

# **Supplementary guidance:** additional learning needs

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**Autumn 2017**

**The purpose of Estyn is to inspect quality and standards in education and training in Wales. Estyn is responsible for inspecting:**

- ▲ nursery schools and settings that are maintained by, or receive funding from, local authorities
- ▲ primary schools
- ▲ secondary schools
- ▲ all-age schools
- ▲ special schools
- ▲ pupil referral units
- ▲ independent schools
- ▲ further education
- ▲ independent specialist colleges
- ▲ adult community learning
- ▲ local authority education services for children and young people
- ▲ teacher education and training
- ▲ Welsh for adults
- ▲ work-based learning
- ▲ learning in the justice sector

Estyn also:

- ▲ provides advice on quality and standards in education and training in Wales to the National Assembly for Wales and others
- ▲ makes public good practice based on inspection evidence

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**What is the purpose?**

To provide further guidance to inspectors, to use alongside the sector guidance, when evaluating the outcomes and provision for learners with additional learning needs and other vulnerable learners.

**For whom is it intended?**

For inspectors of all maintained and independent primary and secondary providers, special providers, pupil referral units and further education colleges.

**From when should the guidance be used?** September 2017

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## Supplementary guidance

The key Estyn documents that guide inspection activity are the inspection guidance handbooks for each sector. However, we also produce supplementary guidance to help inspectors to consider specific aspects of education and training further.

The supplementary guidance documents set out some key principles, considerations and resources for inspectors. They relate to all sectors that Estyn inspects, unless they state that they are for a specific sector. They expand on certain aspects of education/training (e.g. the inspection of literacy) or on ways of conducting inspections (e.g. the use of learning walks) or specific inspection arrangements (e.g. guidance on inspecting church schools).

The supplementary guidance documents do not aim to be comprehensive. Inspectors are not required to work through them exhaustively when covering any specific aspect on an inspection. However, inspectors may find them useful when responding to specific emerging questions that arise during inspections or when they wish to reflect or investigate further.

The supplementary guidance documents may help providers gain an understanding of Estyn's inspection arrangements. They may also be helpful to providers in evaluating specific aspects of their own provision.

Our inspection work is based on the following principles:

- Inspectors will approach inspection with a positive mindset to ensure it is the best possible professional learning experience for the staff in each provider
- Inspectors will take a learner-focused approach to inspection
- Inspectors will always focus strongly on the quality of teaching and learning
- Inspectors will seek out well-considered innovative practice
- Inspectors will tailor the inspection activities according to the circumstances in each provider as far as possible
- Inspectors will be agile and responsive to emerging findings and will use the increased range of inspection tools and approaches available
- Inspectors will consider everything in the inspection framework, but will only report on the key strengths and weaknesses within each provider

## Introduction

This guidance supports inspectors in evaluating the outcomes and provision for learners with additional learning needs and other vulnerable learners.

The Welsh Government aims for all learners to have the best start in life with opportunities and encouragement to achieve their full potential in providers that provide inclusive and supportive environments. This vision for inclusion is set out in [Circular 203/2016 'Inclusion and Pupil Support Guidance](#).

The Additional Learning Needs and Education Tribunal (Wales) Bill is making its passage through the National Assembly and, if approved, is likely to receive Royal Assent in December 2017. It is expected that the changes to ALN legislation will be implemented over a five-year period. Estyn will update this guidance annually to reflect the changes during this period.

In preparation for the changes, local authorities, providers and further education colleges (FEI) are adapting to expected changes. As a result, person centred planning approaches are beginning to be used. Individual education plans (IEP), individual behaviour plans (IBP) and other plans are being replaced by a single document known as an individual development plans (IDP). Further information on these can be found in Annex 2.

The term special educational needs is to be replaced by “additional learning needs”

The definition of “additional learning needs” as provided in the Additional Learning Needs and Education Tribunal (Wales) Bill is:

- (1) A person has additional learning needs if he or she has a learning difficulty or disability which calls for additional learning provision.
- (2) A child of compulsory provider age or person over that age has a learning difficulty or disability if he or she—
  - (a) has a significantly greater difficulty in learning than the majority of others of the same age, or
  - (b) has a disability which prevents or hinders him or her from making use of facilities for education or training of a kind generally provided for others of the same age in mainstream maintained providers or mainstream institutions in the further education sector.
- (3) A child under compulsory provider age has a learning difficulty or disability if he or she is likely to be within subsection (2) when of compulsory provider age (or would be likely to be, if no additional learning provision were made).

The Additional Learning Needs and Education Tribunal (Wales) Bill covers the 0-25 age range and will apply to children and young people in further education colleges. As such, this guidance uses the term learner to cover all groups within the 0-25 age range.

Under current Welsh Government guidance there are other groups of learners that could be considered to have an additional learning need. The new definition of additional learning need may not apply to individuals in these groups. However, Estyn considers that learners in the following groups are vulnerable and this guidance applies to them.

Other groups of vulnerable learners include:

minority ethnic groups	refugees/asylum seekers	migrant workers
looked-after children (LAC)	young parents and pregnant young women	children and families in difficult circumstances;
young offenders	learners at risk of homophobic bullying	learners with Basic Skills needs
learners educated otherwise than at provider	learners with English as an additional language	young carers children of service families
gypsies and travellers	learners with medical, including those with mental health needs	Children that are adopted

This guidance includes:

- questions for each inspection area
- questions for evaluating individual development / education, behaviour or play plans (Annex 2)
- questions for providers where there is additional provision to help manage behaviour (Annex 4)
- Information on person centred planning and individual development plans (Annex 1)

All learners with an additional learning need should have their identified need recorded on either an; individual development plans (IDP), individual education plans (IEPs) or individual behaviour plans (IBPs). Where appropriate, pastoral support plans (PSPs) should be in place for children at risk of exclusion and/or criminal activity. In the Foundation Phase, individual play plans (IPPs) will be in place for all learners on the provider's SEN/ALN register. Many providers combine education and behaviour plans into one cohesive plan. A minority of providers develop education or behaviour plans for small groups of learners rather than individuals.

Inspectors should ensure that an evaluation of the five inspection areas includes the achievements, attitudes and wellbeing of all learners. It is essential that for learners with additional learning needs, judgements of achievement should take account of learners' achievements in relation to agreed learning goals and progress made from their individual starting points.

Iaith Pawb, the Welsh Assembly Government's action plan for a bilingual Wales, acknowledges the right of learners with special educational needs to receive provision in the language of their choice as set out in the revised special educational needs Code of Practice for Wales (2002).

All independent providers in Wales are required to comply with the Independent Provider Standards (Wales) Regulations 2003. These regulations require a provider to make appropriate provision for all learners, including those with special educational needs. The provider is not required to adhere to the SEN Code of Practice or make Welsh language provision although these might be regarded as good practice.

## Evaluating additional learning needs and other vulnerable groups

### Inspection area 1: Standards

#### 1.1: Standards and progress overall

Judgements on the standards of learners with additional learning needs will be influenced by the information available on learners' individual needs and abilities. Judgements will take account the attainments and achievements of learners, in relation to agreed individual learning goals.

Inspectors should consider the following questions in relation to learners with additional learning needs and other vulnerable groups:

- Are they making good progress in their learning from their individual starting points?
- Are learners aware of the progress they are making and do they actively participate in setting targets for improvement?
- Do they achieve what is expected of them from baseline and prior attainment data?
- Do they achieve the expected targets contained in their IDP, IEP etc (see Annex 2)
- Are targets for development sufficiently challenging and appropriate?
- Do their specific difficulties, such as poor concentration or weak communication skills, hinder their progress and access to the whole curriculum?
- How do their communication skills impact on their interaction with staff and peers?
- Where appropriate, do learners progress onto meaningful courses, training or employment?

#### 1.2: Standards and progress of specific groups

- If different groups of learners are making good progress, why is this?
- Do all learners with ALN make progress relative to their starting point and in line with agreed targets?
- Do all learners by SEN type eg those with general learning difficulties,

moderate learning difficulties, a specific learning difficulty, autism etc make progress that is in line with their starting point and agreed learning targets?

### **1.3: Standards and progress in skills**

Relative to their baseline and agreed learning targets do learners:

- develop confidence and make progress in speaking, listening, reading and writing?
- make progress in developing and appropriately applying their numeracy skills?
- develop appropriate independence and decision making skills including self-care, personal hygiene, managing money
- use a variety of ICT appropriately?
- make appropriate progress in the Welsh language and demonstrate an appreciation and understanding of Welsh culture?

## **Inspection area 2: Wellbeing and attitudes to learning?**

### **2.1: Wellbeing**

Inspectors should consider the following questions in relation to learners with additional learning needs and other vulnerable groups:

- To what extent are learners free from harm, such as bullying, verbal or physical abuse?
- To what extent do learners make informed choices regarding personal health and physical activity?
- Do all learners display positive attitudes towards disability and other additional learning needs?

### **2.2: Attitudes to learning**

- How do attendance rates compare of learners with ALN compare to non ALN learners in the provider?
- How do exclusion rates of learners with ALN compare to non ALN learners, or other vulnerable groups?
- How do completion rates compare for learners with no ALN or from vulnerable groups?
- Are learners from vulnerable groups actively involved in making decisions that affect them and their learning, for example via participation on provider councils or student unions?
- Do all show interest in their work and engage well in tasks?
- Are all making progress in taking responsibility for their actions and their work?
- How effectively do learners work with others, solve problems and prepare for life and work outside provider?
- In relation to their identified need do learners, particularly those with social, emotional and behaviour difficulties (SEBD), demonstrate good behaviour in lessons and around the provider?

### **Inspection area 3: Teaching and learning experiences**

Inspectors should consider the following questions in relation to learners with additional learning needs and other vulnerable groups:

- Are the teaching methods used successful in engaging learners?
- To what extent does teaching take into account the additional learning need of learners?
- Is work provided adapted to make it suitably challenging and demanding for all learners?
- Are materials and methods of delivery suitably adapted to make the curriculum accessible to learners?
- To what extent does teaching enhance learners' knowledge, understanding and skills?
- Do staff have high expectations and provide demanding work to meet the needs of all learners?
- Are support staff used effectively to support learning and behaviour?<sup>1</sup>
- Do staff provide appropriate and meaningful feedback to learners?
- To what extent are learners engaged in meaningful activities that demonstrate an understanding of their own performance and the steps they need to take to improve?

#### **3.2: The breadth, balance and appropriateness of the curriculum**

- Do all learners have access to a curriculum that is appropriate to their need/s, broad and balanced?
- Do learners have any curriculum needs that are not being provided by the provider/FEI?
- Does the provider have a provision map (See Annex 5) for inclusion that is monitored and reviewed annually?
- Where appropriate, how well does the provider adapt programmes of study when learners are working significantly below expected levels?
- Does the provider use a range of appropriate additional assessment tools and procedures for identifying the needs of learners?
- How effective are the provider's early intervention procedures?
- Does the provider make good use of available data to provide additional curriculum experiences for learners that are appropriate for their needs?
- How well does the provider combat the difficulties of gaps in learning and repeated curriculum for looked-after learners who have had numerous placement moves?
- Are learners grouped in a way that best helps them to learn, including withdrawal groups and small class groups?
- Where applicable, are learners consulted about when it is most appropriate for them to be withdrawn from the work of the class group for individual work?
- Do learners attending specialist classes or small groups have a range of experiences, including collaborative work with other learners?

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<sup>1</sup> Throughout this guidance the term 'support staff' is used to denote staff, other than teachers, that are employed to support pupils with additional learning needs. For example, learning support assistants, behaviour support assistants and communication assistants.

- How does the provider ensure that learners in withdrawal provision access a broad and balanced curriculum?
- Do seating arrangements meet the needs of learners with additional learning needs?
- Do learners who access the curriculum using British Sign Language (BSL) or Sign-supported English (SSE) have support to do so when they need it?
- Do learners with a hearing impairment study BSL as part of the curriculum?
- Where applicable and appropriate, are there well-developed plans for transition back to mainstream provision?
- Is the provider physically adapted to appropriately meet s' needs?
- Are there appropriate changing facilities for learners with disabilities?
- Are resources matched well to the needs of learners with additional learning needs?
- Are specialist resources, for example information and communications technology (ICT) equipment, radio aids and sound fields systems, used well to enable learners with additional learning needs to fully access the curriculum?

### **3.3: Provision for skills**

- To what extent are individual needs considered in providing a suitable curriculum that develops learners' literacy, numeracy and ICT skills?
- Does the curriculum provide suitable opportunities for learners to develop, where appropriate, their Welsh language skills?
- Are there sufficient opportunities for learners to develop their skills in practical, real-life situations?
- To what extent are learners developing skills that prepare them well for the next stage of learning/life, for example independence, self-care or money management?

## **Inspection area 4: Care, support and guidance**

### **4.1: Tracking, monitoring and the provision of learning support**

- Does the provider have appropriate systems in place to track the progress of learners? Is this system used well to monitor the progress of groups of learners and individuals?
- Does the provider use assessment data well to monitor the progress of learners and to refine the curriculum and/or support needs of learners in a timely manner?
- To what extent do learners with ALN and those from other vulnerable groups leave the roll of provider before the completion of either statutory education or their course? What reasons are provided for this and how is this information shared with governors or the local authority?
- Is learning support appropriate? Does the provider have a good enough understanding of the effectiveness of support?
- Are IDPs, IEPs and other planning documents up to date, do they use current information on learner progress to set meaningful and challenging targets for improvement that include both learning and social goals. Are success criteria established within a realistic timeframe and achievable?
- Are learners involved, in a meaningful way, in both setting and reviewing their targets for improvement?

- How does the provider know that targets in learner's plans are being used by teaching professionals to support learners?
- Does the provider ensure that the recommendations and advice from specialist staff, including education psychologists, speech and language therapists and other advisory staff, are included in IDPs or other planning documents?
- Does the provider engage effectively with partners, including parents, to identify the needs of learners and make appropriate provision?
- How effective is the provider in establishing productive relationships with parents/carers? Do parents feel well supported by the provider?
- Does the provider ensure that parents have access to a range of current information on additional learning and/or other needs?
- Is the provider clear that until the Additional Learning Needs and Education Tribunal (Wales) Bill is fully implemented that the current SEN system is in place and that statements of special educational needs may still be sought for learners whose needs are best met with a statement?
- How effective are annual reports to parents/carers? Are they clear and personal and based on a sound understanding of the learner? Do they provide a good enough account of the progress made by individuals?
- Do reports to parents/carers link well enough to targets contained in planning documents?
- Are there appropriate opportunities for learners and parents/carers to comment on annual reports? What account does the provider take of the views of learners and their parents/carers?
- Are there close links and good joint planning between any resource provision and mainstream provision?
- How effective is the provider in making appropriate provision for learners with emotional and/or social needs?
- Does the provider make appropriate arrangements for learners who have specialist transport to and from provider to engage in extra-curricular activities arranged by the provider?
- Do providers make learners and families aware of professional support and specialist services such as counselling services, Careers Wales and mental health services?
- Where applicable, do learners' access Welsh-speaking specialist support staff, teachers or educational psychologists, as well as provision for specific needs such as speech and language therapists?
- Are parents/carers helped to understand procedures, including statutory assessment procedures, and do they have access to records and reports relating to their children?

#### **4.2: Personal development**

- To what extent does the provider make meaningful and worthwhile opportunities for learners to develop their knowledge and understanding in making suitable lifestyle choices in relation to healthy eating and drinking, substance misuse, online safety and sex and relationships?
- To what extent is the provider's personal and social education programme tailored to the needs of learners with additional learning needs and those from other vulnerable groups?

- Is provision adapted well enough to learners' needs and level of understanding of learners?
- To what extent is the provider successful in identifying and supporting the emotional and mental health needs of learners?
- Are all learners given enough encouragement and opportunities to take responsibility for themselves and others, show initiative and develop an understanding of living in a community?
- To what extent are learners with additional learning needs and those from other vulnerable groups actively engaged in decisions that affect them? Do they play an active role as class or student representative? Are they members of the provider councils or student unions? Are their views and experiences listened to and acted upon?
- How well does the provider ensure there are opportunities for learners with additional needs, or those who are vulnerable, to develop spiritually and culturally, for example through a rich, well-tailored provision for the arts, including music, art and design. Does the provider ensure that provider productions and performances, theatre, dance and sport includes appropriate opportunities to enable those with additional and physical needs to participate?
- How well does the provider make opportunities for learners to develop their knowledge and understanding of their own and other cultures in both their local communities and farther afield?
- Where applicable, are special examination arrangements well planned, and discussed and agreed with learners?

#### **4.3: Safeguarding**

- Do the provider's safeguarding policies and procedures take account of the increased vulnerability of learners with additional learning needs and ensure that arrangements for these learners are appropriate?
- Are staff appropriately trained, where appropriate in restrictive physical intervention?
- Does the provider have a clear policy around the use of restrictive physical intervention? Does the provider have appropriate systems to record incidents, including reporting to relevant bodies?
- Are medical protocols for individual disabled learners up to date and are staff appropriately trained?
- To what extent is the providers approach to anti-bullying effective, particularly in relation of learners with additional learning needs and other vulnerable groups?

### **Inspection area 5: Leadership**

#### **5.1: Quality and effectiveness of leaders and managers, including the governing body/management committee**

- Are the SENCo/ALNCo role and responsibilities clearly defined?
- Is the SENCo/ALNCo knowledgeable of local and national guidance on identification and assessment of learners with additional learning needs and their role in its implementation?
- Is there enough non-teaching time for the SENCo/ALNCo to fulfil their role?
- How effective is the provider in working with partners to improve the knowledge and understanding of staff to make suitable adjustments to curriculum and/or

support?

- To what extent is the provider preparing for the changes to additional learning needs legislation?
- To what extent does the designated governor “champion” for learners with additional learning needs and other vulnerable groups?
- How effective is the designated governor in holding the senior leadership team to account for the standards and provision for learners with additional learning needs and those from other vulnerable groups?
- Is there effective liaison with the local authority to ensure that additional support meets learners’ needs?
- Is the provider working well in partnership with others, for example health services, housing and social services, to meet learners’ needs?
- What are the outcomes of initiatives (where appropriate) such as Families First, Communities First, Team Around the Family (TAF) and other close work with specialist agencies such as the police, health, psychological, community and mental health service (CAMHS), counselling and social services?
- Does the provider liaise well with other agencies and help learners with additional learning needs plan their future pathways?
- Does the provider have good arrangements in place to ensure learners’ seamless transition into provider, across key stages and into further education colleges, or other provision, as applicable?
- Does the provider have strong links with parents and carers that help learning to be continued at home?
- Is there evidence that the provider tracks the progress made of learners referred to outside agencies and PRUs?
- How committed is the provider to the local authority’s ‘managed moves’ arrangements?

## **5.2: Self-evaluation processes and improvement planning**

- How effective is the provider in using data from a range of sources to identify improvement priorities?
- How well do managers, at all levels, have an understanding about what needs to be done to improve outcomes and progress for learners with additional learning needs and other vulnerable groups?
- How does the provider plan to improve the standards and provision for learners? How well does this plan link to overarching improvement plans?
- Do plans include a sufficient focus on timescale and cost of making suitable adjustments to the physical environment?
- What quality assurance procedures are in place to ensure that the additional learning needs of learners are being met? How effectively do leaders set and achieve challenging targets for this group of learners?
- How does the provider know if the SENCo/ALNCo is effective in discharging their duties?
- To what extent are LA specialist classes involved in having their work quality assured?
- Does the provider have a strong record in improving outcomes and provision for learners with additional learning needs and those from other vulnerable groups? How well do leaders ensure that targets for learners with additional needs are

suitably challenging, so that these learners reach the highest standards that they are capable of achieving.

- To what extent does the SENCo/ALNCo share their knowledge with staff and what impact has this had?

### **5.3: Professional development**

- How has the provider developed the knowledge and understanding of all staff in relation to learners with additional learning needs and those from other vulnerable groups?
- To what extent does the provider use the expertise and knowledge of specialist staff to improve provision and outcomes for learners?
- Does the provider have a strong history in supporting the professional development of specialist support staff?

### **5.4: Use of resources**

- Is the SENCo/ALNCo appropriately qualified and experienced?
- Does the provider allocate sufficient resources to meet the needs of learners with additional learning needs and those from other vulnerable groups?
- How well do designated staff, including support staff, understand and fulfil their roles effectively?
- Does the provider have enough staff with the right skills to support learners effectively to ensure progression and continuity in learning?
- Does the provider have a history of appropriately funding provision for learners with additional learning needs and those from other vulnerable groups?
- Is the provider able to demonstrate the impact or value of its spending decisions? For example, via a provision map
- Do the SENCo/ALNCo and any specialist staff have additional qualifications in additional learning needs?
- Do specialist staff from this establishment support other non-specialist provisions to improve their outcomes for learners with ALN?

## Annex 1: Overview of proposed changes to SEN legislation

The Additional Learning Needs and Education Tribunal (Wales) Bill.

The Bill will replace existing legislation in relation to special educational needs (SEN) and the assessment of children and young people with learning difficulties and/or disabilities (LDD) in post 16 education and training.

### Objectives of the Bill

- 1 •A unified piece of legislation to support children and young people aged 0-25 with additional learning needs in providers and further education institutions;
- 2 •An integrated, collaborative process of assessment, planning and monitoring which facilitates early, timely and effective interventions; and
- 3 •A fair and transparent system for providing information and advice and for resolving concerns and appeals.

### The objectives will be supported by the following aims:

- 1 The term special educational need (SEN) will be replaced with the term additional learning need (ALN)
- 2 The legislation will cover children and young people in 0-25 age range. However, the Bill will not cover post 16 learners in work based training, including apprenticeships or those learners in higher education.
- 3 Statements of special education needs, individual education plans and other planning documents will be replaced by the individual development plan (IDP). The IDP will be the single statutory plan. As a result, all children and young people with ALN will have the legal right to access the provision stated on the IDP.
- 4 Person centered planning will increase the participation of all children and young people.
- 5 The Bill is intended to create high aspirations and improve outcomes for all learners with ALN.
- 6 There is an emphasis in the Bill on stronger collaboration with all partners and a focus on disagreement resolution at a local level.
- 7 With this in mind, it is hoped that the reforms will result in a simpler, less adversarial system than at present.
- 8 A new statutory role in local health boards has been created. The Designated Education Clinical Lead Officer will be responsible for ensuring that appropriate assessments are undertaken when referrals are made.
- 9 The right to appeal to the tribunal has been increased to 25 year olds.
- 10 A new mandatory Code of Practice will be written.

In addition:

- A new statutory role of additional learning needs co-ordinator (ALNCo) will be introduced to replace special educational needs co-ordinator (SENCo). The requirement to have access to an ALNCo will cover the 0-25 age range.
- The Welsh Government intends to introduce a Masters level qualification for ALNCos.
- The new code of practice will outline, what has to be included in IDPs.
- The requirements of the Bill will be phased in over a five year period.

## **Person centered planning**

The following is taken from the [Welsh Government guidance on person centered reviews](#):

The principles of person-centred reviews are to keep the learner at the centre, have information available to all and to enable everyone to contribute on an equal footing. As long as you adhere to those principles, then the way the review happens can be as varied as the learners you support.

Person centred reviews focus on:

- the aspirations of the learner and their family
- understanding what is important to the learner
- addressing what is important for the learner to develop and progress
- describing what good support looks like
- analysing what is working and not working from different perspectives
- developing an action plan based on person-centred outcomes.

The process and the meeting must include the learner, people they would like to be there and any key people who have to be there. It is a facilitated meeting which shares and records information in an open and transparent way.

The facilitator guides everyone at the review through a conversation to develop person-centred outcomes which move the learner towards their aspirations, change what isn't working, and build on or maintain what is working.

With the introduction of the Additional Learning Needs and Education Tribunal (Wales) Bill, person centred planning/reviews will become common place. A few providers are already using this methodology to inform learners' IDPs.

## Annex 2: Planning documents for learners with additional learning needs

Currently there are number of different documents or plans that set out the additional needs of learners. These include:

Individual Play Plan (IPP)	generally used for learners in the Foundation Phase
Individual Education Plan (IEP), Individual Learning Plan (ILP)	a document that sets out the specifics of a child's/young person's learning difficulty and the steps to be taken by the provider to best support the child/young person over-come the difficulty.
Individual Behaviour Plan (IBP)	generally used for learners who may have difficulty in managing their emotional responses in provider.
Pastoral Support Plan (PSP)	a document that states the support that needs to be provided by provider and other services to prevent a child from being excluded or to prevent criminal activity.
Person centred plans or reviews	a multi-agency approach to reviewing and planning support and other provision needed for learners with ALN to meet agreed learning and social targets. Learners are at the heart of the decision making process. Person Centred planning will become common-place as the ALN Bill is implemented.
Personal Education Plan (PEP)	a document that sets out the learning needs of children who are looked after.
Statement of Special Educational Needs	Statements of special educational needs are issued to learners with the most complex needs. The contents of the statement guarantees, in law, that the child should receive the provision identified

With the legislative reform of additional learning needs it is likely that all of the above documents will be replaced by the individual development plan (IDP).

In preparation for the reforms, a few providers are piloting the use of the individual development plan (IDP). In essence, the IDP should cover all of the aspects that are currently covered in the above listed plans. Further guidance on IDPs will be provided by the Welsh Government in due course.

IDPs are currently non-statutory and do not replace statements of special educational needs.

Irrespective of the plan that a child or young person may have inspectors should consider the following questions when evaluating these plans:

- Does the plan include details of the child's difficulty/difficulties?
- Does the plan include details of the provision that is needed to support the child?
- Does the plan clearly identify strategies that staff are to use?
- How does the provider know if staff are consistent in using the identified strategies?
- Does the plan include targets that are measurable and are appropriate to the identified difficulty?
- Are targets appropriate and sufficiently challenging?
- Does the plan have a start and review date? IEPs for example should be reviewed twice a year and ideally every term. It should include the views of the parents and the learner
- Is there clear evidence of progress that the child is making in relation to the targets for improvement?
- Does the plan include recent assessment and achievement information?
- Are learners involved in setting their targets and reviewing their progress?
- Are parents involved in setting and reviewing targets and progress?
- Are all staff working with learners with additional learning needs aware of the targets and monitoring procedures for individuals?

## **Annex 3: Local authority specialist class for learners with SEN/ALN**

### **Local authority specialist classes**

These are classes that are established in mainstream providers, by the local authority. These classes may also be more commonly known as learning support centres, enhanced teaching facilities or learning resource bases etc.

LA specialist classes are provided for children with needs that cannot be ordinarily met in a mainstream class. Learners that attend an LA specialist class will have an additional learning need, for example autism, speech communication and language difficulties, severe learning difficulties, visual or hearing impairments.

Learners will benefit from higher staffing ratios than mainstream and staff will usually have specialist qualifications, knowledge or experience in working with the identified needs that learners have.

Depending on their need, some learners may be taught almost exclusively in the specialist class and others may benefit from being taught alongside mainstream peers.

The prompts provided against the five inspection areas are equally applicable to local authority specialist classes.

In addition, inspectors should consider the following questions:

- How much do learners in the specialist class benefit from learning experiences across the whole school?
- How well is the expertise in the specialist class used to improve outcomes for learners with ALN across the school?

## **Annex 4: Additional provision to manage behaviour and support**

The provider may have 'inclusion', 'nurture' or 'learning support' provision to remove learners that disrupt lessons. Inspectors should consider the following questions when evaluating this learning and provision:

- Is there a clear pathway of referral and is this system used appropriately?
- How well do senior leaders analyse the effectiveness of the provider's strategies – are they aware of patterns of repeated removal or frequent removal from one teacher or subject?
- Do senior leaders use the analysis of patterns to decide when learners or teachers need additional support?
- How well is further action taken, such as use of support assistants, informing parents, planned sanctions? (Look at when, why, how often and what.)
- How effective is teaching and learning in the 'inclusion' provision?
- Is there suitable coherence between learners' needs and the intervention?
- Does learners' behaviour improve during their time in the provision – how is this evidenced?
- Is improved behaviour maintained on return to their usual classes?



## **Annex 6: Special Educational Needs Code of Practice (2004)**

Until the Additional Learning Needs and Education Tribunal (Wales) Act receives Royal Assent, the following still applies:

In making provision for learners with special educational needs (SEN) maintained providers must meet statutory requirements.<sup>2</sup> They must follow the SEN Code of Practice for Wales (2004) which provides guidance in relation to the statutory duties and rights contained in:

- Part IV of the Education Act, 1996; and
- The Special Educational Needs and Disability Act (SENDA) 2001.

The graduated response recognises that there is a continuum of need through:

- early years or provider action, where provision is made by early years providers or providers
- early years or provider action plus, where provision is made by early years providers or providers, with additional advice and support from the local authority support services or partner agencies
- statutory assessment and provision made jointly by early years providers or providers, the local authority and, in some cases, partner agencies

Although the legislation in the Code of Practice describes the statutory duties of local authorities and providers, it does not define precisely which learners should have their needs met by each of these degrees of response.

The statutory framework requires local authorities and providers to plan to increase access for disabled learners and to develop inclusive education for all children and young people.

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<sup>2</sup> The duty to have regard to the SEN Code of practice does not apply to independent providers.

## **Annex 7: Local authority specialist classes and additional teaching resources in mainstream schools**

The following represents guidance on the inspection of local authority specialist classes based in mainstream schools. The guidance outlines the course of action to be taken according to the category resource in question.

### **Category 1: Local authority specialist class that is part of a mainstream provider**

If one or more learners are on the roll of the school you should inspect the provision as part of the mainstream provider. This usually means that the school has direct management responsibility for this aspect of the provision. It does not matter who funds the school, or who pays the staff or whether the learners come from within or beyond the normal catchment area.

### **Category 2: Additional teaching resource that is part of a special school but based on the mainstream school premises. Learners who attend this school unit have dual registration**

You should inspect the outcomes achieved by learners in the additional resource. In writing, you should continue to report on whole school performance, including these learners. However, where possible, you should also report briefly on the progress made by these learners so that their progress can be considered in the special school inspection. However, you should not evaluate the educational provision or leadership, unless the head of the mainstream provider employs and manages the teachers in the additional teaching resource. Inspection of provision and leadership will be undertaken as part of the inspection of the special school.

### **Category 3: Additional teaching resource that is part of a special school but based on mainstream provider premises. Learners do not have dual registration**

You should not inspect this sort of provision as part of the mainstream school. The inspection of this provision will be undertaken as part of the inspection of the special school.

### **Category 4: The additional teaching resource is registered as a PRU**

You should not inspect this provision as a separate inspection will be undertaken.

Estyn may also inspect the EOTAS provision during the inspection of the local authority. However, if some learners have dual registration, the principles apply as in category 2 above.

### **Category 5: Any other additional teaching resource which is on the school premises but does not fit categories 1-4**

You should not inspect this provision. Please notify the Estyn Inspection Co-ordinator on 02920 446446 of the existence of resource provision that falls into category 5. This provision may have the following features:

- Learners take part in alternative curriculum arrangements that are not funded by the provider.
- The local authority directly funds and manages the provision.
- The local authority funds external providers to run the provision.