

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



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref MA/JMEWL/2616/22

Jayne Bryant MS
Chair
CYPE Committee

28 September 2022

Dear Jayne,

Thank you for your letter of 8 August seeking an explanation for the decrease in the number of pupils in mainstream settings who are registered as having special educational needs (SEN) or additional learning needs (ALN) compared to last year, and why some pupils who were previously registered as having SEN will not be provided with an individual development plan (IDP).

As I mentioned during our session on 14 July, I had expected to see certain statistical fluctuations since the reforms we are introducing are so significant. The pattern of decreasing numbers was also mirrored in England when they introduced their special educational needs and disability (SEND) reforms.

However, some local authorities in Wales have shown significant changes in the number of pupils registered as having SEN or ALN this year which has required further investigation.

I asked my officials to interrogate the SEN/ALN data in the PLASC return and to meet with local authorities to understand the reasons for the decrease in the number of pupils on the SEN/ALN register. The meetings with local authorities identified several reasons to explain the decrease, although common factors emerged.

Firstly, the imminent implementation of the ALN Act provided an opportunity for the newly appointed Additional Learning Needs Co-ordinators (ALNCos) to revise their SEN/ALN registers to ensure they are fit for purpose, with all pupils registered meeting the legal definition of having either SEN or ALN.

Secondly, we have learned from some local authorities that it was necessary to revise the registers because there have been inconsistencies in how SEN was reported and registered in the past, with a likely over-identification in the general numbers or pupils on the SEN/ALN register.

For example, some pupils who were in receipt of catch-up support should not have been identified as requiring Special Education Provision (SEP), while those with a short term Special Educational need (SEN), who received time-limited interventions could remain on the register for months or even years after the intervention ceased. We have been informed

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.

that the appropriate removal of these groups of pupils added to the decrease in this year's PLASC.

Thirdly, the principles of inclusive education, placing the individual's needs at the centre of their education, underpin the new Curriculum for Wales. Teachers now have greater flexibility and in preparation for the roll out of the curriculum have increased their skills to address individual pupils' needs. Although the introduction of the Curriculum for Wales is on-going, aspects of a more inclusive teaching method have been developing in Wales for some time.

For example, where additional support for reading may have previously been considered special educational provision (SEP) in some schools, it is now more likely to be considered and addressed through differentiated teaching; good quality, holistic provision available to all, which does not require a School Action Plan or an IDP.

And fourthly, the general learning difficulties (GLD) category was removed from this year's data collection. It was originally intended to be used for pupils awaiting an assessment before a more specific SEN category could be used to identify them. However, over 30,000 pupils had been identified as having GLD in last year's PLASC which is far above the expected figure for pupils awaiting an assessment. Removing the GLD category 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.

During the meetings with local authorities, it became clear that some had already sought assurances from their schools and interrogated the SEN/ALN data to ensure the identification and reporting of ALN is quality assured.

It would appear that in preparing for the introduction of the ALN system, with the support of ALNCoS and other key partners, schools have tightened administrative practices and corrected some historic inaccuracies. It is not so much that the ALN system has 'raised the bar', rather that the bar had been lowered in some settings under the previous system. We will continue to work with those local authorities and take a watching brief.

It remains too early to judge how successful implementation has been, or whether registers reflect a more accurate picture than in previous years since this year's PLASC data was collected only six weeks after the first cohorts began to move from the SEN system to the ALN. However, it does provide some insight into how schools have been preparing for the ALN system.

An ALN Reform monitoring and research programme is currently being procured, alongside a programme of engagement with parents and young people to understand their experiences of the new system. The recently established national steering group will ensure an ongoing dialogue with the sector to support implementation, identify and resolve issues. The monitoring and research will provide vital intelligence around implementation, and to understand the impact on the ALN reforms.

In addition, my officials are working with Estyn to seek further assurance that the roll out of the ALN system in schools is effective and improving educational outcomes. I hope to offer the Committee more news about these plans during the Autumn term.

On your request for additional data, I would be pleased to provide you with bi-annual figures on number of pupils with SEN or ALN. Although the PLASC is an annual collection, schools currently still provide us with weekly attendance records which includes each pupil's SEN/ALN status. These will be sent to you every six months.

It should be noted that 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. An internal working group will convene in the Autumn 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. My officials are also exploring a range of mechanisms to track pupils who have been removed from the SEN register to ensure their educational progression is not negatively affected.

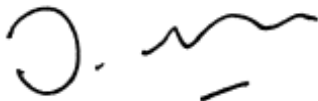
Finally, it is important to note that schools and local authorities are under a duty to decide whether a learner has ALN when the matter is brought to their attention. Any pupil recently removed from the SEN register has the right to talk to their school to request an IDP if their needs cannot be met without additional learning provision (ALP).

We have not moved away from my predecessor's statement that "having ALN is the same as having SEN." It still holds true that "if a child or young person has SEN they are also likely to have ALN." All pupils who were appropriately placed on the SEN register should be provided with an IDP under the ALN system if they still require ALP (and in the case of a young person, that they consent to having an IDP).

As we move into the second year of implementation, it is still too early to assess progress on implementation, but feedback from the sector, families and stakeholders is currently positive.

I look forward to keeping you apprised on research, evidence and insights around implementation and policy realisation as it comes forward.

Yours sincerely,

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

Jeremy Miles AS/MS
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