

Cynulliad Cenedlaethol Cymru | National Assembly for Wales

Pwyllgor Plant, Pobl Ifanc ac Addysg | Children, Young People and Education Committee

Y Bil Drafft Anghenion Dysgu Ychwanegol a'r Tribiwnlys Addysg (Cymru) | The Draft Additional Learning Needs and Education Tribunal (Wales) Bill

ALN 04

Ymateb gan : SNAP Cymru

Response from : SNAP Cymru

SNAP Cymru is an independent organisation, unique to Wales offering a range of services to families, professionals, children and young people. The organisation was established regionally in 1986 and became a Wales national charity in 1996. All services offered are impartial and objective and free at the point of delivery to families and young people. SNAP Cymru offers a constructive professional partnership, working with other local and national agencies in Wales. Areas of activity include SEN and disability related information, advice and training, Parent Partnership Service, Pupil Participation and Advocacy, Disagreement Resolution and Representation in relation to School Exclusion, Admissions, SEN and Discrimination Appeals and Tribunals. The services are managed and delivered by skilled experienced staff supporting regionally based, local staff and volunteer teams across Wales.

SNAP Cymru holds the SQM (Education Advice), Investors in People (Bronze) and Investors in Volunteering awards. The organization was recognized for its services and volunteering with the Queens Diamond Jubilee Award for Voluntary Services (2012).

We are pleased with the Bill's intentions regarding:

- 0-25 age range and unified approach
- Replacing the artificial and contentious divide between young people who receive a statement and the statutory protection it affords and those with needs that do not
- Person Centred approach which will allow discussion, negotiation and challenge
- Avoidance and resolution of disagreement at an early stage as well as at the time of appeal by persons independent of the parties involved
- Independent Advocacy and Case Friends
- Extension of the age for appeal to tribunal and the ability to enforce compliance through a fine not exceeding level 3 on the standard scale

- Clarity on what and when disagreements can be appealed
- Designated medical or clinical officer
- A statutory ALN Code
- The high aspirations and the monitoring of impact from interventions
- Workforce development to meet the needs of learners with ALN
- The provision and requirements for the ALNCo whom we hope will be given sufficient time and resources to perform this essential senior role

We have concerns

That the description of ALN has not changed from the previous SEN description in the Education Bill 1996. This description was used in the Code of practice for meeting SEN to describe children throughout the graduated response. This Bill is unclear about the scope of application of the IDP process but appears to include those currently at School Action and School Action+. We believe the graduated response from Early Year to FE can be retained through the IDP process and give children, young people and parents a degree of certainty they have not had previously. We hope to see this clarified in the CoP.

This Bill makes the right to an avoidance and resolution of disagreement service clear. However it is not yet clear how the child, young person or parent would access this service and whether this would be an open access process or it would have to be referred by an institution or health professional.

That Independent advocacy of itself will be insufficient to enable appropriate challenge to be made if the advocates do not have to have expertise in the matters under disagreement. It will be important for the advocates to have expert knowledge of the areas of educational legislation and regulation in dispute as well as a sound knowledge of local policy and provision.

That while there is the intention to ensure that needs are assessed and to meet needs in a more collaborative, consistent and equitable way. We would like to see “fully met” rather than met and a commitment to full and timely assessments by an Educational Psychologist where interventions are not having the required effect on progress. We see a mandatory role for Educational Psychologists.

Multi Agency working is currently very difficult to secure for children and young people who require it. Children, young people and their parents will continue their quest to achieve the timely assessments and interventions they see their child needing. Parents and professionals need clarity on who will secure and fund:

- Educational Psychology
- Speech and Language assessment and therapy
- Physiotherapy
- Occupational therapy
- ABA
- ASD and ADHD assessments and interventions
- Etc.

Will securing these interventions rely on first getting a multi-agency review or will the review follow a long journey to secure the assessment or intervention? Whichever course SNAP Cymru is struggling to see what is in this Draft Bill that will make this more likely to happen.

The implementation of this bill will fall mainly on schools and FEI with the LA taking on a wider and therefore greater workload. The time required for these more personalised discussions will be greater than current IEP and Annual Review processes. The workforce development and timed change-over will mitigate this to some extent but there is a problem with 22 authorities working to a system that, at present, does not appear to be centralised. We need a system that is transparent, portable and equitable across Wales. Professionals, Parents, children and young people would all benefit from less jargon and simple systems.

Whether or not we can achieve an on-line product we need to be producing clear, simple templates followed in every LA, every school and every FE! In Wales. The introduction of an online system should be our aim so that these templates can be prepopulated with what is already known thus reducing the burden on administration.