

ALN Children's Right to Needs-Based Support

Y Pwyllgor Deisebau | 2 Mawrth 2026
Petitions Committee | 2 March 2026

Reference: SR2026/13164-2

Introduction

Petition Number: [P-06-1559](#)

Petition title: Uphold ALN Children's Right to Needs-Based Support and Full-Time Education in Wales

Text of petition: Children with ALN are being denied full-time education and support in Wales – unless they have a formal diagnosis. This goes against Welsh law, which says support must be based on need, not diagnosis.

Despite clear provisions in the ALN and Education Tribunal (Wales) Act 2018 and the ALN Code, many local authorities are refusing to provide support unless a child has a formal diagnosis. This is not only unlawful – as the law states support must be based on need – but also leads to children being denied full-time education, left on reduced timetables, or out of school entirely.

As a parent of a child with additional learning needs, I have witnessed firsthand how difficult it is to access support in Wales unless a formal diagnosis is in place. This goes directly against Welsh law, which clearly states that provision must be needs-based. My child, like many others, has been denied the support and full-time education they deserve – not because their needs are unclear, but because the system wrongly prioritises diagnosis over support.



1. Overview

The petitioner argues that children with additional learning needs (ALN) are being denied appropriate support and full-time education unless they have a **formal diagnosis**, which they say contradicts the [Additional Learning Needs and Education Tribunal \(Wales\) Act 2018](#) and the [ALN Code](#), both of which require **needs-based**, not *diagnosis-based*, provision. They claim that lack of diagnosis-based access results in reduced timetables, part-time provision, or children being out of school entirely.

The petition sits within **wider debate about the implementation of ALN reforms**, in which concerns have been raised about inconsistencies in local authority decision making, schools' sometimes overreliance on 'universal provision', and reduced numbers of learners receiving ALN (previously SEN) support since the new system's rollout.

In response, the Welsh Government has reviewed implementation and is acting to clarify who gets support and how, seeking to resolve inconsistencies in how the law is interpreted and applied across Wales. The Children, Young People and Education Committee's scrutiny and [Estyn's December 2024 report](#) also found inconsistent interpretation of the ALN Code, particularly regarding the preparation of individual development plans (IDPs).

2. ALN: Legislation, definitions, and learner support

2.1. The Additional Learning Needs and Education Tribunal (Wales) Act 2018

The [Additional Learning Needs and Education Tribunal \(Wales\) Act 2018](#) replaced the former special educational needs (SEN) system with a unified additional learning needs (ALN) framework for learners aged 0-25. It sets out the statutory framework for identifying, planning, and delivering support for learners with ALN, and introduces a single statutory status, the individual development plan (IDP), for all children and young people with ALN, removing the previous split between school-led support and local authority statements. The Act aims to strengthen collaboration between schools, local authorities, and health boards, and enhance dispute-resolution processes through the newly named Education Tribunal for Wales.

Section 2 of the Act defines ALN in terms of whether a learner has a **learning difficulty or disability that calls for Additional Learning Provision (ALP)**, rather than referencing any requirement for a medical diagnosis. It emphasises that ALN arise where the learner has a “significantly greater difficulty in learning than the majority of others of the same age” or a disability that hinders their access to education. That **learning difficulty or disability must require ALP**, which **section 3** of the Act defines as provision that is additional to or different from what is generally available, for it **to constitute ALN**. The imperative to needs-based provision is written into sections on additional learning provision and individual development plans.

2.2. The ALN Code

The **Additional Learning Needs Code (2021)** is statutory guidance that sits alongside the Act and sets out how public bodies must identify, assess, and support learners with ALN. It places learners’ **views, wishes and feelings** at the centre of planning, emphasising early identification and timely intervention. The Code outlines duties for local authorities, schools, FE institutions, health boards and others, aiming to ensure that the ALN system is implemented consistently and that IDPs are used as the core planning tool for all learners with ALN. The Code reinforces that the purpose of the ALN system is to ensure **early identification of needs so that they can be addressed quickly**. Again, the emphasis is on *observed needs*, not diagnostic labels.

2.3. The Welsh Government’s ALN Toolkit

In November 2025, the Welsh Government published a ‘**Toolkit for parents and carers of children with additional learning needs**’. The toolkit is a practical guide designed to help parents and carers understand how the ALN system works and what support is available. Developed with input from families, educators, health professionals and local authorities, it explains key concepts and aims to make information clearer and more consistent for families navigating the ALN system.

The Toolkit is clear in its position on needs-based support:

- “You do not need a medical diagnosis for your children to be identified as having ALN. Decisions about the support they may need are based on significance of need, not a medical assessment.” (Page 6, Chapter 1: ‘Supporting difficulties in learning’. Original emphasis)
- “You don’t need a referral from a professional, and your child doesn’t need a formal diagnosis. What matters most is understanding and

identifying the right support your child may need to reach their full potential.” (Page 9, Chapter 2: ‘Where to go for help’. Original emphasis)

- (under Chapter 16: ‘Common misconceptions’): “**A medical diagnosis is needed for your child to receive an IDP. Not true.** You do not need a medical diagnosis for your child to be identified as having ALN or to receive an IDP. A child or young person can have ALN without diagnosis and decisions on ALP do not depend on a medical assessment. IDPs can be issued to a child or young person without waiting for a diagnosis and support should not be delayed because of NHS waiting times.” (Page 50. Original emphasis)

3. Evidence summary

3.1. Estyn’s thematic review

In December 2024, Estyn published a thematic review titled ‘The additional learning needs system: Progress of schools, settings and local authorities in supporting pupils with additional learning needs’. The review highlighted widespread confusion among schools and local authorities over the distinction between universal provision and ALP — as well as inconsistent local interpretations of thresholds for ALN — creating challenges in identifying learners who should be recorded as ALN.

3.2. Falling numbers

Although the definition of ALN is the same as that of SEN, statistics show that the number of pupils recorded as ALN/SEN has fallen substantially since the reform’s rollout. This raises questions about whether learners are being correctly identified, as highlighted in a Senedd Research article in October 2025.

There has been a 53% decrease in the number of pupils identified / recognised as having ALN over the four years since the new system was first introduced. From 92,668 (19.5% of all pupils) in 2020/21 to 43,885 (9.5% of all pupils) in 2024/25.

This comes at the same time as the Welsh Government acknowledges more children are presenting with more complex needs. The Welsh Government has previously attributed the fall in ALN numbers to an over-reporting of SEN in the past and more effective ‘universal provision’ through the Curriculum for Wales, which it says can better meet many pupils’ needs (rather than requiring additional learning provision).

3.3. Use of reduced timetables

The petitioner reports that learners are placed on reduced timetables without ALN support, that support is withheld pending diagnostic assessments, and families experience inconsistent local authority responses.

The Children's Commissioner for Wales' ALN Policy Position states that around one third of the casework they received through their Children's Rights Advice and Assistance service team concerned "issues faced by children with additional learning needs". They note that they have heard cases of children "being placed on reduced timetables where a school cannot meet need", and state, under their 'What do we know?' section, an awareness of "increased use of severely restricted timetables, resulting in lack of access to sufficient and suitable education".

4. Welsh Government action

In response to concerns (including a number of petitions on the issue and the CYPE Committee's scrutiny), the Cabinet Secretary for Education, Lynne Neagle MS, initiated a review focused on:

- the clarity and accessibility of the Act and statutory guidance;
- ensuring the legislative framework reflects the policy intent;
- identification of any inconsistencies and areas where greater clarity may be required;
- understanding how the legislative framework translates into practice; and
- identifying policy and legislative solutions.

In October 2025, the Welsh Government published a summary of the evidence it had received during its review and the Cabinet Secretary made a statement in Plenary setting out five key areas of action. Also published were the submission of the President of the Education Tribunal and a report of a survey of parents and carers.

There will need to be revisions to the ALN Code, which will require consultation and therefore will not be undertaken until after the Senedd election. In the meantime, the Welsh Government plans to issue interim guidance aimed at improving consistency of the system, which the Cabinet Secretary told the CYPE Committee on 4 February would be issued by the end of March this year. A

second suite of guidance, published at the same time as the above, will explicitly set out the expectations of how children and young people in specific circumstances should be supported, such as learners with ALN who are looked after, electively home-educated learners, and those receiving education other than at school. A third, further piece of guidance clarifying what is meant by 'generally available provision' is under development and will not be issued until the next Senedd term.

4.1. Welsh Government response to petition

The Cabinet Secretary's response to the petition restates the Government's core position, saying that:

*"Support for children with ALN should always be based on need, and a diagnosis of a condition is **not required** for a decision on a learner's ALN and for additional learning provision (ALP). Equally, the presence of a formal medical diagnosis does not necessarily mean that a child or young person has ALN."*

The Cabinet Secretary describes the ALN system as **person-centred** and **needs-led**, grounded in the Act and the ALN Code. However, she does acknowledge issues with **consistency and implementation**, including families' difficulties in accessing support without diagnosis and attributes these issues to **local variation** and **misunderstandings** of legal requirements. Her letter states that the Welsh Government continues to engage with local authorities, schools and parents to improve awareness and support consistent implementation of needs-based provision, using monitoring and family feedback to address barriers.

On **reduced/part-time timetables**, the letter states:

"The Welsh Government guidance is clear that part-time timetables should be used only in exceptional circumstances and as a short-term measure with the aim of return to full-time education. We recognise concerns about increased use and intends to publish further guidance on part-time timetables and other forms of hidden exclusion."

The Cabinet Secretary highlights the ALN parent and carer toolkit's role in addressing misconceptions (including around diagnosis) and signposting practical help. The letter provides the link and positions the toolkit as part of improving system understanding among families.

5. Welsh Parliament action

Both the Welsh Government's review of the delivery of the ALN system and the CYPE Committee's scrutiny have highlighted ongoing confusion and inconsistency in how the statutory definition of ALN is being interpreted and applied. This includes uncertainty at both stages of assessment: first, determining whether a learner has a "significantly greater difficulty in learning" than others of the same age, and second, deciding whether that difficulty requires Additional Learning Provision (ALP) rather than support that is generally available.

The CYPE Committee has scrutinised the implementation of the ALN reforms through a series of check-ins during this Senedd term. It published a [report in July 2024](#), which highlighted many of the issues that the Welsh Government's review would further substantiate. The Committee has completed its fourth and final "check-in" and set out its conclusions in a [letter to the Cabinet Secretary on 10 February](#).

Every effort is made to ensure that the information contained in this briefing is correct at the time of publication. Readers should be aware that these briefings are not necessarily updated or otherwise amended to reflect subsequent changes.