# WRITTEN STATEMENT

# BY

# THE WELSH GOVERNMENT

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| **TITLE** | **Additional Learning Needs and Education Tribunal Act 2018 Implementation for Post-16** |
| **DATE** | **28 March 2022** |
| **BY** | **Jeremy Miles MS, Minister for Education and Welsh Language** |

Following my written statement on Wednesday 23 March setting out the revised plans for moving children currently in year 10 and below to the Additional Learning Needs (ALN) system, I am today providing members with an update on plans for implementing the Additional Learning Needs and Education Tribunal Act 2018 (the ALN Act) for young people who are post-16.

Implementation for post-16 will involve a ‘flow through’ approach, whereby those currently in year 10 and below, who are being moved to the ALN system by a school or local authority during the implementation period, will ‘flow through’ into further education with an individual development plan (IDP) already in place (where they require one). Any young person not yet on the ALN system at the end of the 2024/25 school year will move to the ALN system at that point.

This approach mirrors the way the ALN system will work in the long term. FEIs and local authorities will begin to maintain IDPs for young people in a gradual, managed way, ensuring they are fully prepared to undertake their duties and that the IDP process is person-centred. It also avoids placing excessive burden on FEIs, schools and local authorities at a time of extreme pressure due to the impacts of the pandemic and the wider education reform agenda.

Until the ALN Act applies to a young person, the Education Act 1996 and the Learning and Skills Act 2000 will continue to apply and they will continue to benefit from the support available via the existing Special Educational Needs and Learning Difficulty and Disability systems, respectively.

The Welsh Government is currently responsible for securing specialist post-16 provision for young people whose education and training needs cannot be met via mainstream provision, under the Learning and Skills Act 2000. As part of the ALN Act, this responsibility will transfer to local authorities. Under the arrangements I am announcing today, this will take place gradually, with local authorities becoming responsible for those who have been moved to the ALN Act from 2022/23 (those currently in year 10 and below). The Welsh Government will continue to secure and fund specialist post-16 placements for those young people who have not yet been moved to the ALN system (those currently in Year 11 and above).

The Welsh Government is committed to providing certainty and security to young people in specialist provision. I can therefore confirm today that any funding for placements agreed by Welsh Ministers before the end of the 2024-25 school year will remain available to young people until they complete their agreed programme of study.

In the interests of supporting FEIs to continue preparing for the new system and support them in providing person-centred support to young people with ALN, I can also announce the ALN Transformation Lead for FE will be extended from 31 March 2022 to 31 March 2023, which I know will be welcomed by the sector.

My officials will be writing to key stakeholders setting out further detail on these arrangements in the coming days.