

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 67

Ymateb gan: Undeb Cenedlaethol Athrawon Cymru

Response from: Undeb Cenedlaethol Athrawon Cymru

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

In general, we can say that the Additional Learning Needs and Education Tribunal (Wales) Act has improved the situation in terms of ensuring equal opportunities and equal access for disabled children and learners. The fact that attention is given to children's problems earlier, as the Act covers people between the ages of 0 and 25, has facilitated things.

The Curriculum for Wales places emphasis on 'child-centred' planning, so that's beneficial when planning for disabled pupils.

We are aware, however, that it can be challenging for disabled children to access after-school clubs in some areas, particularly in rural areas. Disabled pupils are dependent on specific transport and it is not possible to change taxi times, etc, unless everyone in the taxi wishes to attend the club.

Parents would otherwise have to collect pupils, which would mean traveling many miles in some cases. In addition, any provision offered outside school hours can lead to financial implications for schools, as it is the school and not the local authority that must fund any 'reasonable adjustments' made for activities that take place outside school hours.

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

Schools are doing everything they can to include pupils in mainstream activities. Some schools have been very creative in the way they have included disabled pupils in those mainstream activities. In some situations, the disability has even been used as a chance to offer opportunities and deepen understanding of disabilities, e.g. a pupil signing (BSL) in a school concert. Concern must be noted, however, that some disabled children and young people have been deprived of Welsh-medium

education due to a lack of resources or a failure to offer specific provision through the medium of Welsh.

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

The challenge of looking after children with a disability makes it difficult for parents to look for opportunities available to them. This is even more difficult if the disability is severe. It must be noted that the words 'reasonable adjustments' have made a difference and ensured that things have improved for children and young people with a disability, yet the wording 'reasonable adjustments' is very subjective and open to being defined in different ways. Another element that has contributed to improving the situation is the fact that parents and children now feel that they are part of the process of drawing up the Individual Development Plan and ensuring that appropriate provision is available for them.

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

There is evidence that a lack of opportunities can affect the mental health of some disabled individuals, especially young people of secondary school age. They feel frustrated that they cannot socialise like their peers, as they are unable to go to places independently, and socialising with peers is so important for young people of this age. These problems can lead to problems on social media. 'Socialising' and engaging on social media can cause problems for disabled young people, as some of them find it very difficult to differentiate between fact and fantasy.

5. *The barriers for schools and childcare providers in offering accessible provision*

There is a range of barriers for schools and childcare providers in respect of offering accessible provision. These include:

- Being more inclusive takes time – time is needed to complete risk assessments and to ensure suitable staffing and support.
- Lack of funding.
- Sometimes, it is difficult to find suitable candidates, the people with the necessary expertise. Recruitment and retention can be a problem. The wages are often low.

- Offering early support is important – this is easier in all-age schools and especially when there is a nursery school in the same building.
- Financial support does not follow the pupil from nursery to school e.g. information received from an ALN Co-ordinator in one local authority:

*Children can start at Cylch Meithrin the day they celebrate their second birthday. If they live in the Flying Start area this scheme can pay for 'extra hands' for children with needs.*

*The children start with us in the nursery class in the term after they celebrate their third birthday, but the 'extra hands' provision does not transfer to the school.*

*In the Cylch a child receives an Individual Development Plan which states that 'extra hands' are needed (i.e. 1:1 support). However, that support is not transferred to the school, which places us as a school in a vulnerable position as we are unable to meet the outcomes within the IDP, which breaks the legal agreement.*

- The nature of some school buildings can be challenging.
- When the catchment area is wide for extracurricular activities, sometimes the numbers are too low (due to transport problems) which means that the activities are not held.
- Schools note that they have to share information about activities on behalf of others and this can be time consuming.
- Lack of sufficient training for staff – disabilities are so varied.
- Paperwork increases the workload of teachers - their time is swallowed up by the bureaucratic demands and prevents them from focusing on providing early interventions for children.

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

On the whole, disabled and neurodivergent children and their families are consulted on the choices in education or childcare available to them. I wonder, however, whether their right to Welsh-medium provision is made clear enough to the children and their families? Is everyone aware of the right to have provision through the medium of Welsh?

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

There seems to be a fair amount of diversity in terms of provision in different local authorities and we are keen to see more consistency in this respect. Some teachers also noted that they do not feel that they receive sufficient specialist training. The range of disability is very wide and some individuals require very 'specialised' training.

8. *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.*

When looking at the Welsh in Education Strategic Plans (WESPs), it becomes quite clear that disabled and neurodivergent children, and the parents of those children who wish to receive their education through the medium of Welsh, do not face the same level of choice as other children and parents. Among the very real problems facing disabled children, and parents of disabled children who wish to be educated through the medium of Welsh, is the fact that the Welsh-medium workforce is sparse, and there is a lack of resources, lack of assessments through the medium of Welsh and a lack of consistency in regional collaboration arrangements. In principle, 'all reasonable steps' should be taken to offer provision through the medium of Welsh. The principle behind 'all reasonable steps' is open to interpretation and is a very subjective matter. In order to ensure the same level of choice through the medium of Welsh and English, shouldn't there be an 'absolute duty' to offer a bilingual provision, with Welsh and English treated on an equal basis? Article 30 of the United Nations Convention on the Rights of the Child, which states that children have the right to choose their language, should be taken into account.

***In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practise their own religion, or to use their own language.***

A number of the local authorities indicate in the WESP that they do not have enough Welsh-medium staff who can provide ALN. We also read about pupils with ALN leaving Welsh-medium education because there are no suitable Welsh-medium resources to support a variety of needs – in

one local authority, five pupils during the last three years left Welsh-medium education to gain access to the provision of specialised learning support classes. Such issues need to be tackled in order to ensure fairness and equal opportunity for all individuals.

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

There are specific references in the WESP to failing to recruit staff for areas such as sensory impairment and speech and language. It is also noted that there are no specialist resource centres attached to Welsh language schools in some local authorities.

It is sad to read that there is currently no equality and that there are no specialist professionals who are fluent in Welsh available for every situation. We understand the challenge that exists in terms of recruitment, yet feel strongly that the basic right of our disabled children and young people is to have the same level of provision as their counterparts who choose education through the medium of English. A number of local authorities indicate that the demand for ALN provision through the medium of Welsh is low, but the reason for this in many cases is that parents/carers of children with complex ALN are more likely to send their children to a English-medium primary school due to the lack of specialist Welsh-medium provision within the local authority. We feel strongly that the fundamental injustice that exists within the current ALN system should be abolished. A situation should not exist where Welsh-medium pupils receive support through the medium of English as there is no Welsh-medium support available, or a situation where pupils do not receive the support they need entirely, through the medium of Welsh. It is important that we ensure that the children and young people, and their parents, get the support in Welsh without having to fight for it.

**October 2023**