

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 29

Ymateb gan | Response from: NDCS Cymru

About Us

National Deaf Children's Society (NDCS) Cymru is the national charity dedicated to creating a world without barriers for deaf children and young people.

We represent the interests and campaign for the rights of all deaf children and young people from birth until they reach independence.

In referring to deaf, we refer to all levels of hearing loss including mild to profound, unilateral and temporary.

Response

The Bill will affect deaf children and young people across the nation. We welcome many aspects of the Bill and acknowledge that some steps forward have been taken.

However, many of the concerns we have previously highlighted and recommendations made by the former Children, Young People and Education Committee have not been fully addressed in this iteration of the Bill.

Our response has been arranged around the headings provided within the Committee's consultation letter.

Whether the Welsh Government's three overarching objectives are the right objectives and if the Bill is sufficient to meet these

NDCS Cymru has always welcomed the overarching objectives of the reforms. However, as detailed within this response, we are concerned that the draft Bill does not fully and adequately deliver on any of these important objectives.

Whether the Welsh Government's ten core aims for the Bill are the right aims to have and if the Bill is sufficient to achieve these

NDCS Cymru does not object to any of the core aims. However, as above, we are concerned that the Bill will not sufficiently deliver on these intended aims.

Any potential barriers to the implementation of the key provisions

NDCS Cymru considers that the main barrier to effective implementation of the key provisions is lack of awareness among professionals. In particular, the following training is required:

- Awareness raising among key multi-agency professionals so that they are able to competently make relevant referrals for an IDP. This includes health visitors, GPs, early years providers and audiologists.
- Training on ALN and the IDP process is required of school governors. Much responsibility is placed upon these individuals who are essentially volunteers and may have no experience of ALN.
- Training is required to ensure that those conducting IDP assessments are able to effectively deliver "Person-Centred Practice".
- Given the prominent role they are to play in the new process, ALNCoS must have a good understanding of the IDP systems and structures, but also a basic understanding of specific disabilities, including deafness. We would welcome the opportunity to work with the Welsh Government in this regard.
- Training for frontline education staff is essential to ensure the new systems operate effectively. Indeed, in its pre-legislative scrutiny, the former Children, Young People and Education Committee stated: *"It is essential that the new arrangements for ITT and CPD fully take account of proposals for ALN and enable the education workforce to acquire and develop the skills required to deliver the new system effectively."*

In spite of this, draft Welsh Government documents on Initial Teacher Education (ITE) accreditation (January 2017) are not sufficiently robust to ensure that ITE providers cover detailed information on ALN, the IDP process and basic awareness training in specific disabilities such as deafness. Ensuring that such training is in place within ITE would assist with the long-term delivery of the reformed process.

NDCS Cymru is also aware that many local authorities have developed their own IDP templates and processes. These templates vary in format, detail and quality. We deem this to be unacceptable and a barrier to the satisfactory implementation of a transformed system. It is imperative that, in delivering the new transformed system, clear directives are given to local authorities in order to avoid further confusion.

Whether there are any unintended consequences arising from the Bill

NDCS Cymru has many concerns in relation to unintended consequences of the Bill:

- NDCS Cymru strongly believes in the need for a single national statutory template for an IDP. Without such a template, we consider that the Bill will not be able to deliver on many of its core aims. A statutory template is imperative to ensure consistency, transparency and legal enforceability. With the potential for local authorities – and even schools – to develop their own IDPs, there could be a multitude of templates in use which would not assist with multiagency working.

NDCS Cymru would welcome the opportunity to be involved in discussions around the development of such a template. NDCS Cymru is a member of TSANA (Third Sector Additional Needs Alliance), which has produced a list of key sections that should be included within a template IDP.

- We acknowledge the importance of learners with ALN being able to participate in all school activities. However, section 46 (1) fails to acknowledge that discreet provision and activities for learners with ALN can be equally important, as is the case for many deaf pupils in Wales who attend hearing impaired resource bases within mainstream schools.

Such bases enable learners to benefit from specialist staff as well as the peer support of other hearing impaired pupils, whilst still being able to participate in wider school life.

- We are concerned that the descriptors within section 50 (6) of the Bill may not cover key institutions such as Mary Hare School and Exeter Royal Academy for Deaf Education, which deaf pupils from Wales currently attend. We seek clarity on this point.
- Following concerns that the last iteration of the Bill did not address issues around mental capacity, the latest draft contains more information around mental capacity of learners and families to make decisions and to contribute to the IDP process. However, the definition on Section 75 (8a) is problematic. It implies that a person is deemed to lack mental capacity if they do not understand the materials presented to them. **The definition does not allow for the fact that materials should be adapted to plain language and meet any access or communication needs.** If this clause is not amended accordingly, it provides a loophole enabling involvement of families to be easily dismissed.
- The Bill places much emphasis on the need for a young person to consent to entering the IDP process. In theory this is fine, but in practice, statutory guidance is required to ensure that young people are **appropriately and fully informed** before declining an IDP. This is a particular concern for the young deaf population, as many young deaf people may not wish to be labelled “deaf”.
- Urgent clarification is needed over whether section 62 (4) relates to local authorities paying for advocacy services. It is important that these services are free of charge for families.
- The Bill places great responsibilities on school governing bodies to determine learners’ needs and to decide which cases require consideration by a local authority. NDCS Cymru is concerned that governors will not have the expertise in ALN, but especially in low incidence needs. This presents a danger for lower incidence needs, such as deafness, where a general lack of awareness could prevent governing bodies from passing a case on to a local authority.

In order to safeguard against this, NDCS Cymru is calling for clarity within the Code of Practice that deafness constitutes a low incidence need and requires school governing bodies to pass cases onto local authorities. We have also been calling for a deaf specific provision pathway to clarify the assessment of deaf learners. We are pleased that the Welsh Government has taken our calls for a provision pathway on board and NDCS Cymru wishes to be consulted on the development of this important document. We are also keen to ensure that provision pathways are placed on a statutory footing, so that the guidance receives the attention it requires.

NDCS Cymru also seeks clarification that by placing the emphasis of the duty on governing bodies of schools and FEIs, the development of IDPs will not be subjected to time-delays related to governor meetings.

- NDCS Cymru would question the emphasis placed on the efficient use of resources in Section 46 (2c) of the Bill.
- Section 20 (1) refers to the need to include parents in the IDP process for cases concerning children. However, the inclusion of parents (or at least a case friend or advocate) can be important for a young person too, if they consent to this or if they lack mental capacity to engage in the system.

The appropriateness of the powers in the Bill for the Welsh Ministers to make subordinate legislation

- The Bill enables the Welsh Government to put in place a national statutory template for an IDP, but **only** if it chooses to do so. As outlined elsewhere in this response, we feel this must be amended to ensure that a national statutory template is in place. This is fundamental to the transparency, portability and legal accountability of the IDP.
- There is **no** clause within the Bill to enable the Welsh Government to make statutory national guidelines on advocacy services. We feel that such national guidelines are imperative in order to secure consistency and quality assurance in these vital services. Without the existence of such key statutory guidelines, we believe the reforms will not deliver on many of the Welsh Government's ten core aims (i.e. Increased

participation of children and young people; A simpler and less adversarial system; Increased collaboration; Avoiding disagreements and earlier disagreement resolution and Clear and consistent rights of appeal.)

- The Bill makes changes to the present system for registering independent schools. In removing section 347 in favour of a single section 160 application to register a special school/FEI, the ability for the Government to set regulations is lost. Current corresponding regulations refer to the qualifications of teachers employed to support pupils with a hearing impairment, visual impairment or a multi-sensory impairment (see *The Education (SEN) (Approval of Independent Schools) Regulations 1994, Schedule 1 part 2 – 4.*) As such, we are disappointed that regulations placed on registering independent schools are to be lost.
- NDCS Cymru has long called for “disability specific provision pathways” to help ensure that frontline staff who have little or no awareness of specific disabilities are able to identify which professionals and assessments are required for a learner’s IDP. The Welsh Government has recently tendered for the development of such a pathway for sensory impairments. This is a great step forward. However, in order to ensure that such a pathway is effective it is imperative that the third sector are consulted on the development of the document and that the provision pathways have a statutory footing.
- Section 5 (1) of the Bill outlines those that must be consulted before making changes to the Code of Practice. NDCS Cymru would urge that consultation with third sector organisations and families is also imperative.

The provisions for collaboration and multi-agency working, and to what extent these are adequate

Provisions to encourage multi-agency working within the Bill are weak and inadequate.

The Welsh Government had initially planned for the reformed ALN system to strengthen collaboration with health, but NDCS Cymru considers that this Bill does not deliver on this aim. In particular:

- The Bill states that once an IDP outlines that a service is to be provided by a health body, the local authority/governing body loses responsibility for it (section 19 (4)). The Tribunal has no jurisdiction over health (section 19 (7) and (8)), so essentially any provision named within an IDP loses legal enforceability. This represents a **backward step from current legislation** and would be a particular problem for speech and language therapy, a service that is especially important to many deaf learners.
- Section 18 (2) must be amended to ensure that a local authority can also refer an early years case to a NHS body to ask them to consider if there's any health support from which the child's learning might benefit.
- Section 18 (3) outlines actions that must be taken prior to a local authority/governing body making a referral to a health body to consider a learner's support needs. It is important that these actions do not cause substantial delays to the IDP process.
- The Bill does not appear to enable a governing body to request information for an IDP from health. This needs to be rectified.
- The new role of a Designated Education Clinical Lead Officer (DECLO) in each health board must be clearly defined as a strategic role. NDCS Cymru seeks assurances that:
 1. This new role will not detract from the importance of frontline staff and specialists in assessment and identification of need. There is a risk, particularly for lower incidence needs such as deafness, that support needs could be poorly understood by a person in a generic role spanning a range of additional learning needs.
 2. The DECLO does not have to approve every decision. It is imperative that the role does not become a barrier to timely health participation in an IDP by over-reliance on one individual.
 3. A detailed person specification, job description and dedicated time for the role are provided.
 4. Larger health boards/populations should consider the appointment of more than one DECLO.

- The duty placed on health bodies in section 58 (2) is weak. It would be easy for a health professional to decline a request to provide information for an IDP with little reasoning.
- In the 2015 consultation, many people raised concerns about the tribunal's lack of power over health matters. However, this issue remains in this iteration of the Bill. NDCS Cymru recommends that consideration is given as to whether the Education Tribunal Wales could consider health matters.
- NDCS Cymru seeks clarification on the relationship between IDPs and IHPs (Individual Healthcare Plans).
- Section 19(6) states that if NHS request removal of their provision, "the governing body or local authority **must** comply with the request". The use of 'must' is worrying as it implies there is no need for further discussion before vital support is removed from a learner.
- Section 57 (4) states that health bodies '**may**' bring to attention of a local authority that they consider a child could have ALN. This is weak considering the key role that health play in the lives of many learners with ALN, especially within the early years when health professionals are those most likely to identify a hearing loss. This requirement should be a "must", as in the equivalent duty on English health bodies (see [section 23 of the Children and Families Act 2014](#)).

Aside from collaboration with health, the Bill should also be strengthened in relation to other multi-agency relationships:

- More detail on collaboration between agencies at transition is required. As an example, regulations highlighted at section 34 (2) do not cover the co-ordination of services to ensure smooth transitions between settings. Greater detail is needed within the Bill to ensure that appropriate bodies from early year and post-16 settings work with local authorities.
- Section 11 (2e) highlights that a local authority does not have a responsibility to assess a potential ALN case brought to its attention if the learner is already enrolled at an FEI. However, this clause should be

accompanied by a duty for the local authority to signpost the case on to the relevant FEI.

- Section 16 (2c) of the Bill appears to absolve local authorities of the responsibility to consider an ALN referral for one of its looked after children if “the child is in the area of a local authority in England”. However, in this case, there should be a responsibility to alert the English authority to the need to assess whether the child requires an ECHP.
- The relationship between the Bill and the Social Services and Wellbeing Act would benefit from clarification.

Whether there is enough clarity about the process for developing and maintaining IDPs and whose responsibility this will be

NDCS Cymru considers that greater clarity on the process for developing and maintaining IDPs is imperative. Without such clarity, we are concerned that the reformed system will fail. In particular, we would draw the Committee’s attention to the following:

- The development of a **national statutory template** for an IDP is essential to ensure that the process is clear. The existence of different templates across schools and local authorities would undermine the consistency and, as such, the IDP process would lack fundamental clarity.

It is also worth noting that Section 23 (b) enables the IDP to be included within another document. Whilst NDCS Cymru appreciates the importance of ensuring relevant plans are linked and attached to one another, it is imperative that the IDP document is not subsumed by a different plan altogether. This could result in a lack of transparency, clarity and indeed, legal protection of a learner’s Additional Learning Provision.

- NDCS Cymru demands greater clarity on how the system will operate for learners within both the early years context and post-16 context.
- We are particularly concerned about young people who are in the process of applying for a college place. The system is structured so that local authorities will assume responsibility for IDPs where a young person is

attending a sixth-form college or a specialist placement, but that an FEI will be responsible for funding a learner's support who attends a mainstream placement. A recent change to structures means that non-ring fenced funding for this support has been provided from the Welsh Government to local authorities within its Revenue Support Grant and to FEIs within general settlements. Measures must be in place to safeguard against these learners being referred back and forth between FEIs and local authorities. In addition, for learners considering applying to specialist placements, clarity is required over who is responsible for the IDP while these decisions are being made.

- More detail is required to ensure that clear systems and structures are in place for learners who leave the education system, but return before they reach the age of 25.
- As identified elsewhere within this response, NDCS Cymru is particularly concerned that governing bodies require information on low incidence needs such as deafness to ensure that such cases are referred and assessed appropriately.
- The Bill mentions the need to name a school and boarding requirements in an IDP where a special placement is needed to meet a learner's need, but there is no mention of the need to outline transport needs. Transport needs must be met for learners attending provision away from home (see section 12 (7) and section 17 (6).)
- In deciding whether or not an IDP should be reviewed a governing body/local authority has to consider whether a child/young person's needs have changed (e.g. section 9 (3b)). A clearly defined process is required for making such decisions and families must have the opportunity to express their views within this process, as should professionals working with young people.
- It will be imperative that the final version of the Code of Practice includes clear and robust time limits to ensure that the IDP process works effectively.

- We recommend that section 10 (2) of the Bill clarifies that low incidence needs are also to be referred to a local authority.
- It is imperative that the Code of Practice clearly states the need for Teachers of the Deaf to be involved in developing/advising on IDP if a child is deaf.
- NDCS Cymru believes that in addition to those already outlined within section 21, a request to review a learner's IDP should also be able to be made by professionals working directly with the child. It is essential that this section of the Bill references the role of families and professionals within the review process. The Code of Practice must clearly detail procedures on how reviews are to operate to ensure that decisions are made following appropriate consultation.
- Section 23 allows for an IDP to be prepared, reviewed or revised at the same time as another document for a learner. While there are benefits to combining the timing of certain plans, it is important that this is only permitted to happen if it does not cause unreasonable delays in creating an IDP – a clause is required to this effect.
- A clear procedure is needed within the Code of Practice to outline processes for ceasing to maintain an IDP in order to ensure transparency.
- NDCS Cymru requests that the definition of ALP (section 3 (1)) would be clearer if school/FEI learners had the same definition as children aged under 3.
- Before directing governing bodies to prepare/maintain an IDP (Section 12 (2b)), NDCS Cymru believes the local authority must consider whether the school has the relevant expertise in the learner's needs to do so.

Whether the Bill will establish a genuinely 0–25 system

NDCS Cymru believes that one of the greatest merits of the new Bill is the concept of a system that reaches from birth to 25. Under the existing systems

and structures, educational support in the early years is often overlooked, much to the detriment of the child's long-term educational development. In addition, the different systems for supporting learners at school and in post-16 education have led to a disjointed and confused experience for learners during a significant transitional time.

Unfortunately, in its current format, we are concerned that the Bill does not deliver on a genuine 0-25 system.

- Within its pre-legislative scrutiny letter to the then-Education and Skills Minister (December 2015), the former Committee stated that “early years collaboration is vital, but the draft Bill and Code are very vague on what this means and how it will work in practice.” Unfortunately this issue has not been addressed in this version of the Bill and there remains a lack of reference to the early year context throughout the Bill. Provision for under-3 is not detailed or linked to the variety of settings in which they might be accessing child-care and early learning. It is imperative that this issue is addressed.
- The Explanatory Memorandum states that the Bill will require maintained nurseries to follow the statutory Code of Practice, but that private nurseries will only have to pay regard to it. Many private nurseries across the country receive state funding to provide pre-school places on behalf of local authorities. Since these nurseries are in receipt of public funds to provide this service, they must be under the same statutory obligations as maintained nurseries. Otherwise, the quality of ALN provision for families within the same local authority could be subject to inequalities and post-code lotteries. It is also worth considering how the legislation will affect Meithrin operated nurseries.
- In addition, section 18 (2) seems to be saying by omission that a local authority could not refer a 0-5 year old to a NHS body to ask them to consider if there's any health support from which the child's learning might benefit. It is imperative that this is amended as health support in the early stages, particularly speech and language therapy and audiology for deaf children, can be essential in establishing the foundations of a child's educational development.

- It will be fundamental that education services and health child and development teams form positive working relationships.
- Aside from provisions within the Bill, NDCS Cymru believes that raising awareness of the new ALN systems among health professionals will be essential to securing referrals for IDPs in the early years. Indeed, health professionals such as a GP, audiologist or health visitor are likely to be the main point of professional contact for families of children with ALN in the early years.

Given that health visitors are the main universal professional contact for families in the early years, NDCS Cymru recommends that health visitors have a firm duty to engage with the new system.

- NDCS Cymru considers that more detail around how systems and structures will work within a post-16 context is also required. Indeed, a recent survey conducted by NDCS Cymru of FEIs in Wales revealed that current systems for supporting learners with ALN in FEIs vary across the nation. As such, a clear steer is required in the Code of Practice to secure a consistent approach to ALN across FEIs.
- There is an unresolved issue in relation the fact that FEIs have responsibility for IDP assessments where a young person will be attending mainstream college and a local authority where there will be a specialist placement. This divide is of little help in assisting a young person through the application process before placement decisions are made.
- Section 11 (2e) removes a local authority's responsibility for considering an ALN case referred to them where that young person is already enrolled at an FEI. However, this could hinder a young person who is struggling at a mainstream placement and wishes to consider other options.
- It is disappointing that the IDP will only be available to 16–25 year olds who are in further education. Despite widespread calls within the December 2015 consultation process, the Bill does not cover those undertaking work-based learning.

- Section 32 sets out when a local authority/ governing body responsibility to maintain an IDP ceases as the learner reaches the upper age limit. However, it is important that if local authorities and governing bodies do decide to cease an IDP at this point, measures are taken to prepare the learner.
- Sections 42 (4b) and 47 (2) refers to local authorities making specialist placements at schools but not at FEIs.
- At present the Bill does not cover learners in higher education. NDCS Cymru is aware that the Welsh Government is currently considering changes/restrictions to DSA. Should these changes go ahead, we urge that this point be reconsidered.

The capacity of the workforce to deliver the new arrangements

Undoubtedly capacity of the workforce is an issue in delivering the new arrangements. In particular:

- NDCS Cymru provided information to the Welsh Government's *Workforce planning of special educational needs (SEN) specialist services* and is pleased the Welsh Government has acknowledged that many Teachers of the Deaf across Wales are due to retire within the next few years. This is a serious issue that must be addressed. NDCS Cymru seeks a firm commitment from the Welsh Government to this end.
- Further consideration is required on access to specialist professionals within FEIs. A survey conducted by NDCS Cymru revealed that many FEIs in Wales do not employ specialists to support deaf learners.
- NDCS Cymru calls for the availability of Communication Support Workers in Wales with an appropriate British Sign Language level 3 qualification to be reviewed. This support is crucial for meeting the needs of deaf learners who use British Sign Language (BSL).
- Greater planning is also required to ensure that Welsh medium ALP is available where required. Section 56 (3a) requires local authorities to "have regard to the desirability of ensuring that additional learning

provision is available in Welsh”, but without greater work around more detailed Welsh in Education Strategic Plans and workforce planning, the availability of services in the family’s preferred language will remain an issue.

- The Bill places a great deal of responsibility on school governors. The frequency of governor meetings could place restraints on a school’s capacity and timely delivery of IDPs and decisions on ALN.
- Clarity is required on the need for low incidence needs, such as deafness to be passed on to local authorities. Holding such cases at school level will further restrict a school’s capacity.
- The ALNCo will take on a great deal of responsibility within this reformed system. It is essential that those performing this role have appropriate and designated time.
- Given the potential difficulties around capacity, section 56 of the Bill would benefit from adding in clause around local authorities forward planning.

The proposed new arrangements for dispute resolution and avoidance

Advocacy and an awareness of rights are imperative if the new system is to work effectively for families. However, we are concerned that the Bill does not provide sufficient measures for an effective DRS and advocacy service. In particular, we have the following concerns:

- There is no clause in the Bill to allow for the Welsh Government to make statutory national guidelines on advocacy services. We feel that such national guidelines are imperative in order to secure national consistency and standards in these vital services.
- The Bill clearly states that any provision outlined in the IDP as provided by health will not be a legal responsibility of the local authority. Since the Tribunal will not have any jurisdiction over health matters, this means that families could face two different appeals/complaints systems within one IDP – the Education Tribunal Wales and Putting Things Right. This is

confusing for families and contradicts the Welsh Government's core aim to develop "clear and consistent rights of appeal".

- The Bill does not mention advocacy services for parents – just young people. This is of great concern. It is imperative that the new ALN system does not disadvantage young people born to parents less able to navigate the system.
- It is of great concern that, throughout the Bill, when LAs/governing bodies are required to inform families of key decisions (such as a decision to review, or cease to maintain an IDP), they are not also required to inform families of appeal rights and access to advocacy.
- Clarification is needed over whether section 63 (4) relates to local authorities paying for advocacy services. It is important that these services are free of charge for families.
- All information must be provided to families in plain language in a format that meets any communication/access requirements. This is not outlined in the Bill and is a glaring omission.
- Clarification is required on case friends. As an example, it seems that they are only available for young people who lack capacity, but NDCS Cymru believes they should also be available to young people who lack confidence.
- Section 29 of the Bill states that families should be notified of a proposal to review/cease to maintain an IDP. However, a firm procedure must also be in place to ensure that they can participate in discussions around such decisions.
- Within its pre-legislative scrutiny on the former Draft Bill (letter to the Minister for Education and Skills, December 2015), the Committee wrote that *"the Bill could be used to provide greater powers to the Tribunal in a number of specific areas, including: The ability to deal with persistent offenders and dealing with inaction after tribunal decisions; To promote more focussed multi-agency working; To offer a conciliation procedure*

following the tribunal decision; To be able to address failures or lack of compliance by health authorities.”

NDCS Cymru is disappointed that these points have not been taken on board in the latest draft of the Bill.

- NDCS Cymru considers that rights to appeal to the Tribunal, as listed within Section 63 (2), should also include; failure to provide the provision in the plan; the objectives set; the nature of the assessment and whether it was conducted as person centred planning. Clarification is also required on whether appeals on accommodation or transport needs would be covered within the right to appeal on ALP. It is important that appeal rights on these needs are also included.
- The Bill (at section 69 or elsewhere) does not appear to provide the Tribunal with any powers to sanction should a body fail to comply with a tribunal order.
- NDCS Cymru strongly recommends that local authority Dispute resolution services and the Education Tribunal Wales be required to provide data to the Welsh Government on a regular basis. This would enable any recurring patterns of appeal and dispute cases within an authority to be identified and addressed.
- Given the particular vulnerability of looked after children, and the conflict of interest within the local authority’s dual role as guardian and IDP co-ordinator, consideration should be given as to whether these learners are automatically appointed an advocate.
- NDCS Cymru notes that the Code of Practice is described as a document for professionals. We recommend that a Code of Practice for Families is also developed to help ensure families understand and are able to engage with the process. Indeed, current information provided by local authorities to families on the Statementing system varies in quality.
- NDCS Cymru seeks clarification on whether parents of young people will be able to take forward an appeal on their behalf.

Monitoring and Inspection

In addition to the points covered within the questions set by the Committee, NDCS Cymru also wanted to take this opportunity to highlight the importance of ensuring that appropriate measures are in place to ensure that the ALN systems and structures are operating effectively. In particular, we would suggest the following:

- That section 56 of the Bill should include the need for local authorities to seek the views of families and learners on the sufficiency of provision when conducting its review. Indeed, [section 27\(3\) of the Children and Families Act 2014](#) places a firm need for local authorities in England to consult appropriately.
- We would also recommend that ALN systems and structures form part of Estyn's core inspection of schools, FEIs and local authorities.
- We also recommend that statistics on tribunal and DRS cases should be reported to the Welsh Government so that any areas where there may be recurrent issues of a similar nature are identified and acted on.
- Much responsibility is placed on schools within this Bill. NDCS Cymru believes it is important that local authorities retain some level of responsibility for monitoring schools and ensuring that they are delivering their duties effectively.