

TSANA Discussion Paper for ALN Task and Finish Group meeting 4, April 2015

1. Introduction

1.1. TSANA has prepared this paper in advance of its fourth ALN Task and Finish Group meeting with the Welsh Government on 27 April 2015. The paper has been written in response to a background paper supplied by the Welsh Government outlining themes and ideas for the new ALN Code of Practice under the following headings:

- Definitions of Key Terms
- Unified 0-25 legislative framework
- The IDP
- Person-centred practice (PCP)
- Impact monitoring
- Involving Children and Young People

1.2. **Please note:** TSANA understands from its last meeting with the Welsh Government that the reforms are not intended to include educational contexts outside of FEI/sixth form/ISC for the post-16 age range. As such, we have not referenced post-16 educational contexts such as apprenticeships in this paper. We would, however, like to take this opportunity to express our great disappointment that the IDP entitlement is to be restricted for post-16 learners in this way and would welcome further discussion on this point.

1.3. We would also welcome further discussion with the Welsh Government around learners with ALN in the HE sector.

2. Definitions of Key Terms

ALN

2.0. TSANA strongly agrees that the new definition must encompass all those currently eligible for school action/ school action plus or a statement, and that the definition must be extended to cover the 0-25 age range. In order to achieve this, it is essential that the new definition encompasses educational contexts relevant to all age ranges.

2.1. The Welsh Government paper clearly highlights the need for the new definition to extend to those “young people in Further Education (FE) up to the age of 25 who are currently defined as having learning difficulties and/or disabilities (LDD).” However, TSANA wishes to clarify that the definition will also clearly cover the 0-5 age range. TSANA considers that these very early years in a child’s development are vital. Ensuring that children have appropriate support from the earliest stages (from birth within the family context and then within nursery/pre-school settings) will lay positive foundations for their future educational development.

2.2. TSANA is keen to ensure that the definition allows for continuity and that parameters for requiring/acquiring an IDP are not restricted as the child/young person transitions onto different stages within their educational career.

2.3. TSANA has reservations in relation to the following comment within the Welsh Government paper:

“Significantly, the definition will recognise that children and young people with a disability may have ALN as a result of that disability, but having a disability will not automatically mean that the child or young person has ALN.”

As identified within the current definition of SEN in the Education Act 1996, a disability can lead to special requirements in order to ensure that a child can access education. This is certainly the case for many of the disabilities represented by TSANA. For example, those with a sensory impairment will consequently have specific requirements in order to access learning and should, therefore, automatically receive an IDP.

2.4. It is imperative that the new Code clearly highlights that children with certain disabilities can automatically expect an IDP as part of the way in which their access requirements to education and learning are met. Indeed, the Equality Act places duties on public bodies to make reasonable adjustments for disabled children and young people and the IDP should form an important aspect of meeting this duty for disabled learners.

2.5. Such clarity is essential, particularly as confusion exists within the current system. For example, a Ministerial directive requiring all children with a hearing loss to be recorded as having SEN was issued in 2009. This was because it had become apparent that children with a hearing loss were often not being identified as having SEN. However, there are still anecdotal cases where schools are not aware of this need. Given the general lack of awareness about the impact disability can have on a child’s learning experience, it is important that the Code assists school staff and other key professionals in identifying when a disability constitutes ALN. TSANA recommends that the definition of ALN clearly identifies that children and young people with certain disabilities can expect to receive an IDP. In addition, TSANA recommends that disability specific pathways could also provide important guidance to help address this issue.

2.6. TSANA urges the Welsh Government to ensure that the new definition secures a proactive and anticipatory stance towards meeting the needs of children and young people with ALN. It is important that (as identified in the current definition of SEN) those who have “greater difficulty in learning than the majority of children his age” are included in the definition. However, it is imperative that this is not interpreted as children having to demonstrate this difficulty, or “fail” before an intervention can take place. Whilst failing is obviously to be considered an important trigger point for an IDP, it must not be considered an essential factor for IDP eligibility. The definition must prompt authorities to initiate an IDP at the earliest opportunity: this should be before a child reaches a point when he is falling behind the attainment of his peers.

2.7. The background paper states that “a child or young person will not be regarded as having ALN solely because the language of their home is different from the language in which they are taught.” TSANA calls for sign language to be considered an exception as a matter of disability access.

2.8. Furthermore, we would also wish to highlight that, although spoken language is not to be considered a qualifying factor for an IDP, it should nonetheless be considered as a contributing factor within the IDP. Indeed, being taught through an individual's second language is most likely to impact upon the child's needs.

2.9. We would also highlight that TSANA believes children/young people and families have the right to access support in English/Welsh.

2.10. TSANA notes that the Welsh Government does not intend for the definition of ALN to encompass "more able" learners who require enhanced opportunities. We do not feel it is appropriate for us to comment on this particular aspect of the policy. However, it is important to clarify that a disabled child may be achieving on a par with his/her peers, but still not actually reaching his/her full potential because access requirements have not been met. It is essential that achieving satisfactory or good academic results does not negate the need to ensure that a disabled child has the access requirements s/he requires in order to enjoy the same opportunities as their non-disabled peers. Enabling disabled learners to reach their full potential by providing equality of opportunity is distinctly different from providing enhanced opportunities. Disabled learners who are achieving good academic results may still have ALN. We wish to ensure that this point is clear to educational practitioners.

2.11. Similarly, good outcomes alone should not be considered a reason to withdraw support from an individual's IDP. Disabled learners may require continued interventions in order to maintain equality of opportunity. For other learners, it may be the case that without continued support, good outcomes would start to suffer.

2.12. In some cases, children can experience a temporary disability over a sustained period of time. For example, children with glue ear can experience long periods of hearing loss. Given the impact that such periods can have on a child's educational development, we would urge that the definition ensures this group of children and young people are eligible for an IDP.

ALP Definition

2.14. TSANA notes that the definition is to be similar to the current definition within the Education Act 1996. We broadly concur with this suggestion, but consider it essential that the new definition of ALP is extended to reflect the 0-25 age range. As such, the definition should refer to "learning" in its broadest sense and must encompass provision required for learning in various contexts besides schools. For example:

- a) Support for families. This is particularly important in the early years, including ages 0-2, which are essential in laying a strong foundation for a child's education. As an example, some families may need support in developing communication methods for children with a disability or learning disability.
- b) Childcare settings
- c) Nursery
- d) Preschool
- e) School
- f) College/FEI/ISC

2.15. In light of the need for stronger multi-agency collaboration, TSANA expects that ALP should also refer to provision traditionally supplied by other sectors, such as social services or health, where such provision is of relevance to the child/young person's learning experience. For example, this might include the supply of specialist equipment or the need for speech and language therapy. As another example, physiotherapy and occupational therapy input may be needed on points such as seating arrangements or equipment needed.

Other key terms

2.16. The Welsh Government pre-paper refers only to the definitions of ALN and ALP. TSANA is aware that the Code of practice will include other key terms and we would welcome the opportunity to be included in discussions around these definitions as well.

3. Unified 0-25 Legislative Framework

3.1. TSANA supports the principle of a unified 0-25 legislative framework and hopes it will lead to a fairer system and improved continuity for learners as they progress through their education careers.

3.2. We acknowledge that within the current system, great emphasis is placed upon the divide between a statement and an IEP and that there is inconsistency across Wales on this matter. We welcome the concept of a single statutory plan to replace existing educational plans, and to provide equality in terms of statutorily protected provision for all IDPs. However, TSANA wishes to clarify the following points:

- a) The Welsh Government paper highlights that the Individual Development Plan (IDP) will replace “the variety of statutory and non-statutory plans for learners in schools and FE”. We would highlight that the plans must also be available for the 0-5 age range. For example, Newborn Hearing Screening Wales identifies children who are born with a bilateral hearing loss. The vast majority of deaf children are born to families with no prior experience of deafness. It is important to ensure that these families have appropriate support for their baby's communication development in the early months and years of his/her life.
- b) While TSANA strongly supports the notion of multi-agency working, we feel it would be inappropriate for IDPs (in the format that is currently being proposed) to replace existing support plans where the primary focus is not education/learning. This is because the proposals for reform to date have been education-focused. However, TSANA would expect the IDP to contain multi-agency information and provision where it is relevant to a learning context. Cross referencing to other types of plans should be forthcoming, where appropriate. TSANA would also wish for the reformed system to encourage greater cooperation between agencies generally. For example, where appropriate, it could be useful for plans to be shared across agencies to help prevent families from having to go through similar information repeatedly.
- c) We appreciate that the IDP is to be a ‘living document’ which can be “more easily adapted over time to take account of changes in needs or circumstances”. However, it is essential that the Code outlines clear guidelines for making changes to

an IDP in order to ensure that such changes are only made following fair discussion and consultation with parties. Such guidelines are also essential in order to ensure that the legal integrity of the IDP is maintained.

- d) In the creation of a unified 0-25 plan, it is essential that systems and structures for developing an IDP and supporting children/young people to participate in the process must be applicable to the full age range. For example, the person who fulfils the role of co-ordinating the plan is likely to change as the child/young person enters different stages of their life. In addition, support services must be able to work appropriately with the varying age ranges – supporting a family with a five year old through the dispute resolution process will be entirely different from supporting a 17 year old.

TSANA has previously expressed concern over the lack of detail within Welsh Government consultations on how the IDP process and supporting systems will operate outside of the school context. TSANA wishes to ensure that this will be rectified within the Code of Practice and would welcome further discussion on this point.

- e) Similarly, it is essential that the accompanying system for supporting children/young people/families to enter into dispute resolution or to lodge an appeal to SENTW is accessible to the full age range. Consideration will be needed as to how information and advocacy services may be adapted to meet varying needs across the age and ability range.
- f) As outlined in previous discussions with the Welsh Government, TSANA believes that greater multi-agency collaboration is required within the new system. This is particularly important if the system is to be successful in providing a unified 0-25 framework. For example, in the early years of a child's life, it is likely that health services may be a family's initial point of contact. Good communication links between agencies will help to ensure the framework works effectively. To this end, TSANA urges that the reforms must seek to place duties and responsibilities on other agencies in addition to education.
- g) In transitioning from a tiered system to a single IDP for children with all levels of need, it is vital that the structure of the plan will cater effectively for non-complex and complex needs. Essentially, the IDP cannot be a "watered down version of a statement". Establishing a statutory format and guidance for drafting an IDP would help to safeguard against this. TSANA has made some suggestions in this regard within the IDP section of this paper.

4. Person-centred practice (PCP)

4.1. TSANA agrees with the principle of person-centred practice (PCP) and the broad policies highlighted within this section of the background paper. We believe it is imperative that the child/ young person is placed at the centre of planning for their needs.

4.2. TSANA expects that the new process will hold the underlying human rights principle recognising the worth, potential and inherent dignity of children and young people. This

principle should be demonstrated throughout the process from the nature of assessment through to the development of an IDP and the support provided.

4.3. In order to effectively achieve a PCP approach within the new process, TSANA wishes to highlight the following points:

- a) Key staff, in particular those who are to act as co-ordinators for the IDP process, should receive training in disability awareness and in PCP. Such training should have a particular emphasis on how PCP relates to the IDP process.
- b) Similarly, it is important that PCP guidance available to professionals emphasises how the approach should operate within the context of the IDP process.
- c) Specific support systems for children, young people and their families must be in place to ensure they are able to fully participate. Children and young people must be well informed throughout the process and an independent advocate be provided if required. TSANA would welcome a section within the Code on advocacy and would suggest that this includes trigger points to assist staff in identifying when an advocate may be required.
- d) At the start of the process, children/ young people and their families should be supported to understand the IDP process as well as their right to participate and to appeal/complain if they are unhappy as the process progresses.
- e) It is important that children, young people and their families fully understand the proceedings in order to meaningfully participate and information should be made fully accessible to them. Different adaptations will be required depending on individual needs. For example, a child or young person's communication needs must be met, as must any communication needs of the parents.
- f) Children and young people must feel secure in providing honest feedback on the support that they are receiving without fear of causing offence or of retribution. For example, this may require specific consideration of the person who will be supporting the child/young person to participate in the IDP process. In most instances it may be inappropriate to use a teacher as a communication aid when that teacher is involved in a child's regular support. However, in other cases, it may be necessary to use support staff who have an understanding of a child's particular needs and how to make meetings accessible to them. Guidance within the Code of Practice would be useful in this regard.
- g) The dispute resolution service and the appeals service must be equipped to appropriately include children/young people. This includes the availability of age and ability appropriate documents and of appropriate support staff.
- h) If PCP is to be central to the ethos of the new system, TSANA would suggest that allegations that an IDP has not conformed to a PCP approach may be considered within dispute resolution applications or appeals.
- i) The extent to which different children and young people will be able to participate in the IDP process will vary. It would be useful if the Code of Practice were to provide guidance on determining a child/young person's capacity to participate and how to maximise their involvement in the process. Examples of how children with varying levels of need may be supported to access the IDP process would

also be helpful. For example, it may not be appropriate for a child of a young age to sit through a lengthy IDP meeting, but rather to invite the child to a vital section of this meeting.

As another example, some children may not have the capacity to make a decision on which school they would like to attend, but may be able to highlight key points that are important to them in seeking a placement. It is usually possible to gauge a child's reactions to different types of setting.

TSANA would suggest that assessing the competency of a young person to be involved in decision making could be linked to Fraser and Gillick competencies.

- j) Children and young people may often only be aware of the type of support that is currently available to them. A PCP approach to planning should ensure that children are aware of other options that might be available, so that they can express their opinions on the basis of informed choice.
- k) It should be noted that, as the IDP process progresses and the child receives more information about different services or schools, their opinions may change and the process should take this into account.
- l) Any written correspondence should be provided in age appropriate language and the child/young person and their families should be appropriately supported to understand the correspondence. Correspondence must also be available in accessible formats.
- m) While some children may need support in establishing what they would like to say, it is important that those involved in supporting the child do not impress their own personal views. Children and young people should be supported to explore what different provisions or options may mean, but should not be presented with information on these options in a biased way.
- n) Within the PCP process, a balance should be sought between the provision that a child would like and the provision which is considered best for the child's needs. The result of the IDP should always be in the best interests of the child's welfare. The reason a decision has been made should always be explained to the child.
- o) Expectations of children/young people and their families must never be managed in a way that lowers aspirations regarding support or what the child/young person might be able to achieve, but it is important to be honest and realistic. It should be clear to children/young people from the start of the process that although their opinions are valid and will be considered, it may be the case that they are unable to get the result that they would like. Where this is the case, the reasons for deciding on different support should be fully explained to the child/young person, along with details on their right to appeal.
- p) The process of determining support needs or school placements can potentially be stressful. It is important that as part of the PCP process children and young people are emotionally supported if this is required.
- q) Children's opinions may differ from that of their parents or teachers. Consideration should be given to how tensions arising from differing points of view could be managed.

- r) It is important to ensure that the child or young person is not intimidated by the process and that they feel confident and are supported to express their views/opinions/feelings.

5. The IDP

5.1. TSANA believes it is essential that the IDP is regarded as statutory and that the plan clearly identifies the provision the child/young person is entitled to. The child's support needs must be clearly identified to ensure the IDP has integrity as a legal document. In order to achieve this clarity, we recommend that there is a common statutory layout for the plan.

5.2. TSANA also considers that clear guidance on drafting an IDP is essential as this should help to provide a more consistent standard throughout the country.

5.3. **One Page Profile:** TSANA welcomes the concept of the One Page Profile as one of many aspects of a person-centred approach to IDPs. Given the fluid and flexible nature of the One Page Profile, we strongly urge that families and children/young people are provided with guidance and support to understand what type of information may be included within this section. In previous conversations with the Welsh Government, TSANA understood that this role would be fulfilled by a support co-ordinator. TSANA would welcome more information as to whether or not this role is still part of the proposals.

5.4. Given the nature of the One Page Profile, it is important that this information is reviewed and content updated appropriately. Children/young people and their families should be supported to update the profile accordingly and as frequently as required.

5.5. **Record of discussions at the meeting:** TSANA notes that early proposals called for families and relevant professionals to have the opportunity to view each others' comments/assessments in advance of the meeting. We recommend that this would help all parties to plan constructively for the meeting.

5.6. **Priorities and Intended Outcomes:** TSANA agrees that outcomes listed should be SMART (specific, measureable, achievable, realistic and time-bound). We believe that guidance is required to help provide consistency in setting SMART outcomes. These outcomes should be informed by the views of the family and child/young person and the professionals working with them, as well as by assessments.

5.7. The IDP should also include clear information on how the outcomes will be measured. TSANA considers that subsequent measurements against listed outcomes must be shared with families and the child/young person and should form addenda to the IDP.

5.8. **Action Plan:** TSANA agrees it is important to have an action plan in order to meet intended outcomes, and that it should be clear who has responsibility for these actions.

5.9. However, we are concerned about placing short-term actions in the same section as details of specialist provision. TSANA strongly recommends that distinct sections are

included for actions and support/provision. Whilst these sections may help to inform each other, they represent different types of information. Keeping this information distinct will ensure that details of specialist support are clearly identified and transparent.

5.10. This would also safeguard against details of ongoing specialist provision being “lost” as shorter term actions are reviewed. Indeed, some learners with ALN will require ongoing support throughout the entirety of their educational career, for example communication support or specific teaching strategies. Of course, the nature and effectiveness of such ongoing support must be regularly reviewed (i.e. a BSL user may initially require a communication support worker and later a BSL interpreter); but changes to ongoing support resulting from such reviews are likely to be less frequent than changes to short term actions and, as such, could become “lost” if these two sections are combined.

5.11. TSANA recommends that a clear and distinct section is added for summarising specialist provision/support. Such a section must include headings/subheadings on each of the following:

Support:

- Type of support (e.g. Speech and Language Therapist, support and training for school staff)
- Provider and level of support (e.g. Communication Support Worker qualified to minimum of BSL level 3)
- Frequency of support (i.e. daily, weekly, termly)
- Hours/length of sessions (i.e. two hours)
- Which agency is responsible for providing/funding the support

Equipment:

- Any specialist equipment that is required.
- Relevant maintenance details (i.e. ensuring that class teachers are aware of how to change a battery in a radio aid).
- Which agency is responsible for providing/funding, repairing, insuring the equipment.

Adaptations:

- Space to clearly record any other key information around ongoing specialist needs. For example, seating arrangements, adapting font size on learning resources, creating good acoustics for teaching environments.

5.12. TSANA also questions whether the action plan is the appropriate place within the IDP to name a school or placement. Again, for clarity it would be preferable to have a discrete section where a child’s named placement can be outlined. There should also be clear sections to outline transport and boarding arrangements, should this be applicable.

5.13. **Timeline:** TSANA welcomes the idea of including a section to record dates of IDP meetings and other dates relevant to the child’s ALN. We agree that other relevant information could be entered with the agreement of the young person or their parents.

5.14. **Other sections:** In addition to the above sections which are outlined within the Welsh Government background paper, TSANA also considers that the following sections are essential within the IDP:

- a) Description of needs – it is important that clear and succinct information is available on a child’s needs. For example, a child’s level of deafness and whether they are a hearing aid/cochlear implant user.
- b) Child/family’s first language and additional languages
- c) Child/ young person’s date of birth
- d) The name of person with parental responsibility for the child; their relationship to the child; and their contact details
- e) Any key information about the child/young person’s communication needs
- f) Any key information about the parents/carers’ communication needs. It is important that correspondence/meetings with parents/carers meet any access requirements.
- g) Any key information about access needs and adaptations (i.e. seating arrangements). As outlined above, this could be covered as a subheading within a section on ongoing specialist provision.
- h) The names and contact details of professionals and family involved in the plan
- i) The date that the plan was written and the date of the annual review
- j) Include both long-term and short-term actions/objectives within the IDP.
- k) A section on Transitions /Transition Planning. Throughout their education, a child will experience numerous transitions; for example moving to a new class, moving from primary to secondary school, moving on to further education. TSANA believes that the inclusion of a distinct section on transitions within the IDP will help to prompt and facilitate important discussions around how such transitions will be appropriately managed.
- l) As outlined within the “Impact monitoring” section of this paper, TSANA feels it is important to include details of a child’s attainment levels; assessments of how actions from the previous IDP were met; and details of any other assessments which have helped to inform the decision around a child/young person’s provision. Such information is vital for determining whether inputs have been successful, but is also important for transparency and open communication with families.

Additional comments on the IDP

5.15. TSANA agrees with the background paper that IDPs must be written in plain language. It is also important that the document is user-friendly and that any need for accessible formats are met.

5.16. It is important that families are able to request plans and assessments in English/Welsh.

5.17. Consideration should be given as to how the language used within the format of the plan will be appropriate to the broad 0-25 age range.

5.18. TSANA believes that the IDP should also consider a learner’s emotional and social wellbeing. Issues such as feeling isolated or bullying at school can affect a child’s emotional health and may also have an impact on his/her educational progress.

5.19. It is important that an IDP is portable. TSANA believes that families should be able to access the same level of provision in a timely fashion should they move to another authority area in Wales. We would welcome information within the Code in this respect.

5.20. TSANA has expressed concerns over previous versions of the IDP format. These plans seemed vulnerable to personal interpretation and, subsequently, a variation in quality of IDPs. TSANA considers that a statutory layout for the IDP and guidance on writing an IDP are essential. This would help to ensure that IDPs are consistent across Wales and will assist with the legal integrity of the document.

5.21. The views and opinions of children/young people and their families should be clearly recorded within the IDP.

Process for developing an IDP

5.22. The background paper provided by the Welsh Government does not detail the process for developing an IDP. It is imperative that the Code provides clear guidelines on this process and TSANA would welcome further discussion with the Welsh Government about this aspect of the Code. In particular, we would welcome further discussion and clarity around the following aspects of the process:

- a) **Details of requesting/initiating an IDP.** TSANA recommends that families and relevant professionals (i.e. health professionals, teachers, nursery workers) should be able to request that a child or young person be assessed for an IDP. It is imperative that obligations on local authorities to respond to referrals are clearly outlined within the Code and that there is clarity around how the IDP process is initiated.

TSANA would also welcome information on how the IDP process would be initiated in instances where a young person has left school and taken a break from education before deciding to return to FE.

- b) **How the process is co-ordinated.** In early discussions with the Welsh Government and during the pilot phase, it was proposed that each child/young person with an IDP would have a Support Co-ordinator responsible for co-ordinating the IDP process. However, there appeared to be unanswered questions around how the Support Co-ordinator was to be appointed and who may take on this role, particularly outside of the school context. It is important that the Code clearly identifies how the IDP process is to be co-ordinated within the various contexts of the 0-25 age range and TSANA would welcome further discussion with the Welsh Government on this issue.
- c) **Clear timeframes.** It is important that the Code identifies clear timeframes to ensure that the IDP process is timely and that provision is in place as soon as possible. For example, clearly identified timeframes would be required for the time it takes to respond to a request for an IDP; the timeframe in which an initial IDP meeting must be held; timeframes on decisions about whether to fund a specialist placement; a timeframe for circulating the IDP following the IDP meeting; and other such timeframes.

TSANA would welcome the opportunity to discuss timeframes for the IDP process in more detail with the Welsh Government.

- d) **Identifying the professionals who should be involved in a child/young person's assessment.** TSANA strongly recommends that guidance is provided to assist in identifying which professionals are required to participate in a child's IDP process. TSANA would welcome the inclusion of disability specific provision pathways, as formerly discussed with Welsh Government officials.
- e) **Guidelines for IDP meetings.** The Code should set out guidelines for how the IDP meeting is conducted. For example: What should happen if a key professional is unable to attend the meeting? Should they be required to submit written evidence? What should happen if an agreement cannot be reached within the IDP meeting? How to facilitate a person centred meeting.

TSANA considers that IDP meetings may be emotional and intimidating for some parents or young people. It is important that they do not feel "railroaded" into an IDP at the meeting. If the proposal is to draft the IDP at the meeting, TSANA recommends that families have an opportunity to respond to the IDP following the meeting.

TSANA suggests that shortly after agreement on an initial IDP, there is a need to review whether the plan is being implemented smoothly.

- f) **Guidance on transitions.** TSANA would welcome clear information within the Code on planning for key transitions such as moving between early years provision and school, moving schools, or moving on to FE. Such transitional phases need to be appropriately planned for and will require clear timeframes. For example, planning for transition into adulthood and discussion with a young person on future aspirations around further education and employment should commence no later than Year 9.
- g) **Reviewing an IDP.** TSANA understands that the IDP is to be reviewed at least annually. The Code of Practice must stipulate a minimum requirement for the frequency of review.

TSANA would also strongly recommend that parents, children/young people, or professionals are able to request a review before the end of the year if the provision or objectives in the IDP are deemed to be inadequate. Otherwise, an individual's progress could suffer.

We would welcome discussion with the Welsh Government around the guidance provided in the Code on how reviews will operate.

- h) **Delegation of responsibilities to schools/ agreeing funding and responsibilities.** From previous discussions with Welsh Government representatives, TSANA understands that local authorities will be able to delegate responsibilities for drafting and maintaining IDPs to schools. In light of this, it is imperative that the new Code of Practice provides clear protocols and thresholds for the delegation of such

responsibilities. As previously discussed, TSANA feels strongly that the involvement of a local authority and specialist staff is required for assessing low incidence needs and arranging specialist support for such needs.

Protocols would also be useful for agreeing multi-agency funding for provision.

- i) **Rigorous Assessment.** TSANA recommends that the Code emphasises the need for IDPs to include appropriate assessments of a child/young person's abilities and the functional impact of needs. Where appropriate, particularly in the case of low incidence needs, these assessments should be conducted by specialist professionals and encompass the relevant multi agency team.
- j) **Information on how IDP process would operate in various contexts.** The Code must provide clear guidance on how the IDP process will operate within various contexts, including pre-school years, school, FE and those who are educated other than at school/college.
- k) **Multi-agency co-operation.** TSANA acknowledges the importance of multi-agency working. It is important that the Code places clear expectations on agencies for collaborating and sharing information within the IDP process. TSANA would also welcome further discussion with the Welsh Government around multi-agency funding.

6. Impact monitoring

6.1. TSANA notes that this area of work is being undertaken by a different department. As such, TSANA would welcome the opportunity to meet with the relevant officials to discuss these plans in more detail.

6.2. The points within the background paper around impact monitoring relate to monitoring the progress and effectiveness of IDPs for individual learners. However, TSANA considers that there is also a need for wider impact monitoring and quality assurance on a larger scale. Therefore, we have divided this section of our paper into two sections; Individual Impact Monitoring and Wider Impact Monitoring.

Individual Impact Monitoring

6.3. In the interests of transparency, TSANA strongly recommends that information on the effectiveness of interventions and any information used to support decisions around an individual's provision be made available to families and the child/young person. TSANA considers that such information should be recorded within the IDP.

6.4. The background paper outlines proposals for the minimum information required in measuring outcomes listed in an IDP. TSANA would add that the proposed measurement of "red, amber, or green" must be accompanied by an explanation of why such a measurement has been made. For example, if an "amber" measurement is

awarded, it is important to understand what the child has achieved and which aspects of the outcome have yet to be reached. Without such an explanation a “RAG” measurement could be open to misinterpretation. TSANA believes that information on a child’s academic performance or assessment results would also provide important evidence for measuring an outcome as “red, amber or green”.

6.5. In addition, TSANA seeks assurances that it will be clear to children and young people, as well as their families, that such a “RAG” measurement is a judgement on the success of an intervention and not a judgement on the individual.

6.6. TSANA recommends that the outcomes within an IDP be reviewed regularly, and not just annually.

6.7. In assessing the impact of a child/young person’s provision, TSANA feels it is important to enable families and the child/young person to express their views and for these views to constitute a valid part of the assessment of outcomes. TSANA understands that within the early pilots, Flintshire was developing such satisfaction surveys and we would welcome an update on the stage of development of these resources and their effectiveness in situ.

6.8. The Code must also provide guidance on the steps that should follow impact monitoring and how monitoring should be utilised to inform further actions/outcomes.

Wider Impact Monitoring

6.9. TSANA suggests that the following points could be considered in monitoring the effectiveness of ALN systems regionally and across Wales:

- a) The views of children/young people with IDPs and their families should be sought in reviewing the effectiveness of ALN systems and services. Families and children/young people must be able to express their views in a way that is accessible to them and without fear of retribution.
- b) TSANA considers that Estyn has a role to play in ensuring that bodies are meeting ALN needs and that ALN services/provision and IDPs are working effectively. TSANA would welcome discussions around inspection frameworks in this regard.
- c) TSANA considers that local authorities have a key responsibility to ensure that IDPs are working effectively. This is particularly important if, as previous background papers provided by the Welsh Government have suggested, local authorities are to delegate some of their responsibilities. We are aware of work undertaken by Caerphilly County Borough Council as part of the initial ALN pilots, which developed a database to help local authorities monitor the impact of ALN support.
- d) We believe that Regional Consortia also have a role in reviewing support for children and young people with ALN, intervening when support is deemed inappropriate.

- e) TSANA strongly recommends that schools, FE institutions, local authorities, regional consortia and Welsh Government, hold information on the attainment of children and young people by ALN type. Where it is deemed that children and young people with a particular ALN type are underperforming, there should be a duty to intervene. In recent years, data collation by ALN type has improved for Key Stage assessments at foundation phase through to GCSE level. However, collation of such data for post-16 learners is poor. TSANA also understands that under the Donaldson Review, the way in which attainment is monitored could drastically change.
- f) TSANA recommends that information on the number and type of appeals/dispute resolution cases are collated and published on an annual basis. This information should be presented to regional consortia and the Welsh Government, with further investigation taking place where there appears to be a consistent pattern to appeals/complaints/disagreements within a local area.

7. Involving Children and Young People

7.1. TSANA agrees with the points raised under this section of the Welsh Government's background paper. It is essential that children and young people are empowered by the new ALN system and that they are able to input in an active and meaningful way to the support they receive.

7.2. In order to achieve meaningful participation in this way, it is imperative to consider how all aspects of the new ALN process will be accessible to children and young people of all ages and of varying abilities. Children and young people will require specific support and advice to have a genuine part in the IDP process. This does not just include the process of developing the IDP, but also dispute/resolution services, the appeals process, and systems for monitoring impact.

7.3. TSANA believes that key professionals involved in the IDP development/dispute resolution/appeals process will require disability awareness training and PCP training and guidance. Such guidance should highlight different participation issues that may need to be considered depending on the individual's needs. For example, considerations around a child's capacity to participate; ensuring information is accessible; and meeting any communication needs.

7.4. While TSANA agrees with the background paper that learners should be encouraged to become more confident in setting targets and tracking their progress, we would state that this should be as key participants of the IDP process. Continued assessment and involvement of relevant professionals will be required to help ensure that IDPs are providing effective support for a child/young person at all times.

7.5. Please refer to our comments under the heading "Person-centred Practice" for more detail on TSANA's views on working with children and young people in a meaningful way.