

Draft Additional Learning Needs Code

COMMENTS

To be read with the Code Document itself, the *Draft Additional Learning Needs Code* (9.15)

| page | paragraph | comments |
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| 7 | 1 3 | The document says at first that all Authorities ' <i>must have regard</i> ' to the new code, which is the same status as the present code, but see paragraph 3 below: The authority must be able to provide information and advice (as well as services) and independent advocacy services. The Authority (and schools and further education colleges) has a duty to ensure the preparation, the content, review and revision of Individual Development Plans (IDPs) and to cease to maintain these. It says that the school/college/Authority must comply with the content of the code, which is a stronger status than the present one. |
| 9 | 14 | A number of principles are outlined, including that arrangements should be made at the earliest opportunities, that the child must be central to the process, and that arrangements for Additional Learning Needs (ALN) should be a policy for the whole school. It is impossible to disagree with this. |
| 13 | 32 34 | Every school must appoint an Additional Learning needs Co-ordinator (ALNCO) Every 'teaching practitioner '- (teachers and assistants?) must ensure they receive training in ALN. |
| 14 | 41 43 | The ALNCO will be a part of the school's senior management team The ALNCO will be responsible for managing ADY staff, and arranging other resources. |
| 15 | 46 | The ALNCO will be a senior teacher, with appropriate qualifications. |
| 17 | 49 | There is a duty on the Health Board to appoint a Designated Medical Officer, (i.e. a doctor) or a Designated Clinical Officer (i.e. a nurse), to co-ordinate the work of the Health Board in relation to ALN. This person may therefore be either a doctor or a nurse, and there will not be any difference in the duties. |
| 19 | 56 | There is emphasis on ensuring that parents, children (of statutory school age) and young people (aged 16-25) take full part in the discussions and arrangements |
| 23 | 79 81 | The Local Authority must make arrangements to provide information and advice, to be available to the following: Children and Young People, children's parents, headteachers and other appropriate persons. |
| 24 | 87 88 | This information includes administrative and organisational details It also contains 'matters relating to ALN' |
| 26 | 94 96 97 | The Authority must 'determine' whether the individual has ADY The definition of ADY is 'difficulties which call for Additional Learning Provision –ALP' ADY is also 'a significantly greater difficulty in learning than the majority of others of the same age'. |

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| 27 | 101 | The definition of ALP is provision which is 'additional to, or different from, that made generally for others of the same age'. |
| 28 | 108 | Differentiation of work does not count as ALP |
| 29 | 113 | Children with a disability are not necessarily children with ALN |
| 30 | 119 | Children who are able and talented do not count as children with ALN |
| 31 | 125 | They give a list of specialists who can help in the process of determining that children have ALN. |
| 33 | 129 | The Health Board can 'notify' the Authority that a child may have ALN |
| 35 | 141 | The school must determine if a child has ALN, or , Refer the matter to the Local Authority to determine this, if they think that , The matter is beyond the their capability, or , The pupil's ALN call for ALP it would not be reasonable to expect the school to provide. |
| | 143 | Each school has a duty to assess the attainments of each child over time |
| 38 | 156 | If the school has decided that a child has ALN, then the school must prepare an Individual Development Plan - IDP |
| 39 | 164 | Students in further education colleges who have ALN must declare this themselves, that they are of the opinion that they have ALN |
| | 166 | Arrangements to differentiate work do not count as ALP in further education colleges any more than in schools |
| 40 | 169 | If the school decides that a child or young person does not have ALN they must inform the parents and the child himself/herself of this |
| 42 | 184 | The Authority is expected to set up groups to discuss and co-ordinate across areas |
| 44 | 196 | The Authority will determine if a child has ALN and prepare ALP 'where the child or young person's needs are more severe or complex'. |
| | 199 | This can happen, if , The child has a condition that occurs only infrequently, or , It means they need regular advice and support by external agencies, or , They need equipment that is beyond the reasonable resources of the school, or , They need 'very intensive daily support which cannot be reasonably funded or secured by the school or college budget'. |
| 45 | 203 | If a case has been 'brought to the attention' of the Local Authority as possibly having ALN and there is not a IDP for that person, the Authority must determine if he has ALN. |
| 46 | 205 | The authority must determine whether a child has ALN if they live in the area. |
| | 207 | An Authority can decide not to determine whether a child has ALN in some circumstances, including if the school or the college themselves were doing this. |
| | 208 | But, if there is an appeal, by the child, the young person, or the parent, then they do need to make the full decision. |
| 47 | 211 | If the Authority have decided that a child has ALN, then they must either , Prepare and maintain a, IDP, or , Prepare an IDP and direct the school to maintain it, or , Direct the school to do both, i.e. prepare and maintain the IDP. |

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| 48 | 217 | If the child or his parents challenge the contents of an IDP, the Authority must reconsider the IDP. |
| 49 | 226 | The Authority must consider an application by a parent or a child or a young person to take over responsibility for the IDP. |
| 50 | 231 236 | The Local Authority must keep every IDP under review. The Authority has the right to go onto the premises of schools and colleges in some circumstances |
| 52 | 240 241 | The IDP must include certain things, including: A description of the ALN and the ALP |
| 53 | 247 | Also, it must include autobiographical material |
| 54 | 252 | And contain the 'intended outcomes' – targets. |
| 56 | 259 260 | The IDP must also include 'what was discussed and agreed throughout the process of creating the DDY'. The content of the IDP is created by agencies and professionals working together, and developed in a flexible and person-centred way. It is easy to read, and no jargon. |
| 58 | 270 275 | It also includes a One-Page Profile, giving the information in a way that is brief and easy to understand. Contributions by professionals must be included, including external agencies such as Health and Social Services. |
| 59 | 278 | The emphasis is on the 'IDP meeting'. That is a meeting is required to form an IDP. |
| 60 | 287 290 | Any information regarding, for example, how much Speech Therapy help someone receives each week, will need to be agreed with the agency itself from the outset. Also, the 'intended outcomes' need to be set out. |
| 61 | 296 | The outcomes need to be SMART, i.e.: Specific, Measurable, Achievable, Realistic, Time-bound. |
| 62 | 298 300 | The IDP needs to include key events. This includes tests and notes by psychologists and others. |
| 65 | 309 | Again, there is the emphasis that a meeting is necessary to prepare an IDP. |
| 66 | 315 318 319 | The initial IDP must be prepared within 7 weeks. If the school refers the matter to the Authority, this must be decided in 1 week. If the Authority has to determine whether a child has ALN, they then have 10 weeks to prepare the ALP. |
| 67 | 323 | The Authority must send a draft IDP to all those who were in the meeting, and change it in the light of everyone's comments, including the parents. |
| 69 | 332 | In complex cases, external agencies will contribute to the process, including educational advice, medical advice, psychological etc. as happens at the moment. |
| 70 | 335 | These professionals will need to have the authority to make decisions and 'be accountable for these decisions'. |
| 72 | 345 | The Health Board or the NHS Trust must ensure the provision that is noted in the IDP, but this is provision they have already agreed to provide. |
| 74 | 353 | There is mention of transport but details are not given. |
| 76 | 362 | There is a duty on the Local Authority to 'favour' educating children in the mainstream. |
| 78 | 371 | The authority is able to name a school to ensure that a child is able to attend that school. |

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| 81 | 396 | Residential provision will be necessary, If it is not possible to meet a child's needs in local daily provision, or , If a consistent programme is needed both during and after school hours. |
| 82 | 399 | Some things will need to be funded jointly with the Health Boards in some cases, as happens now. |
| 83 | 405 | The IDP will need to be reviewed within 12 months. |
| 84 | 410 | And reviewed within three or six months with 'very young' children. |
| 85 | 418 | Sometimes at a review meeting a written report by external agencies will be sufficient, if it is not possible for the professional to attend the meeting. |
| 89 | 438 | Sometimes the Authority or the school will decide to discontinue an Individual Development Plan. |
| 95 | 452 | The Local Authority has a responsibility to make arrangements to resolve conflicts and disagreement. |
| 99 | 480 | The Authority must ensure that an Advocacy Service is available, i.e. a body that takes the child's, or the young person's, part, and facilitates his ability to express his opinion. |
| 102 | 492 | The child, or the young person, or the parents have the right to appeal to the Tribunal if they are not satisfied with a number of steps in the process. |