**WRITTEN STATEMENT**

**BY**

**THE WELSH GOVERNMENT**

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| **TITLE**  | **Additional Learning Needs and Education Tribunal Act 2018 Implementation**  |
| **DATE**  | **23 March 2022** |
| **BY** | **Jeremy Miles MS, Minister for Education and Welsh Language** |

The implementation of the Additional Learning Needs and Education Tribunal Act 2018 (the ALN Act) remains important for those children who were newly identified as having ALN and, from January 2022, children with special educational provision via school action/school action plus and early years equivalent started to move to the ALN system.

There has been continued engagement with key partners to ensure a smooth transition to the new ALN system. However, with the continued disruptive impact of the pandemic it has meant that progress to moving children from the SEN system to the ALN system has been slower than expected. I want to reassure Members, that no child has been disadvantaged as a result.

It is important that schools, pupil referral units (PRUs) and local authorities have the time to undertake the ALN process in a person-centred way – putting the views of children and their families at the centre of the decision-making process.

To ensure that schools, PRUs and local authorities have the necessary time to move children from the SEN system to the ALN system, I have decided to extend the time available to move children during the first year of implementation by one year. This means that children who were due to move to the ALN system between January 2022 and August 2022, will now move to the ALN system between January 2022 and August 2023.

This extension will be accommodated within the existing three year timeframe. This has been achieved by reorganising how specific groups of children will move in the second and third year of implementation:

**School year 2022/23** – **children with provision via school action/school action plus**: Year 10 (and any children who were in Nursery, Year 1, Year 3, Year 5, Year 7 and Year 10 in 2021/22 who were not moved to the ALN system during 2021/22)

**School year 2022/23** – **children with provision via statements**: Nursery, Reception, Year 6, Year 10 and Year 11.

**School year 2023/24** - **children with provision via school action/school action plus**: Nursery, year 2, Year 4, Year 6, Year 8 and Year 10.

**School year 2023/24** – **children with provision via statements**: Year 2, Year 3, Year 4, Year 5, Year 6, Year 8, Year 9, Year 10.

This extension and reorganisation means that schools, PRUs and local authorities will now be required to move fewer children in the first two years of implementation. The right for children, and their parents, to request the child moves to the ALN system is unaffected – meaning that children who want to move to the ALN system will not be affected by the extension and reorganisation.

Further information about how commencement will work in years two and three of implementation, including guidance will be published in the summer term.