

Elin Jones, AM  
Llywydd  
Chair of the Business Committee

Dear Elin

25 November 2016

### **Additional Learning Needs and Education Tribunal (Wales) Bill: Proposed Timetable**

Thank you for your letter of 23 November enclosing the proposed timetable for the Additional Learning Needs and Education Tribunal (Wales) Bill.

The Children, Young People and Education Committee considered the timetable at its meeting on 24 November. The Committee notes that the 12 working weeks allocated to Stage 1 meets the usual timetable for Bills, but has serious concerns relating to the time allocated for scrutiny of the Bill and the related Code of Practice.

Section 4 of the Bill will require Welsh Ministers to issue a Code of Practice, which will underpin the provisions set out on the face of the Bill. If both the Bill and its Code were available on introduction, the timetable would be acceptable to the Committee. However, the Committee understands that the Code will not be published by Welsh Government until mid-February, and if this is the case, the proposed timetable does not appear to take account of that.

It will be extremely difficult to effectively scrutinise the Bill itself without sight of the Code, and the Committee believes that the Bill and the Code should be published and made available for scrutiny at the same time. If there is a delay in publishing the Code, then a revised Bill timetable should be considered to help ensure effective Stage 1 scrutiny.

### **Time available for Committee scrutiny**



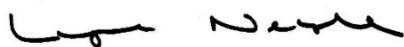
It is vital that sufficient time is available for consideration / scrutiny of the Code. Working back from the proposed Stage 1 deadline of 7 April, and taking into consideration the time necessary for preparing and publishing our Stage 1 Report, the Committee would only have 3 or 4 weeks for consideration and scrutiny of the Code. Engagement with stakeholders & practitioners and more crucially parents, carers and young people, will play a key part in the evidence gathering process at Stage 1. The limited time available for consideration of the Code would be detrimental to that evidence gathering, and will very much compromise Stage 1 scrutiny of the Bill.

The Committee recommends that the Welsh Government considers the proposed timetable, taking account of the concerns above, and extends the time available for Stage 1. The Committee would suggest a deadline for Stage 1 Committee consideration of 12 May. This would add two working weeks to Stage 1, but in maximising the full use of the Easter recess, would potentially provide an additional four weeks for extended public engagement on both the Bill and the Code.

The Committee acknowledges that this may have a knock on effect on the later stages of the Bill, but without full and effective Stage 1 scrutiny, we are concerned that the later amending stages could be more difficult to manage. The added time at Stage 1 could therefore be saved in part during the later stages.

The Committee would be extremely grateful if Welsh Government could give early consideration to revising the timetable, or alternatively, ensuring that the Code of Practice was made available at the time of introduction.

Yours sincerely



**Lynne Neagle AC / AM**  
Cadeirydd / Chair

