

This response was submitted to the Children, Young People and Education Committee consultation on Sixth Senedd Priorities

CYPE SP 65

Ymateb gan: Grace Krause, Swyddog Polisi, Anabledd Dysgu Cymru

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Theme 1: School-age education

Reducing Restrictive Practices

The Equality and Human Rights Commission has raised several areas of concern around school exclusions and managing 'challenging behaviour' in Welsh schools and criticised Welsh Government's lack of progress in these areas. Figures show that pupils in Wales with additional learning needs have higher rates of exclusions than those without, and that special schools have the highest rate of fixed-term exclusions of all types of school.¹ This issue needs investigating and addressing to reduce inequalities in the education system. We would therefore recommend that the Committee conducts an inquiry into the high rate of exclusions of pupils with additional needs in all types of school across Wales and provide recommendations to Welsh Government on how this can be addressed.

While residential care settings for adults have a duty to report uses of restraint, there is no legal duty on schools in Wales to do so. As a result, there is almost no official data about how and when restraint is used. However, there is significant anecdotal evidence that children and young people with additional needs and/or challenging behaviour are more likely to experience restraint in the education system. This can be terrifying and extremely damaging for the children and young people involved.

There is also currently no explicit prohibition of the use of restraint for disciplinary reasons in Welsh schools. According to the EHRC, "parents, carers and teachers may not understand how or why schools use restraint, and schools may be less able to monitor and minimise its use." These concerns led the EHRC to undertake an [inquiry into the use, reporting and monitoring of restraint in schools in Wales and England](#). We believe the Committee should study the findings of the EHRC inquiry and scrutinise Welsh Government's response and progress in these areas, including monitoring the implementation of the recently published [Reducing Restrictive Practices Framework](#). The Committee could undertake its own inquiry into how schools are implementing the new framework and the impact on children and young people's experiences.

¹ Equality and Human Rights Commission <https://humanrightstracker.com/en/progress-assessment/school-exclusions-and-managing-challenging-behaviour-welsh-government-assessment/>



Inclusive Curriculum

We know that almost a quarter of children and young people in Welsh schools have been diagnosed with an additional learning need. It is important to point out that these were only the children who had known additional learning needs. While we cannot know how many people are neurodivergent, we know that a significant number of children go through school with undiagnosed learning disabilities, learning difficulties and neurodivergences. We believe that because of this, schools should put a much stronger focus on how understanding of disability issues informs teaching.

The Additional Learning Needs and Education Tribunal (Wales) Act 2018 is being implemented for children who have, or are newly identified as having, additional learning needs from 1 September 2020, with children on school action or school action plus following from 1 January 2022. It is vital that the needs of all children with additional learning needs are met and they are supported to reach their potential regardless of whether they receive support through the new ALN system or the old SEN system. We therefore ask the Committee to scrutinise and monitor how the Welsh Government is supporting practitioners, children and young people with an additional learning need and their families during the implementation of the Act and the concurrent running of the old system. We suggest that the Committee carries out an inquiry into the implementation of the Act and how the needs of pupils with additional needs are being met.

We draw the attention of the Committee to our own work² on what changes we would like to see to the New Curriculum for Wales and how we think disability issues can be put at the heart of learning.

Theme 2: Further and higher education

Better employment opportunities for young people

In their 2021 Manifesto All Wales People First write that: "It is important that employers in Wales create opportunities for people with learning disabilities. Many people with learning disabilities have succeeded in the workforce when reasonable adjustments have been made, such as easy read information in adverts and interviews, support to learn a job and paid internships."

²

Learnin Disability Wales (2021): School should work for every learner. Available online at: <https://www.ldw.org.uk/school-should-work-for-every-learner/>



Schools are an important institution in enabling learners with learning disabilities to develop their aspirations and skills. Too often young people with learning disabilities are made to feel from an early age that they are 'less' than others, that they deserve less and can achieve less than other children. To rectify this, disability issues have to be integrated into the teaching.

We urge the Committee to look specifically into supported employment and how it can be integrated into the curriculum to make sure that young people with learning disabilities get a fair shot. This includes making sure young people are aware of and have equal access to work experience in local businesses and equal access to work-based learning such as traineeships, internships and apprenticeships. It is essential that these young people are provided with individualised support to enable them to do so. Schools, colleges and Careers Wales need to ensure these opportunities are offered and that young people with learning disabilities are not led to believe that just because they are disabled, they will never get to expect more from life than going from service to service.

Supported employment agencies can offer specialist support to find, get, and keep a job through learning in the workplace and ensuring learners have a positive first experience within the world of work that will set them up for the future. We also suggest Careers Wales explores closer cooperation with NHS Wales in order to provide meaningful work experience placements for pupils with additional learning needs. More information on what such partnerships could look like can be found in our position paper "How can public sector employers like the NHS help people with a learning disability or autism get jobs?" available here: <http://www.engagetochange.org.uk/article/how-can-public-sector-employers-like-the-nhs-help-people-with-a-learning-disability-or-autism-get-jobs/>.

For the Committee this also means making sure that at every step measures taken to increase employability, for example the Youth Guarantee, are also inclusive to young people with a learning disability.

As such we urge the Committee to scrutinise and track the progress of the new FE ILS curriculum, in particular Pathway 4 Supported Internships, the Welsh Government supported traineeship and inclusive apprenticeship pilots and the new Job Growth Wales+ Youth Programme 2022-2026.

Theme 3: Health and well-being, including social care (as they relate to children and young people)



Better support for families of disabled children

I would like to emphasise the need to tackle child poverty in Wales and to do so by looking at the specific links between disability and poverty. A study into the finances of families of disabled children³ conducted in 2018 found that only 18% of respondents said that their disability benefits could cover the extra costs linked to their child's disability or health condition. These extra costs are significant, with 33% paying over £300 a month and 10% paying between £500-£1000 a month in disability related costs. 36% reported that changes to the benefits system in the past 2 years had left them worse off. These disadvantages will have been made worse by the effects of the pandemic and the extra pressures experienced by families. The Committee should pay special attention to how policy decisions will affect economically disadvantaged families with disabled children and young people.

Support for parents with learning disabilities

Welsh Government has commissioned an important piece of work to develop guidance for professionals on supporting parents with a learning disability with the aim of reducing the number of children taken into care. When the guidance has been published, we suggest that the Committee could conduct an inquiry into how social workers are implementing the new guidance and ensuring that parents with a learning disability get the right support to help keep more families together.

Inclusive Covid recovery

Much of Welsh Government work will be concerned with controlling and recovering from the Covid-19 pandemic. We ask the Committee to use its powers to ensure that disabled children and young people are not left behind and that policies intended to improve the lives of Welsh citizens do not have a negative impact on disabled people. We urge the Committee to closely study the report "[Locked Out: liberating disabled people's lives and rights in Wales beyond COVID-19](#)" published by the Disability Equality Forum earlier this year to understand more on what that would entail.

The report lays out how during the pandemic the rights of disabled people have suffered and how as a result of the pandemic the principles of "Voice, Choice and Control" for disabled people have been severely eroded. The "Locked Out" report argues that this highlights the fact that disabled people's rights were never fully enshrined in policy in the first place. Going forward we think it is important to ensure that the work of the Senedd is informed by the social model of disability and the principles of person-centred planning, and that your Committee engages with and listens to people with a learning disability directly to seek their opinions. The

³ Counting the Cost – Research into the Finances of more than 2.700 families across the UK in 2018. Published by Contact Families: https://contact.org.uk/media/1395947/counting_the_costs_2018.pdf



[All Wales People First Manifesto 2021](#), for example, sets out some of the key issues that people with a learning disability in Wales would like to see addressed.

Transitions

We encourage the Committee to pay special attention to how people with a learning disability transition between services for different age groups. Young adults with learning disabilities often struggle significantly when services are not joined up and they lose support. This is particularly important for young people with a learning disability who may achieve developmental milestones slower than their peers and therefore might still need ongoing support beyond the age limits of children and young people's services.

Theme 4: Children and young people

Access to inclusive play opportunities and extracurricular activities

All children and young people, including disabled children, need access to play opportunities to support their learning and development. Learning Disability Wales would like to highlight the Play Wales information sheet [Play: inclusive provision](#). For young people with a learning disability, having access to places to go and things to do alongside their peers is also important. We therefore encourage the Committee to undertake an inquiry into how the needs of disabled children and young people with a learning disability to access inclusive play and leisure activities are being met.

