

Jeremy Miles AS/MS
Gweinidog y Gymraeg ac Addysg
Minister for Education and Welsh Language

Julie Morgan AS/MS
Y Dirprwy Weinidog Gwasanaethau Cymdeithasol
Deputy Minister for Social Services



Llywodraeth Cymru
Welsh Government

Jayne Bryant MS
Chair
Children, Young People and Education Committee
Welsh Parliament
Ty Hywel
Cardiff Bay
CF99 1SN

30 August 2023

Dear Jayne

IMPLEMENTATION OF EDUCATION REFORMS

Thank you for your letter of 17 July regarding the outcome of the Children, Young People and Education Committee's summer 2023 check in on the above reforms.

We would like to thank the Members of the Committee for their continued work on the implementation of our education reforms. Detailed responses to your letter on the specific issues raised is set out in the attached paper.

Yours sincerely,

Jeremy Miles AS/MS
Gweinidog y Gymraeg ac Addysg
Minister for Education and Welsh Language

Julie Morgan AS/MS
Y Dirprwy Weinidog Gwasanaethau Cymdeithasol
Deputy Minister for Social Services

gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Welsh Government Response – CYPE Committee

Implementation of education reforms

1. General issues

1.1 Workload pressures facing staff implementing the reforms

We are listening and responding to the pressures that delivery partners are facing to roll out the ALN system and are fully committed to tackling workload. We continue to work collaboratively with education unions, Estyn, local authorities (LAs) and education consortia to find ways to reduce workload and eliminate unnecessary delivery pressures. As set out in the 13 July [Written Statement](#) on reducing workload and bureaucracy for school staff we have constructive agreement on actions to take forward.

We are alert to concerns about the increased workload placed upon Additional Learning Needs Coordinators (ALNCo) and the need for headteachers, governing bodies and management committees to ensure sufficient time and resource is given to ALNcos to undertake their responsibilities effectively. The ALN Code makes clear that the designation of an ALNCo does not remove the responsibilities of the wider workforce.

We have already taken action to support workforce pressures by extending the ALN implementation period by an additional year and substantially increased the funding for schools to support the role of the ALNCo. The ALNCo Task and Finish group, made up of practitioners and trade union representatives, has met five times. A final report, with recommendations, is expected by the December 2023 deadline set by the Independent Welsh Pay Review Body. We will share the group's recommendations with the Committee.

1.2 The amount and quality of professional learning provided

~~Developing high quality teaching and leadership~~ through guaranteed career-long professional learning and support for all staff is central to the realisation of our vision for education in Wales and is one of the five enabling objectives in '[Our national mission: high standards and aspirations for all.](#)' We will be announcing new arrangements to quality assure professional learning in Wales in September.

To ensure equity of access to professional learning opportunities, work is also underway to develop a new professional learning area on our online education platform, Hwb. This will provide a single point of access to high quality, easily navigable professional learning resources that will contribute to education professionals' continued development and support our education reform journey in Wales. In May, we established a Practitioner Reference Group to ensure that this

approach is developed by practitioners, for practitioners, to meet the needs of the whole school workforce and ensure that an ongoing, national focus on the core priorities of the CfW, ALN reform, equity and the Welsh language is maintained.

2. Curriculum

2.1 Children and young people's mental health – whole school approach

The CfW has five mandatory statements of what matters in the Health and Well-being Area and includes mental and emotional well-being. These encompass the different aspects of or influences on learners' health and well-being. They are designed to be used holistically in learning, recognising that these are all interconnected. These statements may also offer a basis for schools' thinking about their wider whole school approach. This is of course a new approach and we are working with practitioners and stakeholders, most notably Public Health Wales to identify needs and ensure that schools have the support needed to embed this new Area of the curriculum. This is an important step change, meaning that mental and emotional well-being is mandatory learning within all schools' curricula, at all stages of learning.

The [statutory guidance](#) for the curriculum, which all schools must consider is very clear about the importance of the interdependencies between the curriculum and a whole school approach:

“the curriculum should be both underpinned and supported by the whole-school approach as the two go hand-in-hand. A whole-school approach to health and well-being should pervade all aspects of school life and be supported by school policies and practices. If there is not alignment between the two then learning in the Area would be compromised.”

The guidance in the Health and Well-being Area of Learning and Experience was co-written by professions with the whole school approach in mind.

We have shared with the Committee research undertaken during the 2022/23 academic year on the early implementation of the CfW. In the [wave 1 report](#) senior leaders referred to examples of how the curriculum enabled their settings to provide a richer, learner-centred curriculum for learners with a greater focus on well-being. Leaders in special schools and Pupil Referral Units (PRUs) in particular valued the increased flexibility and autonomy offered by the CfW, and the ability to focus on learner health and well-being and experiential learning opportunities. We have also undertaken focus groups with learners to explore well-being and the extent to which they feel excited and motivated by the CfW, which we also expect to contribute to well-being outcomes. These findings will be published in the next 'wave 2' report in September.

The duty in Section 63 of the Curriculum and Assessment (Wales) Act 2021 provides an important link between learning in the curriculum and schools' whole school approach to mental health: ensuring schools consider how mental health and emotional well-being might be impacted by a range of curriculum decisions. Engagement with this duty will be monitored as part of our Formative Evaluation programme, which will commence this autumn. The details of this programme are

outlined in the [Curriculum Evaluation Plan](#) published on 5 July. We continue to work closely with the profession, supporting partners and Estyn to understand how the schools are engaging with the duty and what, if any, further support they need.

As part of our broader evaluation programme, we will also use Schools Health Research Network (SHRN) data to help us understand any changes in learners' well-being over time.

2.2 Welsh in education workforce

Increasing the number of teachers able to teach Welsh or through the medium of Welsh alongside developing the Welsh language skills of all practitioners continues to be a priority.

In April, the [Oral Statement](#) outlined progress made in delivering the Welsh in education workforce plan during its first year. There is still a lot to do, and we will continue to work with our partners to move towards our Cymraeg 2050 ambition.

2.3 Importance of cluster working

We agree strongly on the importance of cluster working and collaborative working initiatives. As set out in the [oral statement](#) on 11 July, this collaboration is vital for both curriculum implementation, ALN and our broader school improvement agenda, underpinned by the School Improvement Guidance. Collaboration is the basis for a self-improving system, both within and between clusters. Our work on school improvement is, in many ways, to promote educational partners to build collaboration and cluster working effectively, to support progression but also more widely. There is some excellent practice across Wales and we are keen to ensure that all our partners are focused on enabling schools to achieve this. The Welsh Government will continue to support collaboration to build coherent approaches to curriculum design and improvement as well as ALN implementation.

Practitioners, within their school or setting (funded non-maintained setting, PRU, other EOTAS providers), across their cluster, and with other schools beyond their cluster are required to make arrangements to support on-going professional dialogue between practitioners within their school/setting to develop and maintain a shared understanding of progression across the relevant curriculum. The relevant section of Curriculum for Wales guidance, entitled [Shared understanding of progression](#), and the related [Direction](#) are both published on Hwb. The process of developing a shared understanding supports practitioners to establish joint expectations for how learners should progress and how to ensure coherent progression for learners throughout their learning journey. This dialogue informs their relative expectations for progression, to ensure coherence and equity between schools.

We are focusing our efforts on producing and updating both guidance and resources to support this priority. We are refreshing the [Curriculum for Wales: Journey to Curriculum Rollout](#) guidance, and will consult on this in the autumn. This refresh aims to clarify expectations and promote consistency between schools.

This will be supported by new materials designed to facilitate cluster collaboration, including those developed by the Camau i'r Dyfodol project, which will be published in

September.

3. Additional learning needs

3.1 Implementation of the ALN system and eligibility for IDPs

Implementation of the ALN system

We are alert to the concerns, including the reduction in Special Educational Needs (SEN) / ALN learners since implementation began, ensuring decisions are taken in the best interest of learners and ensuring appropriate balance of responsibility between schools and LAs.

Together, the CfW and the ALN Act seek to transform the expectations, learning experiences and outcomes for children and young people. A school's curriculum should raise the aspirations for all learners and respond to individual needs, and it should therefore support the identification, planning and progression for learners with ALN. The [school improvement guidance](#) outlines the expectations for schools, LAs, Estyn and others in contributing to this.

Our officials are working closely with Estyn to explore the challenge of learner need being met throughout their inspection and thematic activities. Estyn has a core role in improving the quality of education and training and outcomes for all learners in Wales. Estyn has conducted a thematic review on ALN implementation during 2023 to encourage wider thinking and share effective practice. It is due to report in September and provide recommendations for further attention and support.

Through its inspections of maintained settings and local authorities, Estyn is continuously evaluating the outcomes and provision for learners who have additional learning needs, and settings' approaches to ALN and inclusion. This is demonstrated in their [Guidance for Inspectors](#) and is underpinned by [Supplementary guidance on additional learning needs](#) to support inspectors.

As we move into the third year of ALN implementation, we will also continue to seek feedback from the sector, families and wider stakeholders. Alongside this, a 4-year evaluation of the implementation of the ALN system is underway. This will provide key insights and evidence to enable us to monitor and identify emerging impacts of the new ALN system on learners with ALN/SEN, and about the impact of curriculum reform upon it.

Communicating early insights on implementation to date

We wrote to LAs in June to share early insights on what's going well and what needed to improve taken from a range of sources. This included: inconsistency and ambiguity around the responsibility for maintaining an Individual Development Plan (IDP) (school or LA) especially when a school has a specialist resource base; identifying what constitutes ALP within an IDP due to the legal complexities of the IDP; and clarity around the local authority's function in maintaining IDPs.

The autumn term will be a key juncture to take stock of progress, further trends and insights on pace, consistency of implementation, movement of learners, reductions in SEN / ALN numbers and recommendations for further attention and support. We anticipate having by the autumn, early insights from the Education Tribunal for Wales, Estyn's ALN Implementation thematic, and Estyn's Annual Report of summary findings from their work across education and training during the 2022/23 academic year. We also anticipate receiving an initial report covering the scoping phase of the ALN system evaluation. The report is expected to include a Theory of Change and will be informed by interviews with policy and sector representatives and evidence synthesis.

We will be writing to LAs in the autumn to share trends, insights and national and LA level data, to remind them of their responsibilities, including the need to publish a Principles Document.

We will also be meeting LAs through the Association of Directors of Education in Wales ALN / School Improvement Subgroup in September and hosting a seminal policy workshop with LAs during the autumn term to distil the analysis of data and evidence and explore the progress, trends and patterns to ALN implementation to date.

It remains difficult to anticipate the future trajectory in terms of ALN numbers, both during implementation and while our reforms bed in. The most important point is that learners are getting the support they need to thrive. The Welsh Government's policy intent remains that all children and young people with ALN should have an IDP (in the case of a young person, if they consent to having an IDP).

3.2 Intermediate categories of learners between universal provision and Additional Learning Provision

The CfW is designed to empower schools to meet the needs of their learners, providing them with the flexibility to provide the differentiated teaching and learning experiences needed to support this.

We are listening to practitioners and recognise that they continue to capture data and information on the needs of learners beyond those with ALN.

Following the January [statement on school improvement and information](#), we are now engaging with settings to develop thinking on a new information ecosystem for Wales. This approach will move us towards a more holistic system that promotes learning and puts learners, practitioners, parents and carers at the centre. The ongoing data capture related to previous SEN learners in the School Action categories will form part of this work.

3.3 Responsibility for IDPs between local authorities and schools

LAs are responsible for maintaining IDPs for children and young people with ALN that calls for ALP it would not be reasonable for the school governing body to secure. [Chapter 12 of the ALN Code](#) provides clarity and guidance to LAs on how they should determine whether it is reasonable for a school, PRU or the LA to secure the ALP required by a child or young person.

As you have referred to in your letter, LAs are also required to establish and publish a set of principles they will apply when determining whether it is reasonable for a school or PRU to secure the ALP required by a learner or whether the LA ought to do so. These principles should be established in consultation with schools maintained by the LA, FEIs in their area, and any other persons LAs consider appropriate. These Principles Documents should be used to inform LA and schools' decision making-process.

Work is underway in those LAs who have not yet published their Principles Documents, to do so during the next academic year. The Welsh Government will be writing to LAs in the autumn to remind them of their responsibilities under the ALN Code.

4. Joint working between local government and health

The ALN system aims to improve collaboration and information sharing between agencies to ensure children and young people's needs are identified early and receive the right support to achieve positive outcomes.

All Health Boards are committed to interagency working and have appointed Designated Education Clinical Lead Officers (DECLOs). The coordination of health input to the ALN process is led by the DECLOs, who work within Health Boards to establish procedures to ensure appropriate and timely responses across Health Boards for requests from education for assessment, and provision of agreed ALP.

They are promoting the Person Centred Planning (PCP) approach across health and education, and have established good working relationships. They are focused on developing key performance indicators for reporting on progress towards ensuring appropriate provision for children and young people with ALN who would benefit from health ALP.

Significant efforts are being put into multiagency working. All Health Boards are committed to providing as much support as is practicable to Local Authorities and schools and collaborating with them to understand how best to support individuals and their families.

Some operational/bedding in concerns have been identified, but there are structures in place to strengthen the expectation of good quality interprofessional working between jointly accountable bodies in education and health. The expectation is that ALN statutory timeframes must be met unless there are exceptional circumstances or there is an agreed delay for additional information in complex cases. Officials in Health and Social Services are working with DECLOs to strengthen KPI's and monitoring mechanisms.

As you've noted in your letter, a medical diagnosis is not required to access support in education or to inform a decision on a learner's additional learning needs. The preparation of an IDP by the school, is based on presenting needs identified by person centred planning. IDPs are reviewed annually and present multiple opportunities for health input.