

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 07

Ymateb gan : Cyngor Dinas Casnewydd

Response from : Newport City Council

What are your views on the draft Bill? Please outline below any concerns you have, or areas that you think the Committee should explore further before the Bill is formally introduced.

Changes are certainly required as the current process is not fair or fit for purpose. The principles and proposed changes are welcomed but the following areas are probably the priorities and might need to be explored further by the Committee.

- Skill base and workload for schools (this will not be solved by the introduction of a qualification of the ALNCO to Masters level)
- The engagement of health and social services so that there is a true, shared responsibility of provision
- A robust Code needs to be in place to support the Bill, containing a strong definition of ALN which does not leave itself open to misinterpretation, full descriptions of statutory rights and realistic and workable systems for the whole of Wales (the proposed Code will be open for every LA to put their own system in place as now)
- The appeal system may need further consideration as this needs to be completely impartial and less bureaucratic which has not been addressed by the draft Bill. There is also an indication in the draft Bill that there will be an even wider remit for the Tribunal to consider but with less robust guidelines available to them.

Please highlight below your main concerns in relation to the Additional Learning Needs system. Let us know whether, in your view, the Bill addresses these concerns or if further work is needed.

In connection with the ALN system, the following could be prioritised. Some of these points would also be related to the above concerns directly associated with the draft Bill.

- How the different providers and funding streams will be coordinated for pre school provision for ALN (there are currently problems concerning how/why funding is used the way it is and the lack of transitions e.g. between Flying Start and maintained schools)
- Availability of specialised provisions and funding to enable further/continued education up to 25 years
- How to ensure that provision and resources are shared and delivered appropriately by health and social services so that provision, resources and responsibility does not continue to be pushed over to education (currently resources and provision can be identified by health/social services with the expectation that education will provide these, often without consultation)
- Those who administer and sit on the Educational Tribunal for Wales to hear appeals should have the relevant background experience, training and understanding of ALN at school and LA level and should remain completely neutral to enable them to make fair decisions when considering the facts being put forward. The current system lacks impartiality, fairness or consideration about what is best for the young person as legal 'battles' have now become the dominant feature.

Do you have any other comments or issues you wish to raise that have not been covered above?

Through attendance at conferences, consultation events and meetings, it has become increasingly apparent that there is some lack of communication between departments who have been preparing these changes to the legislation, possibly through changes in staffing. Members of LA staff and schools have been involved in the Welsh Government funded projects, trials of different systems and steering

committees associated with these changes for a number of years, and therefore feel disappointed that the many positive outcomes of a number of those projects have not been utilised or made aware of to the current teams working on the proposals.