

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.