

October 2021

Dear Parent / Carer

Additional Learning Needs and Education Tribunal Act (ALN ET 2018)

The approach to supporting children and young people who have difficulties with learning is changing. The Welsh Government has passed new legislation, called the Additional Learning Needs (Wales) Act ('the Act'), which is supported by the Additional Learning Needs Code ('Code'). The Act and Code will replace the current legislation and guidance about special educational needs. The Welsh Government is bringing in a more flexible and responsive system of meeting the needs of children and young people with special educational needs or disabilities, and are striving to deliver a fully inclusive education system for the learners of Wales.

The new system will ensure:

- needs are identified early, addressed quickly and all learners are supported to reach their potential
- that professionals are skilled and confident in identifying needs and deploying strategies to help learners overcome their barriers to learning.
- that the learner is at the centre of everything we do and that they and their parents and carers are equal partners in their learning (Person Centred Approach)

From September 1st, 2021 the Additional Learning Needs ('ALN') system set out in the Act will be fully implemented over the school years 2021/22, 2022/23 and 2023/24. Local Authorities, Schools and Pupil Referral Units ('PRU's') will move children who fall into mandated years, from the existing Special Educational Needs ('SEN') system to the ALN system during a three-year implementation period as follows:

- Spring and Summer terms, school year 2021/22: Nursery 1, Nursery 2, Year 1, Year 3, Year 5, Year 7, Year 10
- School year 2022-23: Nursery 1, Nursery 2, Year 1, Year 5, Year 9 and Year 10.
- School year 2023-24: Year 4 and Year 8 and any other pupils with SEN on 1 January 2022 who did not move to the ALN system during years one and two of implementation.

Here are some of the key messages about the changes and what they may mean for you and your child.

- The current graduated system of Early Years/School Action, Early Years/School Action Plus and Statements is being replaced over the course of the next 3 years. All children and young people with an identified ALN that requires an Additional Learning Provision (ALP) within the meaning of the Act, will have an Individual Development Plan (IDP). The IDP will replace all other individual plans. IDPs for children under

compulsory school age, who require them, i.e.in the early years, will be maintained by local authorities.

- Most IDPs will be maintained by the school, but where it is considered unreasonable for the school to do so, the Local Authority may maintain them.
- The Act expects that all partners such as Education, Health and Social Care will work in collaboration to support children and young people with ALN.
- There will be more opportunity for children, young people, parents and carers to contribute to the creation and maintenance of IDPs through Person-Centred Planning.
- It is expected that working together more closely should help to avoid disagreements.
- All reasonable steps will be taken to ensure additional learning provision will be provided in Welsh, if required

Additional Information

The approach to implementation during the school year 2021/22 will be sequential, with the ALN system commencing for specific groups of children on 1 September 2021 and on 1 January 2022. During implementation, the ALN system will operate in parallel to the SEN system, which will gradually be phased out during the implementation period.

From 1st January 2022, the ALN system will commence for children who attend maintained schools (including PRU's) in Nursery Years 1 and 2 (N1 and N2) and Year 1, Year 3, Year 5, Year 7 and Year 10 who have special educational provision via early years action / early years action plus or school action / school action plus. Schools and PRUs will make a decision about whether children who fall into any of these mandated years have ALN within the meaning of the Act. Having decided whether or not a child has ALN within the meaning of the Act, the school or PRU will issue an 'IDP notice' or a 'no IDP notice'. It is the IDP notice, or the no IDP notice, that moves a child from the SEN system to the ALN system.

At any point during the the three year implementation, from 1 January 2022, you or your child can ask to move to the ALN system earlier than the Local Authority, school or PRU had planned. This can be done by asking for an IDP notice to be issued.

If you would like any additional information or advice, please contact your child's ALN Co-ordinator; or contact SNAP Cymru who offer free independent advice and support to parents by visiting: www.snapcymru.org or call their helpline on: 0808 801 0608. Please also be assured, that your Local Authority can also provide any advice or support as necessary.

Yours sincerely