

**Cynulliad Cenedlaethol Cymru | National Assembly for Wales**  
**Y Pwyllgor Plant, Pobl Ifanc ac Addysg | Children, Young People and Education**  
**Committee**  
**Bil Anghenion Dysgu Ychwanegol a'r Tribiwnlys Addysg (Cymru)| Additional**  
**Learning Needs and Education Tribunal (Wales) Bill**

**ALN 24**

**Ymateb gan: Gwasanaeth Addysg yr Eglwys Gatholig**  
**Response from: Catholic Education Service (CES)**

1. The Catholic Education Service (CES) is the education agency of the Catholic Bishops' Conference of England and Wales. The Bishops' Conference is the permanent assembly of the Catholic bishops of England and Wales and the CES, as an agency of the Bishops' Conference, is charged with promoting and securing education on behalf of the bishops.
2. We are responding to the Consultation on the Additional Learning Needs and Education Tribunal (Wales) Bill dated 15th December 2016. We appreciate the extension of the deadline for responses to 3rd March 2017 and note that this was necessary to enable respondees to consider the draft Additional Learning Needs Code (February 2017) (referred to in this response as the 2017 CoP).
3. The CES welcomes the broad principles of the Additional Learning Needs and Education Tribunal (Wales) Bill, recognising in it the fundamental principles that underpin Catholic education. In particular, we welcome the desire for inclusivity inherent in the term 'additional learning needs'; the focus on listening to children/young people and their parents/carers; and the development of a system that should be simpler and less adversarial.
4. Our main concern is the lack of any reference within the 2017 CoP when meeting the educational needs of a child or young person with additional learning needs, to take account of the child or young person's spiritual, moral, social and cultural development. This is particularly relevant to parents and children/young people who would wish to access a faith based education for their children or themselves, as appropriate. We are

particularly disappointed to note that the 2017 CoP does not reference parents (and, of course, children and young people) being entitled to state a preference for their child to attend a denominational mainstream maintained school and/or make representations for their child to attend a denominational non-maintained special school or independent school. We note that the current Special Educational Needs Code of Practice for Wales issued in 2002 provides, at paragraph 8.65:

5.

“The LEA should consider very carefully a preference stated by parents for a denominational mainstream school and representations made by parents for a denominational non-maintained special school or independent school...”.

We would strongly suggest that this paragraph (or a similarly worded paragraph) is retained and incorporated in the 2017 CoP; inclusion of such wording would allow parents (and children/young people) to state their preference for a faith based education for their children (thereby going some way to meet their child’s spiritual, moral, social and cultural development needs), but would also entitle parents to state any preference they may have that their child does not attend a denominational school. We are of the view that those using the 2017 CoP, particularly parents, children and young people, will find the reference to faith based education a useful reminder of their important rights to state a preference for the type of education to be received by the child or young person.

6. As indicated in our previous response to the Draft Additional Learning Needs and Education Tribunal (Wales) Bill dated [16.12.15] we are concerned about the potential workload increase for schools. If all children who currently have a SEN or ALN, alongside any other child whose ‘special educational need’ may be at a relatively low level, are included in the identification for an Individual Development Plan, potentially there is greatly increased bureaucracy for the school, Local Authority officers and others. If a much wider group of children are to

benefit from Individual Development Plans there needs to be a recognition that the implementation will need increased resourcing. If this cannot be avoided, funding would have to be found to service the increased workload.

7. We are also concerned about partnership working with Local Authorities, given that Catholic schools are not maintained community schools. If a Catholic school needs the help of a Local Authority to assess and plan provision for a learner with additional learning needs, and the Local Authority is unable, or unwilling, to provide that help, schools may struggle to meet the needs of identified learners.
8. Whilst we are of the view that it is a positive development to extend the scope of support for identified learners to age 25, we remain concerned about the funding for such support post-19, particularly in terms of FE provision and possible apprenticeships.
9. In conclusion, the fundamental purpose of the Bill is one we fully support, seeing in it key principles of universality and inclusivity at the heart of Catholic education. However, our main concerns lie in the fact that the 2017 CoP removes the current reference to the right of a parent/child/young person to exercise a preference that the child/young person attend a denominational school in order to receive a faith-based education, as well as the lack of clarity in respect of funding to allow the Government's vision for a fully inclusive and equitable education system to become a reality.