in a cursive, slightly slanted style.

MARK DRAKEFORD

Annex A – Order in Council

[Public-Appointments-Order-in-Council.pdf \(papt-publicly-accessible-docs.s3.eu-west-2.amazonaws.com\)](#)

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By virtue of paragraph(s) vi of Standing Order 17.42

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