

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 71

Ymateb gan: Undeb Addysg Cenedlaethol Cymru
Response from: National Education Union Cymru

Background

The National Education Union Cymru represents members of the education workforce in Wales, many of whom are involved in supporting disabled children in the classroom, as class teachers, ALNCoS, and support staff. NEU Cymru welcomes the opportunity to respond to this consultation. Our members work hard to support disabled children and those with additional learning needs (ALN), but there are challenges in the system which create barriers to support.

Whilst our members welcome the principles behind both the new Curriculum for Wales (being taught to all children from Year 8 down) and the Additional Learning Needs and Education Tribunal (ALNET) (Wales) Act, there are significant concerns about implementation, which could impact on disabled children.

Whilst this Inquiry is specifically about disabled children and young people, we believe it is impossible to express the situation for disabled children without looking at the ALNET Act, and its implementation. Whilst not all disabled children will have ALN, most will have the need for some support in school. And whilst not all children with ALN will have an identified long-term condition, it is likely they will have significant needs, which for the purposes of this response, we are considering alongside those identified as disabled children.

Additional Learning Needs and Education Tribunals Act

Whilst the approach that children with additional learning needs are offered early interventions is welcome, this does not necessary mean they will receive support via an Individual Development Plan (IDP). Members tell us they do not always provide an IDP for children, if they can be supported through minimal interventions, in line with the accessible approach of Curriculum for Wales.

Please note, that whilst we mention the implementation of the ALNET Act, we do not anticipate the challenges for our members – or disabled children and their families – altering, once the Act is fully implemented. The very nature of the Act means that responsibility to ‘decide’ if a child has ALN, and what ALP should be provided, has been passed to schools (and consequently ALNCoS) by the Act. This has created significant resource and workload implications for educators in schools – especially ALN Coordinators (ALNCoS).

Decrease in children identified

The census results show us there was a significant decrease (of around 18,000)¹ in the number of children identified under the new system. Members tell us the future funding for these children is unclear. Whilst many of them will be able to be taught through universal provision, more training is needed to make this a reality. Whether or not these children as being supported sufficiently is unclear. But what is clear is that they will be lost to the system in terms of reporting and recording.

At the moment we know that children with ALN make up a disproportionately high proportion of those who are absent from school.² Once every child has transitioned to the new system, it is likely these figures will become incomparable – the children will be, in effect, invisible to the system. We won't be able to measure their attainment, their attendance, their destination data, and so it is possible to question whether we need to record these children in some way – to ensure the system can see them.

Curriculum for Wales

The aim of the Curriculum for Wales is that it is accessible to all³ learners. Whilst this is a laudable aim, members remain concerned that they have not had enough training on this – on what good universal provision looks like.

Below we have set out some specific barriers for disabled children in accessing the school estate and the curriculum, most of which relate particularly to the challenges involved in the ALNET Act.

¹ <https://www.gov.wales/schools-census-results-february-2022-html>

² <https://www.gov.wales/sites/default/files/publications/2022-04/attendance-review-implications-of-the-covid-19-pandemic-for-school-attendance.pdf>

³ “This guidance has been developed to be inclusive of all learners, including those with additional learning needs (ALN)”. <https://hwb.gov.wales/curriculum-for-wales/designing-your-curriculum/developing-a-vision-for-curriculum-design#a-curriculum-accessible-to-all>

Funding

The funding for the ALNET Act is critical in terms of questions around support. We believe there should be a more consistent funding mechanisms to ensure that schools can access this funding, and in turn ensure that children can access the support they need to meet their needs.

Access to specialist services

Schools cannot support children alone. However, the nature of the ALNET Code means that schools (ALNCos) have a duty to decide if a child has ALN, and what their Additional learning provision (ALP) should be, regardless of whether they have sufficient information from health and other support services. This is placing an unreasonable expectation on ALNCos. Schools should have access to health information and specialist services, such as speech and language therapy, CAMHS and educational psychologists in order to support children.

Training

Training, including legal training in order to complete IDPs, is needed across the education workforce, in order that they can best support children and help meet any long-term conditions or ALN. Training is needed in order that everyone can provide universal provision, an expectation of both the Curriculum for Wales and the ALNET Act.

Joint union paper

We have set out more details and more issues within the joint union paper – which we have already share with the WG, and presented to the ALN implementation Steering Group.

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