

CYPE(5)-06-21 - Paper to note 2

Kirsty Williams AS/MS
Y Gweinidog Addysg
Minister for Education

Ein cyf/ MA-KW-4238-20

Lynne Neagle MS
Chair
Children, Young People and Education Committee
National Assembly for Wales
Ty Hywel
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Llywodraeth Cymru
Welsh Government

2 February 2021

Dear Lynne

You will recall I wrote to you in September outlining a revised plan for laying the Additional Learning Needs (ALN) Code and associated regulations. I also committed to update you on plans for the implementation of the Additional Learning Needs and Education Tribunal Act from September 2021.

In 2018, I published a draft implementation plan setting out how learners would move from the existing special educational needs (SEN) system to the ALN system over a three year period.

Since publication of the plan, Covid has had a significant impact on Wales. As a result, I have carefully considered my aims for implementing the new system, based on what I believe is reasonably deliverable in the current circumstances.

Therefore from 1 September 2021, the ALN system will commence for children of compulsory school age and below who:

- attend maintained schools in Nursery Years 1 and 2 and Year 1, Year 3, Year 5, Year 7 and Year 10) who have special educational provision via school action or school action plus;
- are detained; and
- do not have special educational needs on or before that date, regardless of their year group or setting - including those that may attend an EOTAS setting, an independent school or who are electively home educated.

This means that children who currently have special educational provision via a statement and those who are in any form of post-16 education, will not be included in the first year of implementation. It remains important that we have a system that operates effectively and there is a need to continue to work through the complexities of the transition between the new and existing system and I hope to provide a further update before the end of this Senedd Term.

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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.

As part of that update, I intend to issue an implementation guide to support planning for the commencement of the new system and the aims and objectives for years 2 and 3 of the plan. In the meantime, through our Transformation Leads we continue to engage with those at the forefront of preparing for the transition to the new system.


I am therefore aware that we need to keep a close eye on the continued impact of the Covid-19 pandemic, given how rapidly circumstances can develop and change. In line with the 21 day review during the February half term, I will take the opportunity to consider conditions and if necessary revisit plans to see if further changes are required to reflect the situation and to alleviate pressure.

The aim of a phased approach to implementation is to provide all partners – schools, pupil referral units, local authorities and those supporting learners with the opportunity to gradually implement a new system over time. This will allow partners to incorporate any lessons learned during the first year of implementation to improve implementation in subsequent years.

I remain committed to the delivery of these reforms, and on 4 January, in line with the commencement of the statutory roles of the additional learning needs co-ordinator (ALNCo), the designated education clinical lead officer (DECLO) and the early years additional learning needs lead officer (EY ALN LO), I published non-statutory guidance to ensure that those undertaking these roles were enabled to do so with the most up to date information from the revised ALN Code.

As always, I am grateful for your support in delivering these challenging and transformational reforms.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Kirsty Williams', written in a cursive style.

Kirsty Williams AS/MS

Y Gweinidog Addysg
Minister for Education