

SEN Practice: Who leads the way?

**Sacha Jarvis
University of Wales Trinity Saint David**



According to Donaldson (2017), reform in education is a priority on Government agendas throughout the globe. The Additional Learning Needs and Education Tribunal (ALNET) (Wales) Act 2018 is the new statutory support system for children and young people with special educational needs living in Wales (Legislation.gov.uk, 2018). The Act has drafted a new code to replace the Special Educational Needs Code of Practice for Wales, with a new reformed and updated system (Williams, 2021) underpinned with 11 aims (Welsh Government, 2018b). In England, changes have also previously been made to their Special Educational Needs (SEN) system (Shine, 2018) with the Special Educational Needs and Disability Code of Practice coming into force in September 2014 replacing the SEN Code of Practice 2001 (GOV.UK, 2014a). The Code however was further amended in 2015 to echo the changes brought in by the Children and Families Act 2014 (HCB Solicitors, no date a). Objectives of the reform in England was for children's needs to be identified earlier, families to be included in decisions, and better collaboration with health and social care services (Department for Education, 2019a). Devolution in the UK has allowed Wales, Scotland, and Northern Ireland the freedom to follow their own legislations and educational policies separate from England, making four very diverse systems (Civil Service, no date; Oxford Open Learning, no date). Reforms in education can raise both challenges and opportunities for practitioners when implementing new systems to support children (Palikara et al. 2018, p. 1).

A key issue with the previous Special Educational Needs Code of Practice for Wales was that it was very outdated, as it came into practice in 2002 (Welsh Government, 2017b; Welsh Government, 2004). In addition to this, Welsh Government (2004) maintains that it no longer meets the needs of children and young people in today's society. The Welsh Government (2020b) maintains that the new Act together with the code and regulations made under the Act will establish a legislative framework to better the planning and delivery of provision, with an individualised approach to recognise children's needs early, implementing efficient support and monitoring, to improve outcomes for children and young people (Welsh Government, 2021a). The legal responsibilities shaped by the ALNET (Wales) Act 2018 are to begin on a phased basis from September 2021 (Nicholson, 2021). The Welsh Government (2020b) points out that approximately 22% of learners in maintained schools in Wales have Additional Learning Needs (ALN) and their academic achievements compared to other learners is poor. However, they maintain that the new reform will support practitioners to administer a fully inclusive education to all learners, so that they can reach their full potential (Welsh Government, 2020b).

An implication of the new reform for practitioners is that current Special Educational Needs Coordinators (SENCo) in Wales will become an Additional Learning Needs Coordinator (ALNCo) (National Deaf Children's Society, 2017). According to ALN Wales (2019), the SENCO has always played a vital role in making sure that children and young people with special educational needs and disabilities in their setting obtain the support needed. However, over time SENCOs roles and responsibilities have expanded. Therefore, the new ALNCo role has been developed further with a larger workload (ALN Wales, 2019).

According to one local authority in Wales, the person taking on the role should be appointed as a senior member of staff (Pembrokeshire County Council, 2019). The ALNCo will acquire extra responsibilities such as identifying learners with ALN, devising Individual Development Plans (IDPs), securing relevant services for children, keeping up to date with current legislation, policies and procedures, to contribute to staff training (Welsh Government, 2018a). The ALNCo, being a senior member of staff, has advantages such as having a high status within the setting, which should enable them to carry out their role efficiently (Provision Map, 2019) as they have a high

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level of responsibility (Edwards, 2017). However, this could further impact on ALNCoS, as the National Association of Schoolmasters Union of Women Teachers (NASUWT) (2021) indicate with current surveys that ALNCoS already have substantial teaching obligations, with 81% of ALNCoS reporting that they have inadequate time to satisfy their ALN role and responsibilities. NASUWT (2021) suggests that ALNCoS are already finding the workload strenuous, causing apprehensions about teacher's wellbeing. According to Mentally Healthy Schools (no date) it is important for education staff to be given support for them to ultimately fulfil their role, enabling them to support the children and young people in their care. The Additional Learning Needs and Education Tribunal (Wales) Act 2018 maintains that the ALNCo should have appropriate time to meet their duties, with set time away from the classroom, however this is just a guideline by the government (Welsh Government, 2018a).

In addition to this, the Welsh Government (2020a) maintains that the person appointed must have the necessary qualifications to carry out the ALNCo duties. However, the regulations state that the person appointed must only be registered as a teacher with the Education Workforce Council (EWC) or can be appointed without being a teacher if they were a Special Educational Needs Co-ordinator prior to the new regulations, which does not signify a need for an in-depth knowledge surrounding ALN. In relation to this, the Minister of Education has stated that there will be training for ALNCoS to support them with the extra responsibilities of their role (Williams, 2020). However, HCB Solicitors (no date b) argues that the details of training are still uncertain and the standard of training for the ALNCo may differ in each school, certainly, if the levels of training is left to the responsibility of the school. Estyn (2018) supports this by stating that only a small number of schools in Wales prioritise training on Special Educational Needs. This could leave practitioners unable to carry out their roles efficiently and effectively, causing irregularities in the levels of support delivered to pupils (Busby, 2016).

In England, Special Educational Needs Coordinators (SENCoS) also take on a vital role in organising and leading the provision for children and young people with Special Educational Needs and Disabilities (SEND) in school settings (Department for Education and Department for Health, 2015). According to GOV.UK (2014b), this is echoed in the SEND code of Practice and it is a requirement that schools must have one; likewise in Wales. The National College for Teaching & Leadership (no date) point out that in England if a SENCo has been appointed after the 1st September 2008 and has never been appointed a SENCo role for more than 12 months previously then they must achieve the National Award for Special Educational Needs Coordination (NASENCo) within 3 years of appointment.

Children with SEN have a right to education which meets their needs (Unicef, 1989; National Council for Special Education, 2014), and according to Best Practice Network (2021), by SENCoS taking on the specialised award it could advance their practice whilst gaining a deeper knowledge of SEN to support the children in their care. This is supported with an evaluation of the impact and effectiveness of the NASENCo. Here, the results from a survey of 1,109 SENCoS, school leaders, and teachers indicated that trainees of the award valued the training and specifically identified that it supported them with developing their knowledge in policy and theories relating to SEND to aid them in their practice (Passy et al., 2017). However, a survey report on SEN by NASUWT (2018) indicated that SENCoS in England felt that the workload for the award was large, forcing SENCoS to study and train at weekends and in their holidays outside their paid working hours. In addition to this, the Government initially contributed funds to support SENCoS to train in the award although funding for the award has now been stopped meaning schools or individuals

are left to fund the training. This could suggest that the concern of the unpaid added workload and cost of the training could deter teachers from taking on the role (NASUWT, 2018).

Another change being implemented by the ALNET (Wales) Act 2018 is that Statements of Special Educational Needs and Individual Education Plans (IEPs) will both be replaced by an Individual Development Plan (IDP). This will be a legal document which creates a unified plan for children with ALN (National Deaf Children's Society, 2021) which implements equal rights for all children and young people in terms of legal rights, whatever the level of ALN (Welsh Government, 2019). An article by Tickle (2017) highlights the vast cost of the current process of statementing children, and the length of time taken to prepare for the process of obtaining one in Wales. England is much the same and has 430, 000 children and young people with an EHCP (GOV.UK, 2021b). According to an Evaluation of the Special Educational Needs and Disability Pathfinder Programme, it indicated that staff costs of the SEN Statementing process for children in England and the cost of the schools and professionals gathering the information in the planning process can be costly and vary considerably across Local Authorities in England (Craston et al., 2014).

The Welsh Government maintains that the IDP will be a more simple way of meeting the needs of children with ALN, with a more responsive system (Snap Cymru, no date). The IDPs will be the responsibility of the ALNCo, teachers, and practitioners in schools for most children, but children and young people with more complex needs will have an IDP maintained by their local authority (Cerebra, 2017b). However, results of an IDP testing phase from a Welsh Government pilot project, indicated that over half of the practitioners involved in the trial specified that the IDP was notably more time consuming than the current process. Furthermore, ALNCoS argued that the process would only be practical for ALNCoS who had adequate ALN time and clerical support (Welsh Government, 2014b). An example of the workload in regard to implementing the IDP, schools will need to increase from just over 20,000 children and young people with a statement of educational needs, to over 100,000 children and young people with ALN who all will need and be entitled to an IDP (Stats Wales, 2020).

According to Snap Cymru (no date), IDPs will be fundamental in the way practitioners assess and meet the needs of children and young people with ALN in Wales, and the ALNCo must ensure that all learners with ALN in their setting have an IDP (Welsh Government, no date). The IDPs will have a clear action plan that must be reviewed annually; however, the child or child's parents can request a review at any point which must be conducted, unless the setting deliberates that the review is needless (Welsh Government 2018a). According to the Welsh Government (2014a) practitioners who piloted the IDP, claim that an IDP review meeting took much longer than previous statement and IEP meetings. The meetings were also held more frequently. Due to the lengthy times of the process, practitioners pointed out their fears of coping with the extra workload, especially schools in Cardiff and Newport, who emphasised significant concerns regarding how manageable the new process is (Welsh Government, 2014a).

In addition to this, there are further concerns from Cerebra (2017a) that there is no national template for IDPs meaning that schools and local authorities could interpret the guidelines differently, which could cause inconsistencies across Wales. The National Autistic Society Cymru (no date) supports this with their response to the Act, stating that they would 'strongly' recommend the use of a national IDP template for Wales. This would help ensure consistency and portability for transition to new settings, as the IDP will be used for children and young people from the age of 0 to 25 (Snap Cymru, no date). However, Estyn who are the education and training inspectorate for Wales welcomes the change of the statutory IDP stating that the Act provides a

suitable legal framework for the preparation, maintenance, and reviews for practitioners (Estyn, no date).

In England, the SEN system brought in new statutory documents called Education Health and Care Plans (EHCPs) to replace their previous statements. However, these plans will only be in place for children with severe and complex needs (Welsh Government, 2019) as opposed to Wales who have implemented legal rights to all children within the education system who have ALN (Welsh Government, 2018a). Instead, England has replaced School Action and School Action Plus children with a graduated approach for 'SEN Support'. It is now mandatory for settings in England to keep records of children's progress in relation to the SEN Support that must be put in place for them (Department for Education and Department for Health, 2015). However, according to the National Deaf Children's Society (2014) there is no legal written document that must be implemented for the children with less complex ALN needs and the decision of how to assess, plan, and review for the child is left to the school. This could be a concern as GOV.UK (2021a) reported around 1.4 million pupils in schools in England have been recognised as having SEN with varying needs, but only 270,800 of them having legally enforceable entitlements by holding an EHCP (Department for Education, 2019b). With Ofsted (2021) maintaining that there are varying interpretations of practice by professionals, schools, and authorities across England the Department for Education (2019a) claims that this is a 'huge concern' that suggests some children are not being supported effectively, especially those without an EHCP.

The new Act in Wales also maintains a bilingual system (Welsh Government, 2018a). The Act states that in some cases, Additional Learning Provision (ALP) and/or services for children and young people, may need to be provided in Welsh, for the support of children to be as effective as possible (Welsh Government, 2020b). According to the Welsh Government (2018a) professionals and practitioners have a duty to take all reasonable steps to secure support in Welsh where needed and should specify this on the child's IDP. In addition to this, applicable people involved with the child or young person need to fulfil any Welsh language responsibilities when exercising functions within the ALN reform (Welsh Government, 2018a).

According to Heuvel et al. (no date), however, research collected cooperatively by the Welsh Language Commissioner and the Children's Commissioner for Wales, indicated that Local Authorities are having difficulties providing Welsh medium support for children with ALN, particularly for children and young people with Autism, Speech and Language Difficulties, and behavioural difficulties. Even though the Act aims to treat the Welsh language equally to the English language (Welsh Government, 2018a), an anonymous response from a Member of the Children Young People Select Committee (no date) pointed out that this will rely upon the formation of a bilingual workforce in Wales, where an equivalent workforce is given to both Welsh and English. The National Deaf Children's Society Cymru (2019) also highlights this area of concern, claiming that deaf learners have difficulties attaining an ALP in the medium of Welsh. Houston (no date) also agreed stating that although the Act is a vital step in upholding Article 30 of the UNCRC in Wales, which safeguards the rights of children and young people receiving education through their preferred language, there is a shortage of practitioners, provisions, and specialist support in some parts of Wales, which could mean an added workload for those professionals who do speak Welsh (Houston, no date).

The Act states that The Welsh Language Commissioner can deliberate complaints regarding organisations in Wales who fail to adhere to the appropriate Welsh language standards, for children and young people, under the Welsh Language (Wales) Measure 2011 (Welsh Government, 2018a). However, according to Heuvel et al. (no date) there are already concerns

in relation to insufficient numbers of Welsh speakers in the Welsh Education workforce, including Educational Psychologists, teachers, and providers of specialist support such as speech and language therapists. Heuvel et al. (no date) recommends more training for the education workforce in Wales to support practitioners to meet the needs of children and young people who have ALN, in their preferred language of Welsh.

The Welsh Language Commissioner (2017) has also identified that assessments used by professionals to assess ALN are not accessible via the medium of Welsh. Few local authorities have been able to translate standard assessments, although they have not been validated for accuracy, and even then, there are limited staff who can perform them in Welsh. However, the Welsh Government (2017a) has identified the need of having Welsh speakers in Wales and aims to reach a million Welsh speakers by 2050. According to the Welsh Government (2017a) to achieve this, a priority is to develop robust language skills in the education workforce of Wales, with training in the Welsh Language. This will professionally develop practitioners and give them opportunities to support the demand of the Act needing Welsh speakers.

According to England's SEND code of practice, identifying and assessing SEN for children who are not first language English speakers entails precise care in the way that practitioners should look at the child holistically in their learning and development to determine if their shortfall of progression is because of their lack of communication in English or if it ascends from a SEN or disability (Department for Education and Department for Health, 2015). Drummond (2014) notes that support for English as an Additional Language (EAL) learners varies in school across England, with some schools able to access expert support from their Local Authorities and others not able to access support at all. This could suggest a lack of professionals trained to work with EAL children and the impact it can have on accuracy of assessing the needs of the child. Furthermore, according to Tan et al. (2017) there is a lack of research in the UK regarding children with both EAL needs and SEN, although fifteen percent of pupils in state-funded schools in England who are EAL learners have SEN. Results from a study by Tan et al. (2017), who researched pedagogy for ethnic minority pupils with SEN in England, indicated that there was a need for further training and a need for working together between professionals in the fields of EAL and SEN in educational practice.

To conclude, some key issues have been identified in relation to the Act which are a heavier workload for ALN Cos, no clear templates for IDPs, and difficulties sourcing a workforce to make it a truly bilingual system (NASUWT, 2021; Cerebra, 2017a; Heuvel et al., no date). However, the new ALN reform encompasses a new and updated system which improves planning and delivery of provisions, with an individualised approach to recognise children's needs early. It implements efficient support and monitoring, to improve outcomes for children and young people whatever the level of ALN (Welsh Government, 2021a; Welsh Government, 2019).

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