



**Preparatory Self-Assessment for assessing the extent to which Local Authorities are prepared for their
'Roles, Responsibilities and Duties as outlined in the Draft Additional Learning Needs Code for Wales**

Local Authority: _____

Completed by _____

Date: / /20__

Introduction

Education authorities and appropriate agencies will be under a duty to have regard to the code (final version available late Spring 2021) when carrying out their functions. Education authorities and appropriate agencies must ensure that their policies, practices and information and advice services take full account of the legal requirements of the Act. Education authorities and agencies involved in advising or supporting children and young people with additional learning needs and their families, should encourage and support their employees in gaining knowledge of the content of the draft code and understanding of its application in their day-to-day work.

This self-assessment tool has been produced to support you (LA) to assess your current readiness in relation to implementing the Draft Code. Using the tool will enable you to:

- *Assess current effectiveness*
- *Evaluate the progress already made*
- *Better understand areas for improvement*
- *Enable senior leaders to understand strengths and areas for improvement*

It will also provide a regional overview of local authorities' readiness to implement the Additional Learning Needs reforms.

This self-assessment tool is designed to be read and used on-screen. Throughout the tool, there are statements against which you can evaluate your practice in relation to the expectations of the Draft Code using a Green (yes / on track) rating. This self-assessment tool will allow you to extend the initial rating to a more in-depth evaluation, to start planning improvements, actions and to generate position statements. Appendix 1 on pages 7 – 9 highlights the Considerations from the Draft Mandatory Code. Clicking on the underlined headings in the compliance requirements column will automatically direct you to this section which gives you further specific considerations for reference as described in the Draft Code.

Following completion of the self-assessment tool, in order to ensure that you (LA) comply with the regulations we propose that the following tasks should be undertaken.

- Create an 'actions table' within the third column below.
- These actions can then to be incorporated within a risk register (template included in appendix 2)

Compliance Requirements	Compliance Measures	Actions
<p>Chapter 2,3,6,9,10 A Rights Based Approach / Involving and supporting children, their parents and young people</p> <p><i>You must make arrangements to provide people with information and advice about ALN and the ALN system.</i></p> <p><i>You must involve and support children, their parents and young people</i></p>	<ul style="list-style-type: none"> • Stakeholders understand the purpose of the ALNET Act and the wider transformation programme 	
	<ul style="list-style-type: none"> • Collaboration with key partners 	
	<ul style="list-style-type: none"> • Stakeholders engage in consultation 	
	<ul style="list-style-type: none"> • LA practitioners complete Welsh Government's Eliesha Tier 1 training 	
	<ul style="list-style-type: none"> • Senior LA practitioners complete Welsh Government Eliesha Tier 4 Training (Chief Executives) 	
	<ul style="list-style-type: none"> • Changes are communicated to children, their parents and young people. 	
	<ul style="list-style-type: none"> • Guidance developed to explain to children, young people and parents how the move from SEN to ALN and from statements to IDPs will work in the local authority area 	
	<ul style="list-style-type: none"> • Children, young people and parents are consulted. 	
	<ul style="list-style-type: none"> • Communication Strategy plan in effect 	
	<ul style="list-style-type: none"> • Arrangements for the provision of independent advocacy services are in place 	
	<ul style="list-style-type: none"> • Arrangements for resolving disputes are in place 	
<ul style="list-style-type: none"> • Clear information on the local services available laid out 		

<p>Chapter 4 Duties to have regard to the United Nations Convention on the Rights of the Child and the United Nations Convention on the Rights of Persons with Disabilities</p> <p><i>You must have due regard to the United Nations Convention on the Rights of the Child and the United Nations Convention on the Rights of Persons with Disabilities</i></p> <p><i>You must have an awareness of the Equality Act 2010 and its relationship to accessibility and admissions as well as inclusion and diversity</i></p>	<ul style="list-style-type: none"> • Knowledge and understanding of Part 1 of the UNCRC when exercising functions under the Act in relation to a child or young person • Knowledge and understanding of the UNCRPD and its optional protocol, when exercising functions under the Act in relation to a disabled child or young person. 	
<p>Chapter 5 Duty to keep additional learning provision under review</p>	<ul style="list-style-type: none"> • Review of ALP to establish whether the overall ALP delivered in the area is sufficient to meet the overall needs of the population of learners with ALN undertaken. (Note - <i>Reviews should be conducted in a way that will enable you to assess likely future need, plan for future provision requirements, consider commissioning plans in advance</i>) 	

<p><i>You must keep under review the arrangements made both by yourselves and by the governing bodies of the maintained schools in your area, for children and young people (5.1)</i></p> <p><i>You must establish and maintain a register of those who have some form of disability where the nature of the disability means it is likely the learner will have ALN.</i></p>	<ul style="list-style-type: none"> • Collate / Provide evidence of the extent to which the following are available in all schools: <ul style="list-style-type: none"> - <i>High quality, differentiated teaching for individual learners with ALN</i> - <i>Appropriate reasonable adjustments to enable access to the school environment, curriculum and facilities for disabled learners</i> - <i>Targeted intervention and support for learners with ALN</i> - <i>Effective systems for monitoring the progress and achievement of learners with ALN and their inclusion in the everyday life of the school</i> - <i>Arrangements for involving specialists where needed</i> - <i>Arrangements for reviewing the effectiveness of interventions used to support learners with ALN and the skills and expertise of staff</i> - <i>Arrangements for involving learners and parents at every stage</i> 	
	<ul style="list-style-type: none"> • Sufficiency of ALP in Welsh considered (5.3) 	
	<ul style="list-style-type: none"> • Guidance to schools on what provision would ordinarily be expected to make available for children and young people with ALN published. (ALN policy and LA provision map) 	
	<ul style="list-style-type: none"> • Identify best practice, develop case studies and sharing. 	
<p>Chapter 8 Duties in relation to children under compulsory school age and not attending a maintained school in Wales</p>	<ul style="list-style-type: none"> • Designate an officer to have responsibility for coordinating the local authority's functions under Part 2 of the Act in relation to children under compulsory school age who are not attending maintained schools. This is the Early Years ALN Lead Officer ('the Early Years ALNLO') (8.38) 	
	<ul style="list-style-type: none"> • Establish effective collaborative working practices and arrangements with others who work with children below compulsory school age who are not attending a maintained school within the local authority area. 	
	<ul style="list-style-type: none"> • Improve the knowledge and understanding of preschool educators in the field of ALN 	
	<ul style="list-style-type: none"> • Review current processes and protocols 	
	<ul style="list-style-type: none"> • Develop guidance, advice and support for settings and nurseries 	

	<ul style="list-style-type: none"> Processes on your duty to prepare an IDP for a child under compulsory school age who is not attending a maintained school are recognised. 	
Chapter 9 Duties in relation to children and young people at maintained schools in Wales	<ul style="list-style-type: none"> Support schools to embed and consolidate developments in the area of PCP 	
	<ul style="list-style-type: none"> Support schools in determining the appropriate placing of pupils on ALN registers 	
	<ul style="list-style-type: none"> Have clarity and agreements around a graduated response and criteria for IDP's that are maintained by early years' settings, schools and those to be maintained by you (LA) 	
	<ul style="list-style-type: none"> A set of principles that will apply when determining whether it is reasonable for a school to secure the ALP required by a child or young person or whether the local authority ought to do so is published (9.45) 	
	<ul style="list-style-type: none"> Develop an action / implementation plan for the conversion of statements to IDP's 	
	<ul style="list-style-type: none"> Develop guidance and resources to facilitate schools to implement the new IDP system 	
Chapter 10 Duties in relation to young people at an FEI	<ul style="list-style-type: none"> Effective and efficient communication between LA and P16 settings / providers established 	
	<ul style="list-style-type: none"> Transition arrangements in place for Post 16 learners with ALN 	
	<ul style="list-style-type: none"> Work with partners to ensure placements 	
	<ul style="list-style-type: none"> Work with FEIs to develop local/regional provision (where possible) 	
	<ul style="list-style-type: none"> Identify the number of young people with ALN each year that will be likely to need specialist placements? 	
	<ul style="list-style-type: none"> Post 16 Advocate services and approaches in place to aid decision making and transition 	

<p>Chapter 11 Duties in relation to children of compulsory school age not attending a maintained school</p> <p>Chapter 12 Duties in relation to young people not at a maintained school or FEI</p>	<ul style="list-style-type: none"> • Knowledge of responsibilities to comply to guidelines for <ul style="list-style-type: none"> - Decisions whether a child of compulsory school age who is not a pupil at a maintained school in Wales has ALN - Preparing an IDP for a child not attending a maintained school, who has ALN - Placements at independent schools (11.55) - Decisions whether a young person not at a maintained school or FEI has ALN - Decisions whether to prepare an IDP for a young person not at a maintained school or FEI in Wales who has ALN 	
<p>Chapter 13 Content of an IDP</p> <p>Chapter 14 Content of an IDP for a looked after child</p>	<ul style="list-style-type: none"> • Know what is an IDP 	
	<ul style="list-style-type: none"> • Know the mandatory content of an IDP 	
	<ul style="list-style-type: none"> • Know the mandatory content of IDPs for looked after children 	
	<ul style="list-style-type: none"> • Guidance on completing a statutory IDP produced 	
	<ul style="list-style-type: none"> • Settings and stakeholders understand the philosophy and ethos of person-centred practices (PCP) 	
	<ul style="list-style-type: none"> • Person-Centred Practice (PCP) training has been rolled out across the Local Authority 	
	<ul style="list-style-type: none"> • Settings have received training in person centred practice 	
	<ul style="list-style-type: none"> • Ensure one page profiles are good practice for all learners 	
	<ul style="list-style-type: none"> • Ensure schools have rigorous systems in place to quality assure their work around PCP and outcomes for all learners with ALN 	

<p>Chapter16 Review and revision of IDPs Chapter 17 Reconsiderations and taking over responsibility for IDPs</p>	<ul style="list-style-type: none"> • IDP Review Meeting Guidance for Schools and Institutions created (to include processes, timeline on the process, guidance on competing a review, purpose of a review) 	
<p>Chapter 18 Meetings about ALN and IDP's</p>	<ul style="list-style-type: none"> • Guidelines for good practice principles for all meetings created (Linked to Chapter 16/17) 	
<p>Chapter 19: Planning for and supporting transition</p> <p><i>Information to support children and young people making transitions</i></p> <p><i>19.12 You must make arrangements to provide people with information and advice about ALN and the ALN system.</i></p>	<ul style="list-style-type: none"> • Capacity and resources identified 	
	<ul style="list-style-type: none"> • Practices and processes in place to implement systems to support transition to post-16 education 	
	<ul style="list-style-type: none"> • Easy-read leaflets providing information on what support is available and what can be expected during the admissions process (including transition) created 	
	<ul style="list-style-type: none"> • Information on Local Authority website about ALN, ALN support and transition opportunities 	
<p>Chapter 20: Transferring an IDP Chapter 21: Ceasing to maintain an IDP Chapter 22: Children and young people subject to detention orders Chapter 23: Children and young people in specific circumstances</p>	<ul style="list-style-type: none"> • Knowledge of 	

<p>Chapter 25: Avoiding and resolving disagreements and independent advocacy services</p> <p><i>The new system will focus on ensuring that where disagreements occur about an IDP or the provision it contains, the matter is considered and resolved at the most local level possible.</i></p>	<ul style="list-style-type: none"> • Arrangements / processes for avoiding and resolving disagreements in place (25.3/25.4) These are well-publicised. 	
	<ul style="list-style-type: none"> • Arrangements for the provision of independent advocacy services in place. (25.5) These are well-publicised. 	

VERSION CONTROL

Date	By whom	Amendment detail

APPENDIX 1:

Considerations from Draft Mandatory Code

Chapter 2,3,6,9,10: A Rights Based Approach / Involving and supporting children, their parents and young people

[Click here to return to return to the compliance checklist.](#)

3.14 Consider how you can encourage children and young people to participate in all aspects of the ALN system in a meaningful way

3.16 Consider different forms of communication preferences when providing information to, and having discussions with the child or young person to facilitate their participation

3.29 Consider what support you will provide to parents to enable them to participate as fully as possible in appropriate meetings, especially those relating to preparing or reviewing an IDP for their child

6.8 Information made available should be factual and use language that children, their parents and young people can easily understand.

6.9 If you decide to discharge your duties in respect of advice and information by contracting an external service provider to undertake these responsibilities, you should:

- inform children, their parents and young people that another organisation is providing advice and information on the local authority's behalf*

6.10 The information and advice provided should make children, their parents and young people aware of and help them to understand:

- what ALN is;*
- their rights under the ALN system;*
- the different agencies involved and their respective roles;*
- transitions and transition planning;*
- the different complaints procedures;*
- the local authority's services for avoiding and resolving disagreements and independent advocacy and*
- how to appeal against a decision of the local authority or FEI, including in the case of decisions of, or IDPs maintained by, a maintained school, how to request a local authority to reconsider the matter.*

9.61 Where the young person does not consent to a decision being taken, this must be recorded. You should have appropriate procedures in place to facilitate this, which might include the young person signing to confirm that they are withholding consent.

Information and advice must be impartial.

All those involved in providing support to children and young people with ALN should work together in the best interests of the child or young person

The views, wishes and feelings of the child, child's parent or young person should be at the heart of all decision making processes

Encourage and support employees (who will be involved in supporting and advising) in gaining knowledge of the content of the code and understanding of its application in their day to day work.

<p>Chapter 4: Duties to have regard to the United Nations Convention on the Rights of the Child and the United Nations Convention on the Rights of Persons with Disabilities</p> <p>Click here to return to the compliance checklist.</p>	<p><i>The Draft code should be read alongside other legislation and policy where appropriate</i></p> <p><i>4.7 Have due regard to the Conventions when planning the exercise of functions under the Act relating to a child or young person.</i></p>
<p>Chapter 5: Duty to keep additional learning provision under review</p> <p>Click here to return to the compliance checklist.</p>	<p><i>5.2 Have regard to the ALP that may reasonably be arranged by others (such as FEIs and NHS bodies).</i></p> <p><i>5.9 Do you have the correct types, quantity and quality of provision to meet the current and future needs of your population with ALN, and establish the steps that should be taken to remedy any insufficiencies.</i></p> <p><i>5.13 Provide guidance to schools on what provision schools would ordinarily be expected to make available for children and young people with ALN.</i></p> <p><i>Work collaboratively to develop a shared and joint understanding of what good quality provision for learners with ALN should look like.</i></p>
<p>Chapter 8: Duties in relation to children under compulsory school age and not attending a maintained school in Wales</p> <p>Click here to return to the compliance checklist.</p>	<p><i>8.2 IDPs for children under compulsory school age and not attending a maintained school will always be prepared and maintained by a local authority.</i></p> <p><i>8.42 Role of the Early Years ALNLO.</i></p>
<p>Chapter 9: Duties in relation to children and young people at maintained schools in Wales</p> <p>Click here to return to the compliance checklist.</p>	<p><i>9.2 Prepare and maintain an IDP where the child or young person’s needs are more severe or complex or are of low incidence. The main exceptions are when a child is looked after by a local authority in Wales or the child or young person attends more than one school or other institution (“dual registration/enrolment”) in these cases, the local authority is usually responsible for decisions and maintaining an IDP irrespective of the needs).</i></p>
<p>Chapter 10 : Duties in relation to young people at an FEI</p> <p>Click here to return to the compliance checklist.</p>	<p><i>10.37 Referrals from an FEI to a local authority</i></p> <p><i>10.46A Local authority’s duty to decide whether a young person at an FEI has ALN</i></p> <p><i>10.57 A local authority’s decision that a young person at an FEI does not have ALN</i></p> <p><i>10.63 A local authority’s duty to prepare an IDP for a young person at an FEI who has ALN</i></p> <p><i>10.72 A local authority’s duty to maintain an IDP and secure the ALP for a young person at an FEI who has ALN</i></p> <p><i>10.77 A local authority’s duty to review an IDP for an FEI student with ALN.</i></p>

<p>Chapter 11 & 12: Duties in relation to children of compulsory school age not attending a maintained school & duties in relation to young people not at a maintained school or FEI Click here to return to the compliance checklist.</p>	<p><i>Multi agency and cross departmental working will be extremely important. A coordinated approach will be important.</i> <i>11.4 Where a local authority has a duty to decide whether the child has ALN, it must (a) designate an officer to be responsible for coordinating the actions required to make that decision and, if an IDP is subsequently required, to be responsible for preparing it. In the case of child who is looked after by the local authority, the officer designated should be the local authority's LACE co ordinator.</i></p>
<p>Chapter 13 & 14: Content of an IDP & content of an IDP for a looked after child Click here to return to the compliance checklist.</p>	<p><i>13.6 Mandatory IDP form</i> <i>13.7 The forms style may be adapted.</i></p>
<p>Chapter 16 & 17: Review and revision of IDPs & reconsiderations and taking over responsibility for IDPs Click here to return to the compliance checklist.</p>	<p><i>16.1 IDPs to be reviewed at least annually</i> <i>16.12 A body required to maintain an IDP must review it before the end of each review period.</i></p>
<p>Chapter 18: Meetings about ALN and IDP's Click here to return to return to the compliance checklist.</p>	<p><i>Run meeting(s) using a person centred approach; and take a person centred approach to the gathering and presentation of information.</i></p>
<p>Chapter 19: Planning for and supporting transition Click here to return to return to the compliance checklist.</p>	<p><i>19.3 Information on making transitions from child and adolescent to adult mental health services can be found in guidance developed as part of the Together for Children and Young People Programme¹; information on making the transition from children's to adult health care services can be found in NICE guidance and information on supporting transitions for children and young people who are looked after by the local authority can be found in Welsh Government guidance.</i></p>
<p>Chapter 20, 21, 22, 23: Transferring an IDP & Ceasing to maintain an IDP & Children and young people subject to detention orders & Children and young people in specific circumstances</p>	<p><i>Knowledge of.</i></p>

Click here to return to return to the compliance checklist.	
<p>Chapter 25: Avoiding and resolving disagreements and independent advocacy services</p> <p>Click here to return to return to the compliance checklist.</p>	<p><i>Consider how to:</i></p> <ul style="list-style-type: none"> •<i>Raise awareness of the right for children and young people, who lack capacity, to have a case friend where disagreements proceed to tribunal</i> •<i>Raise awareness of the right to representation for young people over the age of 16 and parents, who lack capacity, to support them in taking a case to tribunal</i> <p><i>25.8 Local authorities must promote the arrangements for avoiding and resolving disputes, for example by ensuring that children, their parents and young people receive details of the arrangements when they receive notice of a decision by the local authority.</i></p> <p><i>25.9 Furthermore, local authorities must⁶ make information about their arrangements available on their websites.</i></p>

APPENDIX 2:

Risk Register Template

Risk No	Risk	Likelihood	Actions (links to action plan)	Owner	Comment on changes
1	Not having a Rights based approach/ Involving and supporting children, their parents and young people				
2	Noncompliance of duties to have regard to the United Nations Convention on the rights of the				

	child and the United Nations Convention on the rights of persons with disabilities				
3	Noncompliance of duty to keep additional learning provision under review				
4	Noncompliance of duties in relation to children under compulsory school age and not attending a maintained school in Wales				
5	Noncompliance of duties in relation to children and young people at maintained school in Wales				
6	Noncompliance of duties in relation to young people at an FEI				
7	Noncompliance of duties in relation to children of compulsory school age not attending a maintained school				
8	Noncompliance of duties in relation to young people not at a maintained school o FEI				
9	Not having agreed on content of an IDP				
10	Not having agreed on content of an IDP for a looked after child				
11	Noncompliance of review and revision of IDPs				
12	Noncompliance on reconsiderations and taking over responsibilities for IDPs				
13	Noncompliance regarding meetings about ALN and IDPs				

14	Not having planned for an supporting transition				
15	Not having planned for transferring an IDP				
16	Noncompliance regarding ceasing to maintain an IDP				
17	Noncompliance regarding children and young people subject to detention orders				
18	Noncompliance regarding children and young people in specific circumstances				
19	Noncompliance avoiding and resolving disagreements and independent advocacy services				