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Gweinidog y Gymraeg ac Addysg
Minister for Education and Welsh Language



Eich cyf/Your ref P-06-1392
Ein cyf/Our ref JMEWL/02093/23

Llywodraeth Cymru
Welsh Government

Jack Sargeant MS
Chair - Petitions committee
Senedd Cymru
Cardiff Bay
Cardiff
CF99 1SN

18 January 2024

Dear Jack,

Thank you for your letter of 15 December 2023 regarding petition P-06-1392 Reform of the additional learning needs Code of Wales 2021.

Together, the Curriculum for Wales and Additional Learning Needs and Education Tribunal (Wales) Act 2018 (ALNET) are designed to meet the needs of all learners. The Curriculum for Wales gives schools agency to design their own curriculum within the national framework so that learning and teaching can better meet the needs of the learners in their context, and ensure each child makes appropriate progression in learning from their different starting points, with ALNET providing the statutory framework to provide additional support or provision for some learners to help them achieve their full potential.

Both reforms are in implementation phase, with monitoring and evaluation informing ongoing policy development.

Research on the early implementation of Curriculum for Wales: [Wave 2 report](#) found that senior leaders emphasised that equity had always been an important focus in their school or setting, but they were now more learner-centred in their approach to curriculum design, with the flexibility to tailor support accordingly. Senior leaders referred to the importance of being inclusive and meeting the requirements set out in the ALN Code, commenting that CfW is allowing them to promote and focus on inclusivity, and there was a greater focus on the use of learner voice to support and inform curriculum development.

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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.

[The Evaluation of the Additional Learning Needs system: scoping report](#) and [Estyn thematic report](#) has highlighted the need to strengthen consistency in the application of the Act and Code. In response to this, we have facilitated the recruitment of implementation leads to provide challenge and support to local authorities and enable the sharing of learning and effective practice across Wales during the implementation period.

Pupil Level Annual Census (PLASC) data does show that there has been a steady increase in the number of pupils whose ALP (Additional Learning Provision) has been identified in a statutory IDP (Individual Development Plan) as the new system is implemented. But data also shows that there has been a significant reduction in the number of children identified with SEN in Wales over the last few years.

I commissioned Estyn to conduct a review into the implementation of the Act, which published in September. Estyn reported that: “The sensitive work between school ALN Co-ordinators and parents, particularly where pupils are considered not to have ALN where previously they would have had SEN, has generally resulted in parents being reassured that the provision made meets the needs of the pupil.”

The Welsh Government’s policy intent remains that all children and young people with ALN should have an individual development plan (IDP). Any learner recently removed from the SEN register has the right to talk to their school to request an IDP. Schools and local authorities are under a duty to decide whether a learner has ALN when the matter is brought to their attention.

Estyn also found evidence of existing challenges in implementation, including an inconsistent approach to understanding the definition of ALN. Further work is therefore ongoing, including workshops with all Local Authorities to improve everyone’s understanding and ensuring a more consistent approach.

Set out below is a response to the specific points called for by the petition:

A universal code of practice to provide an inclusive quality education for all ALN pupils.

In 2021, an ALN Code was published. The Code provides the detail on how various organisations (e.g. local authorities, health boards, schools and colleges) will meet their duties under the ALN 2018 Act. The ALN framework for supporting children and young people as stated in the Code aims to support the creation of a fully inclusive education system where all learners are given the opportunity to succeed and have access to an education that meets their needs and enables them to participate in, benefit from, and enjoy learning.

The Curriculum for Wales shifts away from a relatively prescribed content-based national curriculum to a purpose-based broad framework, within which schools will design their own curriculum to meet the needs of their learners.

Together, the Curriculum for Wales (CfW) and the ALN Act seek to transform the expectations, learning experiences and outcomes for all children and young people.

[The Curriculum and Assessment \(Wales\) Act 2021](#) established the Curriculum for Wales in law and replaced the basic curriculum. It makes provision about progression and assessment in connection with the curriculum for 3 to 16-year-olds.

Schools should be aware of the needs and circumstances of all their learners when designing their own curriculum, considering equity of opportunity when putting into place support and interventions or making reasonable adjustments.

[The Curriculum for Wales Framework guidance](#) has been developed to be inclusive of all learners, including those with additional learning needs. It is also intended to support schools to design inclusive school curricula. Learners will progress along the same continuum of learning from ages 3 to 16. However, the pace at which they progress along the continuum may differ – allowing for diversion, repetition and reflection as each learner’s thinking, knowledge and skills develop over time. Schools and practitioners have discretion when planning for progression, giving due regard to all learners in their settings and schools.

Key to this is consideration of learners with ALN. The Curriculum for Wales Framework guidance was developed with ALN practitioners and specialist professionals in order to ensure it can support planning for progression for learners with ALN.

The [Enabling learning](#) section curriculum guidance has been developed to support schools and settings in the planning, designing and implementing of a pedagogically appropriate curriculum for all learners.

Professionals with high aspirations will use a range of pedagogical approaches to create a unified system supporting learners from birth to age 25 and schools can collaborate with partners to create holistic approaches to learning.

Educational settings providing properly resourced provisions and trained staff that reach a quality assured standard of education to make the system fair, reliable and able to meet ever increasing demand.

Over £56.3 million is protected in the draft budget to both support ALN reforms and boost support for ALN learners in pre and post 16 mainstream and specialist education. This is in addition to protecting the local authority budgets for education through the Revenue Support Grant.

Under the Additional Learning Needs (ALN) and Education Tribunal Act, Local Authorities are required to keep under review their arrangements for children and young people with ALN and those of their maintained schools, ensuring learners with ALN can access suitable education and specialist post-16 education where necessary. The requirement to review ALN arrangements involves the local authority considering, at a strategic level, the overall provision for additional learning provision (ALP) and other arrangements to support the identification of needs and provision to meet them, for children and young people in the authority’s area. It requires consideration of what provision there is to meet needs; whether that provision is sufficient and if insufficient in any respects, considering what to do to remedy the matter; and consulting as the authority considers appropriate during that process.

Delivering a system change of this scale, successfully, depends on the skills and knowledge of teachers, so that mainstream classrooms can support as many pupils as possible to progress. All staff who work with children and young people with ALN have a responsibility for ensuring that their learners’ needs are identified and provided for.

Initial Teacher Education (ITE) has been designed to prepare student teachers to foster inclusive classrooms, so that teachers remain equipped to meet the needs of all learners. As part of a refresh of the accreditation criteria for ITE programmes, we have strengthened expectations for supporting learners with ALN as part of student teachers' core studies.

Professional standards for teaching and leadership make clear the responsibility on all teachers and leaders to ensure the needs of all learners are met. A review of the professional standards is currently underway. This will provide an opportunity to extend and deepen existing ALN requirements within the standards to further impact on practitioners and senior leaders.

The national ALN professional learning pathway is available to all teachers who support learners with ALN, and especially ALNCoS who have a strategic role in schools and colleges and are the first point of call for teachers seeking advice and guidance on ALN.

Education practitioners can also opt to enhance their professional knowledge of ALN by pursuing the ALN pathway on the National MA (Masters) in Education (Wales). Training on the ALN system is available for those in statutory and senior leadership roles.

The ALN professional learning offer available to practitioners, system leaders and advisors enables them to develop the skills they need to meet the needs of learners with ALN so they can put in place differentiated teaching or other targeted interventions and make best use of expert advice and support.

We will continue to review professional learning on ALN as the ALN reforms progress.

Since 2020, we have invested over £62 million in revenue and £20 million in capital to support the implementation of the ALN system. This includes £10 million for schools to boost resources, to backfill and maintain a team around the ALNCo.

Compulsory specialist training and support for teachers and their staff.

Teachers have a responsibility for their own professional learning and development. This is supported by a national approach to professional learning and a professional learning entitlement. 'Our national mission' outlines a commitment to establish a culture of mutual responsibility in relation to professional learning through the [National Professional Learning Entitlement](#).

Research evidence demonstrates that voluntary engagement in professional learning and enquiry-based learning are the most effective ways to develop practitioners' knowledge and skills and improve learner outcomes. In line with the National Academy's eight hallmarks, well-led professional learning should be bespoke to and driven by practitioners in the context of school, national, wider professional and personal priorities.

We are focused on ensuring that the development of education practitioners is continuous, collaborative and evaluative rather than a one-off, isolated, prescribed experience.

Education and health need to work more closely together.

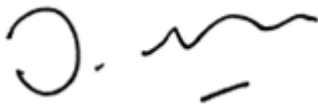
The new ALN system aims to improve collaboration and information sharing between agencies to ensure children and young people's needs are identified early and receive the right support to achieve positive outcomes.

All Health Boards have now appointed Designated Education Clinical Lead Officers (DECLOs) who lead on coordinating health input to the ALN process and effective work has been undertaken in each health board by DECLOs to raise awareness at a practitioner and executive level about the duties of the Act and the ALN system.

Significant inroads have been made in collaboration between the DECLOs. This has enabled initial developments in establishing joint national approaches to address specific issues and we are working with DECLOs to strengthen Key Performance Indicators (KPIs) and monitoring mechanisms.

We have convened a new health and education multi-agency working group, to improve collaboration under the ALN system and agree new, innovative approaches to common themes emerging from implementation.

Yours sincerely,

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

Jeremy Miles AS/MS

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