



Eich cyf/Your ref: P-06-1406  
Ein cyf/Our ref: JMEWL/00324/24

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

28 February 2024

Dear Jack,

Thank you for your letter of 9 February regarding petition P-06-1406: Financial penalties for local education authorities who do not comply with timeframes for Additional Learning Needs (ALN).

Last September marked the start of the third year of implementing the ALN Act. We recognise that this is a systemic change, requiring time and commitment and it is vital for our learners with ALN that we implement this legislation in an effective way. Since introducing the legislation in 2018, the education landscape has undergone significant reform, against a backdrop of running a dual system (SEN and ALN), and a pandemic that has impacted on all parts of society and touched on almost all aspects of the education environment.

The ALN Code sets out clear timescales on local authorities for making decisions about ALN and preparing IDPs. There may be situations where it is impractical to take the necessary action before the end of the specified time period due to circumstances beyond the local authority's control. In these cases, the timescales will not apply, however, the local authority must still complete the action promptly.

Where the local authority has decided that the exception to the timescale applies, it should explain this in writing to the family at the earliest opportunity. Over the past year, we have commissioned and analysed a range of valuable evidence, feedback and data from all parts of the system, and it is clear that the sector is united in their enthusiasm and commitment to work together.

Bae Caerdydd • Cardiff Bay  
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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.

In September 2023, Estyn reported on a [thematic review](#) of the progress of schools and local authorities in supporting pupils with ALN. It highlighted that local authorities plan to achieve their plans and conclude the implementation of ALN reform (transitioning from SEN to ALN) within the timescales provided. It also identified recommendations for action by local authorities in particular to continue to quality assure and review practice and additional learning provision to ensure funding and professional learning supports roll out effectively for: person centred practices, individual development plans, Welsh-medium services, resources and provision.

In November 2023 I made an [Oral Statement](#) to update on the implementation of Additional Learning Needs reforms.

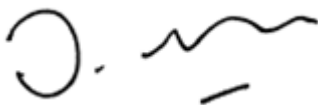
In December 2023, the [Evaluation of the Additional Learning Needs system: scoping report](#) was published. The evaluation will assess implementation of the ALN system and the realisation of policy objectives. The scoping report presents the findings of the first phase of the four-year evaluation of the ALN system and includes the emerging issues and themes that should be the focus of further research as part of this evaluation, as well as providing the Welsh Government with key insights and evidence to enable us to monitor and identify emerging impacts of the new ALN system on learners with ALN/SEN, and the impact of curriculum reform upon it.

As implementation progresses it is evident that there is a lack of consistency in the application of the ALN Act and Code. There are areas in the system that need to be improved upon and we are working collaboratively with the education sector to take action.

Our priority is to support and challenge local authorities and their partners to deliver high quality services. We will be strengthening our monitoring and delivery infrastructure through the recruitment of National Implementation leads who will work directly with local authorities, drawing on intelligence from a range of sources, including feedback from families and partners, surveys, data and local area self-assessment and evaluations. In addition, the review of roles and responsibilities of education partners in Wales and delivery of school improvement arrangements seeks to strengthen school improvement arrangements at local, supra-local and at a national level. Financial penalties are not under consideration.

We will continue to monitor implementation and work with statutory bodies, schools and settings to realise the ambitions of ALN reforms.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'J. Miles', with a stylized flourish extending to the right.

**Jeremy Miles AS/MS**

Gweinidog y Gymraeg ac Addysg  
Minister for Education and Welsh Language