

# Do disabled children and young people have equal access to education and childcare?

July 2024



The Welsh Parliament is the democratically elected body that represents the interests of Wales and its people. Commonly known as the Senedd, it makes laws for Wales, agrees Welsh taxes and holds the Welsh Government to account.

An electronic copy of this document can be found on the Senedd website:  
**[www.senedd.wales/SeneddChildren](http://www.senedd.wales/SeneddChildren)**

Copies of this document can also be obtained in accessible formats including Braille, large print, audio or hard copy from:

**Children, Young People and Education Committee**  
**Welsh Parliament**  
**Cardiff Bay**  
**CF99 1SN**

Tel: **0300 200 6565**

Email: **[SeneddChildren@senedd.wales](mailto:SeneddChildren@senedd.wales)**

Twitter: **[@SeneddChildren](https://twitter.com/SeneddChildren)**

**© Senedd Commission Copyright 2024**

The text of this document may be reproduced free of charge in any format or medium providing that it is reproduced accurately and not used in a misleading or derogatory context. The material must be acknowledged as copyright of the Senedd Commission and the title of the document specified.

# Do disabled children and young people have equal access to education and childcare?

July 2024





# About the Committee

The Committee was established on 23 June 2021. Its remit can be found at:  
[www.senedd.wales/SeneddChildren](http://www.senedd.wales/SeneddChildren)

---

Current Committee membership:



**Committee Chair:  
Buffy Williams MS**  
Welsh Labour



**Cefin Campbell MS**  
Plaid Cymru



**Hefin David MS**  
Welsh Labour



**Gareth Davies MS**  
Welsh Conservatives



**Tom Giffard MS**  
Welsh Conservatives



**Jack Sargeant MS**  
Welsh Labour

---

The following Members were also members of the Committee during this inquiry:



**Former Committee Chair:  
Jayne Bryant MS**  
Welsh Labour



**Laura Anne-Jones MS**  
Welsh Conservatives



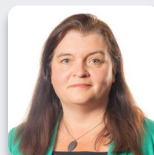
**James Evans MS**  
Welsh Conservatives



**Heledd Fychan MS**  
Plaid Cymru



**Ken Skates MS**  
Welsh Labour



**Sioned Williams MS**  
Plaid Cymru

The following Member attended as a substitute during this inquiry:



**Carolyn Thomas MS**  
Welsh Labour

## Contents

<b>Chair’s foreword .....</b>	<b>7</b>
<b>Recommendations .....</b>	<b>9</b>
<b>1. Our use of terms and language .....</b>	<b>15</b>
<b>2. Why did we do this work and what did we do? .....</b>	<b>17</b>
What did we do? .....	18
<b>3. Our key findings .....</b>	<b>23</b>
<b>4. Is there equal access to childcare?.....</b>	<b>26</b>
Childcare in Wales: the legislative and policy context .....	26
Early years and pre-school provision .....	29
Limited inclusive capacity within the sector.....	29
Childcare Sufficiency Assessments (CSAs).....	33
Funding .....	34
Flying Start and the Childcare Offer .....	37
Staffing and training .....	41
Welsh medium provision.....	44
The impact of the ALN Act and Code.....	44
Before and after school clubs and holiday provision.....	48
Positive experiences and good practice.....	54
Experiences of different types of need .....	57
Deaf / hearing loss .....	57
Wheelchair users .....	57
Autism .....	58
Our view: Access to childcare.....	58
Childcare Sufficiency Assessments.....	60
Funding .....	61

Staffing and training .....	61
Welsh medium provision.....	62
The impact of the ALN Act and Code.....	63
After school and holiday provision.....	64
<b>5. Is there equal access to schools? .....</b>	<b>65</b>
The statutory framework .....	65
What is happening across Wales?.....	69
Special schools or mainstream schooling .....	75
Access to all areas of school life .....	87
Access to teaching / timetabling .....	91
Academic aspirations.....	91
Absences, reduced timetables and exclusions.....	94
Implementation of the ALN Act and Code.....	101
Bullying.....	112
Welsh medium provision .....	116
School resources .....	119
Funding .....	120
Staff recruitment and retention .....	123
School staff training and knowledge .....	125
Initial Teaching Training .....	125
Ongoing professional development and training.....	128
School estates.....	133
Impact of the pandemic.....	137
Learner transport .....	138
What changes do people want to see? .....	143
Our view .....	145

---

Special schools or mainstream schooling.....	146
Access to teaching and timetabling.....	149
Implementation of ALN Act and Code.....	150
Bullying.....	151
Welsh medium provision.....	152
School resources.....	153
School staff training and knowledge.....	155
School estates.....	158
Learner Travel.....	159
<b>6. What are the impacts on mental health, well-being and educational outcomes? .....</b>	<b>161</b>
Impact on mental health and well-being.....	161
Children and young people.....	161
Parents and carers.....	165
Impact on educational outcomes.....	170
Impact on parental employment and household incomes.....	173
Impact on the wider family.....	176
Our view.....	177
<b>7. What are the barriers to providing inclusive provision? .....</b>	<b>179</b>
Support from local authorities.....	179
Wider support from other professions.....	185
Waiting times for assessments and support.....	192
Our view.....	196
Support from local authorities.....	196
Wider support from other professionals.....	197
Waiting times for assessment and support.....	199

---

<b>8. Do children, young people and their families have access to the right information and are they listened to? .....</b>	<b>200</b>
Access to information.....	200
Listening to children, young people and their families .....	208
Our view .....	213
<b>9. Do children, young people and their families have choices in their childcare and education options? .....</b>	<b>217</b>
Our view .....	221
<b>10. What sort of provision is there for different types of disability? .....</b>	<b>223</b>
Autism .....	223
Sensory disabilities .....	224
Deaf children and young people .....	224
Blind and partially sighted children .....	225
Diabetes .....	227
Our view .....	229
<b>Annex 1: List of engagement activities .....</b>	<b>231</b>
School Visits.....	231
Other engagement activities.....	231
<b>Annex 2: List of attendees at the stakeholder event .....</b>	<b>232</b>
<b>Annex 3: List of oral evidence sessions.....</b>	<b>233</b>
<b>Annex 4: List of written evidence .....</b>	<b>236</b>
Additional Information.....	239

---



## Chair's foreword

Good early years childcare followed by education is essential for all children and young people to develop into the adults they want to be. Yet, too many disabled and neurodivergent children and young people are not getting these opportunities. I believe this report is an important moment for policymakers to acknowledge this, and start to make the changes to deliver more inclusive childcare and education.

We decided to do this work because we knew from our own casework as individual Members that these children, young people and their families faced significant barriers. But we didn't understand the full extent of this issue. We now have a much clearer idea, and it does not make happy reading.

We have spoken to families from across Wales, as well as practitioners, and representative organisations. What we heard was stark and concerning. Many of the individual stories will stay with me forever. We heard of how families have to battle for even simple and basic support. The impacts of these inequities across Wales are significant. Not just for the individual children or young person, but for their families, the wider community and for Wales more broadly.

There has been some light amongst the gloom. We have heard inspiring examples of how children and young people have truly thrived with the right, child-centred support. There is good practice across Wales. But sadly, there are too many inconsistencies. Often this good practice is down to the determination of a few individuals, either professionals or families, rather than down to a systematic and consistent approach.

This report sets out five key conclusions, followed by 32 detailed recommendations. We call on the Welsh Government to engage meaningfully with these, and really think about the changes that can start to make a real and meaningful difference immediately.

We are mindful of the challenges that the Welsh Government, schools, childcare providers, local authorities, health boards and others involved in these areas are already facing. In particular, the financial challenges facing everybody. But this is simply too important to be ignored. We owe it to the children, young people and families across Wales who are currently being failed, and are paying a heavy price for these failures. With some will and determination and a real focus on these

Do disabled children and young people have equal access to education and childcare?

---

groups of children, young people and their families, we believe that we can make a real difference.

We look forward to the Welsh Government's response to our report, and to the subsequent debate in the Senedd. But this piece of work will not stop there. We will keep a very close eye on the actions that are taken and how they are making a difference on the ground for the rest of the Senedd term.

**Buffy Williams MS**

Chair

## Recommendations

**Recommendation 1.** The Welsh Government sets out its views in relation to our key conclusions, and in responding to the recommendations set out the specific steps it will take to address the wide reaching issues we've identified in the conclusions. .... Page 25

**Recommendation 2.** The Welsh Government should ensure there is more research and data available on the gaps in childcare provision, which can help inform development of inclusive provision. As part of this, the Welsh Government should ensure that local authorities are collecting data when children and young people leave or move between childcare and education provisions and the reasons for this. This data should then be used to inform future reviews, training and assessments for childcare and education providers. ....Page 59

**Recommendation 3.** The Welsh Government should share it's response to the recommendations in the Research into Childcare Sufficiency Assessment with us. In providing this, the Welsh Government should detail how it is ensuring recommendations are being implemented and how implementation is being monitored. .... Page 60

**Recommendation 4.** The Welsh Government should set out how gaps in childcare provision for inclusive and accessible childcare identified in CSAs should be met. This should include setting out how the Welsh Government and local authorities can work and support each other in ensuring positive action is taken to secure sustainable and inclusive childcare in all areas of Wales. .... Page 60

**Recommendation 5.** The Welsh Government should set out how it can seek to streamline the various different funding streams available to childcare providers to ensure that it is easier for childcare providers to know what support they can access and how best to access this. .... Page 61

**Recommendation 6.** The Welsh Government must ensure that financial support for childcare is based on a child and setting's needs and not on parental eligibility. In line with Recommendation 16, the Welsh Government should consider the use of ring-fencing to ensure that funding aimed to support inclusive provision is used for this specific purpose. .... Page 61

**Recommendation 7.** The Welsh Government confirms the scope of the review into the ALN Act and Code, and outlines the timeline for completion of this review, and whether the findings of the review will be published. ....Page 63

**Recommendation 8.** The Welsh Government should explore the feasibility of the development of a suite of training, guidance and resources for childcare settings on the ALN Act and Code. As part of the feasibility work, the Welsh Government should give specific consideration to how childcare providers would be able to access and fund such training.....Page 63

**Recommendation 9.** The Welsh Government should issue guidance for all childcare providers about what they are expected to do in supporting local authorities in discharging their duties in the ALN Act and Code. This guidance should provide concrete examples of what providers are expecting to do. This guidance should be regularly updated to ensure it remains up to date, relevant and useful.....Page 64

**Recommendation 10.** The Welsh Government considers reviewing accessibility strategies and plans across Wales, with a view to issuing directions to any local authority or school who is failing to discharge their duties under the Equality Act 2010.....Page 146

**Recommendation 11.** The Welsh Government working with the EHRC should develop practical guidance for all schools on understanding the social model of disability and how to ensure this approach can be adopted across all aspects of school life. This guidance should be as practical as possible, and should be developed in conjunction with children, young people and their families, as well as disability organisations. The guidance should be regularly updated to take account of developments. Estyn should undertake regular monitoring and evaluation to see how schools are implementing this guidance, and the impacts it is having on the experiences of children and young people. ....Page 148

**Recommendation 12.** The Welsh Government should undertake a comprehensive review into how non-teaching staff both within schools and local authorities can best support inclusive provision across Wales. This should include identifying best practice examples from across Wales. Such work should also consider the funding implications of best practice, and how local authorities and schools can be best supported to deliver.....Page 149

**Recommendation 13.** The Welsh Government commissions research into the use of reduced timetables, which includes the length of time children and young people are on them, the reasons for them being used, and the steps that are taken to return children and young people to a full timetable. This research should also review the mechanisms that are used when the guidance is not being followed, to ensure that reduced timetables are only used when appropriate, and

that a child centred approach is taken when making decisions on their use.  
..... Page 150

**Recommendation 14.** In responding to the findings of the review of school funding, the Welsh Government should outline publicly how it will take forward any recommendations or actions arising from it, and set out a clear timeline for delivery of these actions. In particular, they should outline how improved consistency will help ensure children and young people get the support they need in schools..... Page 153

**Recommendation 15.** The Welsh Government identifies the most common conditions, such as dyslexia, which would benefit from universal provision and support being developed and provided to all schools. This should be done in consultation with children, young people and their families, as well as education professionals, local authorities, and health professionals. Once this work has been done, the Welsh Government should provide a clear timeframe for roll out of this universal provision. This provision should be free for all schools..... Page 155

**Recommendation 16.** The Welsh Government should issue guidance clearly setting out the responsibilities and duties of local authorities and schools to ensure they are providing the necessary support so that all children and young people are able to access their right to an education. They should also consider whether ring-fencing would be an effective and appropriate way of ensuring that money that is intended to support these groups of children and young people is spent in that way. .... Page 155

**Recommendation 17.** The Welsh Government should revise the criteria for ITE to strengthen the requirements around disability and additional learning needs. This should ensure that all teachers at the end of their ITE have a basic level of skills and understanding in issues around disability and ALN and have the confidence to be able to support all children and young people they teach. It should also ensure that ITE keeps up with the latest clinical knowledge so that newly qualified teachers have the most up to date information and knowledge to help inform their practice. .... Page 156

**Recommendation 18.** The Welsh Government provides an update on it's work around ITE provision for the special school sector. .... Page 157

**Recommendation 19.** The Welsh Government commissions the development of a mandatory training module for all school staff on disability awareness. This should cover the social model of disability, and equip all staff in a school with a



basic level of awareness, as well as signposting them to other resources if they want to develop their skills and expertise. It should also be in line with the latest research and clinical knowledge, and is kept up to date to reflect any subsequent changes or developments.....Page 158

**Recommendation 20.** The Welsh Government should issue guidance to schools and local authorities to ensure that either new buildings, or changes to current school estates are based on the experiences and evidence of children, young people, families and staff with lived experience. This engagement should also ensure that future needs are considered so that buildings are fully accessible to all who may attend in the future.....Page 158

**Recommendation 21.** The Welsh Government should develop further mechanisms to ensure there are greater opportunities to share and disseminate good and innovative learner travel practice. This could include an annual summit with the relevant Cabinet Secretary or Minister.....Page 159

**Recommendation 22.** The Welsh Government prioritises the review and publication of the suite of statutory learner travel guidance. In responding to this report, the Welsh Government should provide a clear timetable for the work reviewing this with a definitive date for publication, and when the revised guidance will come into force. They should also set out how they will ensure there is a consistent application of the guidance across Wales..... Page 160

**Recommendation 23.** The Welsh Government explores ways of ensuring there are appropriate training opportunities for transport companies and staff to build up confidence and skills in supporting children and young people. As part of this, consideration should be given to developing accreditation for staff. .... Page 160

**Recommendation 24.** The Welsh Government undertakes further work to ensure a streamlining of services to deliver fully on a no wrong door approach across all public services, but with particular reference to the interaction between health and education services. This work should identify the barriers to effective coordination between services, as well as identifying best practice, and mechanisms for sharing this best practice. .... Page 197

**Recommendation 25.** The Welsh Government must ensure that services align and adjust their timelines when working across different services and professions to ensure support is holistic and best supports access to childcare and education. .... Page 197

**Recommendation 26.** The Welsh Government reviews the current numbers of key allied health professionals, identifies where there are current gaps, how these gaps will be addressed and the numbers needed to support future likely level of need, including the number of training places needed. This should then be supported by a clear delivery plan.....Page 198

**Recommendation 27.** The Welsh Government explores in more detail the good practice from Neath Port Talbot with schools able to access support from Occupational Therapists which is funded by the local authority, and considers whether it would benefit from piloting such approaches in other parts of Wales. Such a pilot should then be fully evaluated, and if successful, consideration should be given to rolling out this model across Wales. ....Page 198

**Recommendation 28.** The Welsh Government encourages all local authorities to enter into partnership agreements to support the buying and recycling of specialist equipment and adaptations which can support children and young people accessing childcare and education.....Page 199

**Recommendation 29.** The Welsh Government ensures that all local authorities develop clear and widely available pathways setting out what support is available, and who is responsible for providing this support. Such pathways should be kept regularly updated so the information remains timely and relevant. These should be easily available on local authority websites and should also be pro-actively made available to families when making initial contact with the local authority seeking support. .... Page 214

**Recommendation 30.** The Welsh Government issues guidance to local authorities setting out core principles for publication of information on childcare. This guidance should set out that information is co-produced with families, is easily and readily available, in multiple formats, is kept updated, and provides a basic level of consistency across Wales. The Welsh Government in drawing up this guidance should involve families from across Wales with relevant experiences to ensure the needs of families are at the heart of the guidance. .... Page 215

**Recommendation 31.** The Welsh Government reviews the information currently available on rights in education, ensuring that it is widely available, accessible in a range of formats, and supports children, young people and their families to understand what their rights are, and how to seek redress if their rights are being breached..... Page 215

**Recommendation 32.** The Welsh Government sets out a clear delivery plan for addressing gaps in specialist teaching posts, for Teachers of the Deaf, and Teachers of the Visually Impaired, to ensure that all children and young people can access this support when needed. This delivery plan should have clear targets, deliverables and timeframes so it can be monitored and scrutinised..... Page 230

## 1. Our use of terms and language

- 1.** Throughout our work we have been mindful of the language and terminology we use. We have heard directly of how important and powerful words are in how children, young people and their families feel (or don't feel) included and treated with respect.
- 2.** All our work is framed through the prism of the UN Convention on the Rights of the Child ("UNCRC"). For this inquiry, we have also been very mindful of the UN Convention on the Rights of Disabled People ("UNCRDP"). We have also used the Social Model of Disability to frame our work, a model developed by disabled people which says that social barriers are the main cause of problems. These can include people's attitudes to disability and physical and organisational barriers. It identifies the barriers as being a disabling society not people's differences.
- 3.** We are very conscious that there are a range of different words that can be used to describe different groups of children and young people. We have received feedback during the inquiry about the terminology we have used, and have tried to respond to this and adjust the words we have been using.
- 4.** The focus of this report is the experiences of disabled and neurodivergent children and young people, and any children covered by the Additional Learning Needs And Educational Tribunal (Wales) Act 2018. When we say "children and young people" in this report, we mean these groups. Where we need to distinguish between their experiences with other groups of children and young people, we will do that by distinguishing with the terms "non-disabled children and young people" and "neurotypical children and young people". In those instances where we are talking about specific conditions, we will use the relevant terms.
- 5.** We will refer to the Additional Learning Needs and Education Tribunal (Wales) Act 2018 as the "ALN Act" and the Additional Learning Needs Code for Wales 2021 as the "ALN Code".

When you see the term children and young people in the report, it means children and young people covered by the scope of the inquiry.

**6.** When we use the term “disabled” this encompasses physical, sensory and learning disabilities. Disability Wales have defined disabled as “the loss or limitation of opportunities to take part in society on an equal level with others due to social and environmental barriers.”<sup>1</sup>

**7.** We acknowledge that using broad terms to encompass such a wide range of experiences can mean that we may not use terms that all people would want to use to describe themselves. Where we can be, we will be specific. However, as much of the evidence we have collated and the views we have heard have talked in broad terms, we will have to use broad terms throughout the report.

---

<sup>1</sup> [Disability Wales. Social Model webpage \[accessed May 2024\]](#)



## 2. Why did we do this work and what did we do?

We were only too aware through our case work as Members of the Senedd of the challenges faced by children, young people and their families in childcare and school. It was clear there was a need to look at what was happening across Wales, and what needs to change. We heard from lots of organisations, as well as children, young people and their families.

**8.** As individual Members, an important part of our job is to help constituents with issues they have. We are all too familiar with the challenges faced by children, young people and their families in accessing both childcare and education. While we were aware of numerous cases within our own constituencies and regions, in discussing as a Committee, we identified a clear need to look at these issues more broadly.

**9.** As far as we are aware, an inquiry with this breadth covering both pre-school childcare provision and school, and physical, sensory, learning disabilities and additional learning needs had not been done recently. We are also acutely aware of the changes across the education and childcare sector, with the introduction of the new Curriculum for Wales, and - particularly pertinent to this inquiry - the introduction of the new Additional Learning Needs (“ALN”) system. The evidence we have collected for this inquiry has also informed our ongoing work looking at implementation of these two key pieces of education reform, and vice versa.

**10.** We agreed to do this work in January 2023. In March 2023, we agreed our terms of reference and approach to this work. As with all our proposed work, we tested the scope and our proposed approach against our Strategic Plan. Particularly relevant to this work was our commitment to:

*“... consider children’s rights; and the mental well-being of children and young people in all our individual inquiries.”<sup>2</sup>*

**11.** This inquiry also meets other objectives within the Strategy including:

*“... ensure that children’s rights are at the heart of everything we do.*

*focus on the negative impact of disadvantage on outcomes for children and young people, and resulting inequalities.*

*put the voices of children and young people at the heart of everything we do, and endeavour to seek out the voices of those children and young people whose voices are less well represented or need more amplification.*

*seek out opportunities to work with other Senedd committees, the Welsh Youth Parliament and cross-party groups where there are areas of shared interest and where it will improve scrutiny.”<sup>3</sup>*

**12.** A key element of our work has been our engagement with children, young people and their families to hear directly about their experiences, and what they would like to see changed and improved.

## **What did we do?**

**13.** We agreed the terms of reference, which would provide the framework for collecting evidence and our lines of questioning.

The Children, Young People and Education Committee is conducting an inquiry into childcare and education access for disabled children and young people and the extent to which childcare providers, schools and local authorities meet their duties under the Equality Act 2010.

In this inquiry, the Committee would like to understand how children and young people who are neurodivergent, have physical, sensory or learning disabilities are able to access all aspects of education and childcare.

---

<sup>2</sup> CYPE Committee, Sixth Senedd Detailed Strategy, 2021

<sup>3</sup> CYPE Committee, Sixth Senedd Detailed Strategy, 2021

In particular:

The extent to which children and learners are currently able to access all parts of childcare and education provision, including the way in which the curriculum is taught and extra-curricular activities.

The extent to which children and young people have been excluded from aspects of education or childcare due to their disability or neurodivergence.

The extent to which families and children feel that they have been affected by direct, indirect or discrimination arising from disability.

The impact of any lack of or limited access on a child or young person's mental health and well-being and educational outcomes.

The barriers for schools and childcare providers in offering accessible provision

How well disabled and neurodivergent children and their families are consulted or informed of the choices in education or childcare available to them.

Whether parents of disabled and neurodivergent children and the children themselves receive effective information and support from local authorities and schools

Whether disabled and neurodivergent children and parents of disabled and neurodivergent children have the same level of choice as other children and parents and what issues affect choice or school or childcare.

The extent to which there is adequate provision for children with different types of disabilities.

This work is being framed within United Nations Convention on the Rights of the Child, and the United Nations Convention on the Rights of Disabled People.

**14.** The scope of our inquiry was purposefully broad covering the full spectrum of disabilities and needs, and covering all ages from birth to the end of statutory schooling. We did this because of the often interconnected nature of different types of conditions as well as to reflect the journey from pre-school provision into statutory school provision.

**15.** To keep the scope somewhat manageable, we decided to not extend into post-16 education choices. There is a clear argument that a similar inquiry looking

at these issues in detail would be useful and we will certainly consider this as part of our future work programme.

**16.** We launched a written consultation on 11 May 2023 which closed on 29 September 2023. This was open to anybody. When we launched we made it clear that if people did not wish to send their views in writing, we could support other ways for people to contribute. This could have included other formats such as video evidence, or meeting with our Clerks who could then write up a note of the issues they raised. A number of people took up this opportunity, and the notes from their discussions were submitted as part of the written evidence. In launching the consultation, [a video was made](#), and an [easy read version of the consultation information was published](#). A full list of those who responded is available in Annex 4.

**17.** We held thirteen oral evidence sessions between May and November 2023, culminating in a session with Welsh Government Ministers; the then Minister for Education and Welsh Language; the then Minister for Social Justice and the then Deputy Minister for Social Services. Following the Cabinet reshuffle in April 2024, we wrote to their successors; the Cabinet Secretary for Education, the Cabinet Secretary for Culture and Social Justice, and the Minister for Mental Health and Early Years, giving them the chance to provide us with any relevant updates since the final evidence session.<sup>4</sup> They responded on 23 May 2024 stating that they were content with the evidence previously provided, which had been supplemented by more recent evidence from the Cabinet Secretary for Education to us on our implementation of education reforms work.<sup>5</sup>

**18.** Alongside this formal evidence, our Citizen Engagement team held over 40 family interviews with parents, carers and sometimes children and young people from across Wales, with a wide range of different experiences. We published a [summary note](#) and an [easy read version](#) of these interviews. We hope that the Welsh Government and other professionals take the time to read these direct experiences, which are a powerful testament to the issues faced by children, young people and their families.

---

<sup>4</sup> [Letter from CYPE Committee Chair to Cabinet Secretary for Education, Cabinet Secretary for Culture and Social Justice, and Minister for Mental Health and Early Years, 22 April 2024](#)

<sup>5</sup> [Letter from Cabinet Secretary for Culture and Social Justice, Cabinet Secretary for Education and Minister for Mental Health and Early Years to CYPE Committee Chair, 23 May 2023](#)

**19.** We also established an Online Advisory Panel with over 15 parents, carers and young people to inform our scrutiny work. They used their personal experiences to feed into:

- Our lines of questioning for the Welsh Government Ministers;
- Our discussions of the key issues and potential areas of recommendations;
- Our draft report.

**20.** We also went on visits to five different schools. At each of these visits we were able to speak to staff, students and families. We also visited ASD Rainbows, a nursery specialising in childcare for children with autism, communication difficulties or anxiety related behaviours in Mountain Ash. We held a focus group with the parents who run Oakhill ASD Childcare in Newport. Finally, Sparkle organised a focus group at Serennu Children’s Centre in Newport, which the then Chair attended. Notes from all these meetings are available on our website.<sup>6</sup>

**21.** We want to highlight that at the time of publication, we have a different membership to that which took the evidence, with only one Member, our Chair, on the Committee during the evidence gathering. This does not affect the views or recommendations set out in the report, but we think it is important to note. Full details of all those who have been involved in this work are available at the start of the report.

**22.** We want to express our greatest gratitude to everybody who has engaged with our work, but in particular to those families who have shared, their often, difficult experiences with a view to improve things not just for their own children, but for those who will follow in their footsteps. Their passion and determination is inspiring, and we hope that our report helps illuminate their experiences, bringing it to a wider audience and results in positive change that has a real impact on the lives of children, young people and their families across Wales.

**23.** This work has also been informed by our Senedd long work on implementation of education reforms, and in particular our scrutiny of the ALN reforms. We have used evidence gathered in this inquiry to inform that work, and vice versa. We are publishing our interim findings in tandem with this report.

---

<sup>6</sup> [CYPE Committee. Do Disabled Children and Young People have equal access to education and childcare? Inquiry page \[visited May 2024\]](#)



**24.** Finally, we acknowledge that this report is long and detailed. We received so much high quality evidence, and we felt it was important that this report gave a full account of this. We also believe it is imperative that the Welsh Government take full account of the narrative alongside our conclusions and recommendations. While this report is lengthy, we are producing short summaries of the report, alongside easy read versions.

### 3. Our key findings

A significant number of children and young peoples' right to an education is being denied throughout Wales. This is having an impact on their educational attainment, opportunities and emotional and mental well-being. The impacts extend to the wider family. We have seen examples of children and young people thriving with the right support. However, good quality provision is too patchy and reliant on committed individuals.

**25.** We make a large number of recommendations in this report. We do not make any apologies for doing so. However, we are mindful that many recommendations can sometimes dilute the power of an single overarching message. Therefore alongside our detailed recommendations, we make these clear conclusions.

**Conclusion 1.** A significant number of children and young people's rights to an education as set out in Articles 28 and 29 of UN Convention on the Rights of the Child are currently being breached in Wales. These children and young people are being fundamentally let down.

**Conclusion 2.** Denying children and young people their rights to an education can have significant impacts on their emotional and mental well-being, as well as their physical health. It can impact on their educational attainment, and opportunities, thereby creating barriers to them being able to make choices that best suit their ambitions as they become adults. These impacts are often lifelong and far-reaching.

**Conclusion 3.** The impact of denying children and young people their rights can be immeasurable on their family, particularly on parents, carers and siblings, although we recognise it extends to the wider family and community. Families are often on their knees having to fight for basic rights, which the families of non-disabled and / or neurotypical children and young people rightly take for granted.

This has an impact on their own emotional, mental and physical health and well-being, as well as often also having an impact on their ability to work, and therefore household incomes.

**Conclusion 4.** While there is some inclusive provision which meets the needs of children, young people and their families, this provision is patchy and inconsistent across Wales. There are additional challenges faced by those accessing Welsh medium provision. There is clearly a postcode lottery for all provision. There are many barriers to inclusive provision. Childcare and education providers are not best supported to deliver inclusive childcare and education. Good provision is often because of the determination of individuals, rather than a structural approach which supports inclusive provision which meet the needs of all children, young people and their families in their area. We want to be very clear this is not a criticism of childcare or education staff, who are often working very hard to try and deliver inclusive provision.

**Conclusion 5.** The barriers to delivery of inclusive childcare and education are complex and interlinked. Some of them are very broad and relate to societal approaches to disability and difference while others are quite practical.

**26.** The primary purpose of the report is to set out the evidence and make recommendations to the Welsh Government. However, we also think it is important to document the challenges that are faced by far too many children, young people and their families every single day so that other families facing similar challenges know they are not alone. We have been struck by the times people have said to us that at the outset they thought it was just happening to them.

**27.** Many of the people we spoke to have formed their own networks, or joined already existing networks, which have been established by families in similar situations. While the support of peers who have shared experience can be incredibly powerful, it also means that the emotional labour that goes along with that has to be borne by people who are often already close to burn out by the daily fight in securing support that should be available easily and without any battle. We hope that our report can start a broader public discussion about the support that is available.

**28.** We also want to commend all those children, young people and families who shared their often harrowing personal experiences. While these discussions were often focused on the more negative aspects of their lives, there was also much joy and love. While the system was clearly failing them, their determination

to navigate the difficult path that they had to walk to ensure children and young people had the best they possibly could was inspiring.

**29.** In responding to the report, we ask the Welsh Government to respond to each of our conclusions, in particular setting out whether they accept these conclusions.

**Recommendation 1.** The Welsh Government sets out its views in relation to our key conclusions, and in responding to the recommendations set out the specific steps it will take to address the wide reaching issues we've identified in the conclusions.

## 4. Is there equal access to childcare?

Inclusive and accessible childcare provision is patchy, variable, and in some places non-existent. This immediately sets some children at an disadvantage from the earliest age. Once children and young people move into school, there are few options for inclusive holiday or wrap around childcare. All of this can have a significant impact on parents' and carers' ability to work.

### Childcare in Wales: the legislative and policy context

**30.** Childcare across Wales covers a range of different types of provision, incorporating the regulated sector as well as the more informal arrangements that families may make. Our inquiry has been focused on the regulated and formal provision.

**31.** Regulated childcare has two main types of provision:

- Childminding. This is where children between the ages of birth to 12 years old are looked after in a domestic setting which is not the child's own home for more than two hours a day, and this care is paid for. Most childminders will be registered with Care Inspectorate Wales, however there are some exemptions as set out in [Part 2 of the Child Minding and Day Care Exceptions \(Wales\) Order 2010](#).
- Day care and Open Access Play Provision. This category covers a range of different types of provision, including full day care, sessional day care, out of school childcare, creches, and open access play provision. Again, most of this provision will be registered with Care Inspectorate Wales, although there are some exemptions as set out in [Part 3 of the Child Minding and Day Care Exceptions \(Wales\) Order 2010](#).

**32.** Local authorities have a duty under section 22 of the Childcare Act 2006 to secure, as far as is reasonably practical, provision of childcare that is sufficient to meet the requirements of parents in their area to be able to work or take up education and training which could assist them in securing work. To meet this duty, local authorities have to assess the local childcare market to develop a realistic and robust picture of parents' current and future needs for childcare. Key to this is establishing the needs of children, young people and their families, as well as the barriers they face in accessing childcare. Local authorities are expected to identify what actions can be taken to address any gaps in provision.

**33.** Local authorities must prepare, publish and submit Childcare Sufficiency Assessments ("CSAs") to Welsh Government every five years. The most recent assessments were done in 2022. There is no legal mechanism to monitor what actions local authorities take to address gaps. The Welsh Local Government Association ("the WLGA") described them as "very strategic" which are "governed by regulations that certain things have to be in it".<sup>7</sup>

**34.** Every local authority must have a Family Information Service ("FIS") which is a free service that provides advice and information on local services for families and carers. This service covers childcare, and help with the costs of childcare.

**35.** 3 and 4 year old children of all parents are entitled to a minimum of 10 hours a week of early years education. For those who are eligible, these hours are included within the Childcare Offer for Wales. This offer provides 30 hours of Government funded childcare and early education for 3 and 4 year olds of eligible parents. Parents must be employed and earn, on average "the equivalent to 16 hours a week at the National Minimum Wage or Living Wage" or they must be enrolled in an undergraduate, postgraduate or further education course that is at least 10 weeks long.<sup>8</sup>

**36.** The Welsh Government also has an additional funding stream Childcare Offer for Wales Additional Support Grant ("the ASG"). This is funding for local authorities, which can be used to help eligible children with additional needs access the childcare element of the Offer in the same way as non-disabled and neurotypical children. This funding can be used for a range of things including:

- Training for providers;

---

<sup>7</sup> [CYPE Committee, 25 October 2023, Record of Proceedings, paragraph 31](#)

<sup>8</sup> [Welsh Government, Childcare Offer for Wales webpage \[accessed 13 May 2024\]](#)

- Additional staffing;
- Helping-hands (for children who may need additional support from staff for part or all of their time with a provider);
- Equipment; and
- Physical adjustments to settings.

**37.** The Welsh Government told us that an independent review of the ASG was being undertaken, with a report expected by March 2024. They said that while they knew “many providers” access this funding stream, the current monitoring and reporting requirements meant they are “unable to fully assess the scope of demand.”<sup>9</sup>

**38.** The report into the ASG was published in March 2024. The findings chimed with the evidence we have gathered during this work. The report made a number of recommendations which included:

- Consideration being given to a review of the current guidance to provide greater clarity to local authorities in what the ASG can be used to fund;
- Consideration being given to the development of communications and information campaigns aimed at families and providers;
- Raising awareness of the ASG with smaller non-maintained settings and childminders;
- Local authorities working with providers and families to identify additional support needs at earlier stages. The Welsh Government to consider ways it can be support local authorities in this, including promotion of joint working and improved information sharing and forward planning.
- Improvements in data collection on ASG funding.<sup>10</sup>

**39.** Flying Start is the Welsh Government’s “flagship early years programme.”<sup>11</sup> It has been in place since 2007 and is delivered by local authorities. All 2 and 3 year old children living in a Flying Start area are entitled to free childcare for 2.5 hours a

---

<sup>9</sup> Written evidence, [AEC 77 Welsh Government](#), paragraph 7.9

<sup>10</sup> [Welsh Government. Research into the Childcare Offer for Wales Additional Support Grant: final report. 21 May 2024](#)

<sup>11</sup> Written evidence, [AEC 77 Welsh Government](#), paragraph 7.4



day, 5 days a week for 39 weeks a year. At least 15 sessions of this provision must be available during the school holidays.

**40.** There was a commitment within the Cooperation Agreement between the Welsh Government and Plaid Cymru to expand free childcare to all 2 year olds, “with a particular focus on providing and strengthening Welsh-medium childcare.”<sup>12</sup>

**41.** There is different provision across Wales for wrap-around and holiday care, most of which is available to children up to the age of 12. However, as we will outline, for some children, young people and their families provision is needed after the age of 12, and this can be incredibly difficult to find.

**42.** We are aware that non-disabled and neurotypical children, young people and their families can struggle to find affordable childcare that meets their needs in their local area. Some Members of our Committee have been involved with the work by the Equality and Social Justice Committee on childcare and parental employment in 2022, and the more recent follow up work that, at the time of writing, was coming to conclusion.<sup>13</sup>

## Early years and pre-school provision

### Limited inclusive capacity within the sector

---

**43.** Oxfam Cymru said that childcare is “a critical social infrastructure” for society, and that as well as being a “cornerstone of early childhood development” it has an “impact on multiple dimensions”. Some of these are around parental employment and social inclusion.<sup>14</sup>

**44.** However, the Children’s Commissioner said there is “very little” specialised early years provision, and that this gap is “widely acknowledged.”<sup>15</sup>

**45.** We heard from both families and stakeholders that securing inclusive childcare can be complicated because needs are only just beginning to emerge. It may only be once a child is in childcare that it becomes clear and families then have to deal with waiting times for assessments. (See Chapter 7.)

---

<sup>12</sup> [Welsh Government, The Co-operation Agreement, 2021](#)

<sup>13</sup> [Equality and Social Justice Committee, Childcare – a follow up inquiry, webpage \[accessed 14 May 2024\]](#)

<sup>14</sup> Written evidence, [AEC 57 Oxfam Cymru](#), paragraph 2.1.1

<sup>15</sup> [CYPE Committee, 18 May 2023, Record of Proceedings, paragraph 14](#)

**46.** PACEY Cymru said that settings may have to “react really quickly” to emerging needs of individual children, who need further support, intervention and funding which is not always available.<sup>16</sup> Early Years Wales described funding at this stage as “very sketchy”. They also said this can be a time where families “need the most support” especially where the provider is identifying potential needs.<sup>17</sup>

### **Case study 1**

*“... having great difficulty accessing early years education for my son, who should be entitled to 12 hours in total but instead gets just 5. I am also unable to access childcare of which he is entitled to 17 hours but instead gets none. ...*

*I have contacted private nursery providers to see if he could do some additional [sic] sessions in the afternoons but none get back to me when I am honest about his needs. ...*

*I am left doing a full time job on 5 hours childcare a week. ... is missing out on the early years foundation phase he's entitled to. He spends large parts of his days underestimated in front of screens as I have no other way of keeping him occupied ...”<sup>18</sup>*

### **Case study 2**

*Until he [the individual's child, who has ASD] was nearly 4, the only provision I could find for him was 2 hours a couple of times a week in a toddler childcare group which is the only place he could be safely as there is no childcare available for children like ... Because of his needs I was not able to find any childcare for him at all. ...*

*When he was nearly 4, he got a specialist Nursery communication unit place ... There are only 16 places available ... We were very fortunate. Despite this, he still only had access to 2.5 hours per day and no access to private childcare and the foundation phase as his sister currently enjoys.<sup>19</sup>*

---

<sup>16</sup> CYPE Committee, 12 October 2023, Record of Proceedings, paragraph 30

<sup>17</sup> CYPE Committee, 12 October 2023, Record of Proceedings, paragraph 31

<sup>18</sup> Written evidence, AEC 04 Individual

<sup>19</sup> Written evidence, AEC 31 Individual

**47.** Sparkle told us that there can be more options for informal to formal childcare for non-disabled and neurotypical children. This breadth of options may not be available to other families, in particular calling upon family members or friends who may not be able to manage specific needs.<sup>20</sup>

**48.** One family shared their experiences of their childcare falling through the day before it was due to start, despite a promising discussion with the provider and even a settling in period. They were dissatisfied with how this was then dealt with by both the nursery and Care Inspectorate Wales. They called for greater accountability, and said this would be improved if more data was publicly available to show when children and young people leave nursery or school and the reasons for this. They felt that transfers were happening regularly between settings because of a lack of support but that it was not recognised and therefore goes under the radar.<sup>21</sup>

**49.** Mudiad Meithrin shared the findings from their survey of the experiences of parents and carers of children and young people who were accessing meithrin provision. 50% of respondents gave the highest rating, meaning they believed their children had access to all aspects of provision. 33.81% gave the lowest rating, meaning they did not think they had access to all parts of the provision.<sup>22</sup> However, they highlighted a lack of available sector wide data on how many children have been unable to find provision which meets their needs.<sup>23</sup> They called for more data and research to understand the gaps in provision, which can then improve inclusivity and families experiences.<sup>24</sup>

**50.** The National Day Nurseries Association said that the starting point for improved access needed to come from the Welsh Government:

*“... we all need to be doing together, but it needs to start from the funding and the clear messages and guidance that need to come from the Welsh Government so that then local authorities are able to cascade those clear messages. All childcare providers want to be able to support their settings to be able to*

---

<sup>20</sup> Written evidence, [AEC 36 Chair Sparkle](#)

<sup>21</sup> [CYPE Committee Sparkle Focus Group session, 15 September 2023, paragraphs 48-49](#)

<sup>22</sup> Written evidence, [AEC 51 Mudiad Meithrin](#)

<sup>23</sup> [CYPE Committee, 12 October 2023, Record of Proceedings, paragraph 8](#)

<sup>24</sup> [CYPE Committee, 12 October 2023, Record of Proceedings, paragraph 54](#)

*offer this care and to ultimately support the children and families, because that's their main aim.”<sup>25</sup>*

**51.** While PACEY Cymru said that part of the challenges of inclusive access was having to work with a system that has developed over time:

*“... I think we're working with a system and trying to slot developments into an existing system that's been there historically and has grown and developed over time. I'm sure we'd all agree that if we were starting with a blank piece of paper and redesigning the approach and the service and everything else that goes around that, it would look very, very different, and maybe we do need to be brave and make some strong decisions there.”<sup>26</sup>*

**52.** Whizz Kidz said that the wording of the National Minimum Standards for Regulated Childcare in Wales leaves too much to interpretation by provider and “does not offer tangible, measurable minimum standards.” They highlight the Standards does not mention wheelchair accessibility.<sup>27</sup>

**53.** The WLGA said that local authorities had limited tools to intervene, because very early years childcare provision is run by private business. They acknowledge that for those who offer either the Childcare Offer or an educational offer, they will have a Service Level Agreement with the relevant local authority, but otherwise, they will not have anything to do with the local authority.<sup>28</sup>

**54.** The then Deputy Minister for Social Services acknowledged the challenges in securing childcare provision. She highlighted that the childcare sector “is relatively small”, saying that there are around 3,000 registered providers with around 74,000 places for children 0-12. She said that about half of provision is through childminders, of which there has been a decline. She said work is underway to try and “encourage more childminders.”<sup>29</sup>

---

<sup>25</sup> CYPE Committee, 12 October 2023, Record of Proceedings, paragraph 109.

<sup>26</sup> CYPE Committee, 12 October 2023, Record of Proceedings, paragraph 112.

<sup>27</sup> Written evidence, AEC 35 Whizz Kidz.

<sup>28</sup> CYPE Committee, 25 October 2023, Record of Proceedings, paragraph 8.

<sup>29</sup> CYPE Committee, 29 November 2023, Record of Proceedings, paragraphs 26.

## Childcare Sufficiency Assessments (CSAs)

---

**55.** As outlined in paragraph 33, CSAs are an essential tool for local authorities. However, the WLGA said that the process of completing a CSA is “quite lengthy” and that by the time it’s published “it’s out of date, particularly if in the meantime you may have had some national Government-level changes to policy”. They cited the recent round of CSAs which were prepared before the announcement of the Flying Start expansion. However, they said that it was an “important process” but that the annual refresh is “probably more important”.<sup>30</sup>

**56.** The WLGA explained that CSAs identify areas of unmet need, but that, fundamentally local authorities “can’t force providers to suddenly establish a setting.”<sup>31</sup> Local authorities can offer grants to support providers in establishing either in a particular area or a particular service, but ultimately “they’re businesses, they’re commercial providers, and they have to do what’s right for them financially.”<sup>32</sup>

**57.** The then Deputy Minister acknowledged that CSAs are “just one snapshot” and that local authorities also ensure they have up to date information and understanding of childcare provision.<sup>33</sup> For example, the then Deputy Minister told us that the recent round of CSAs had highlighted a rise of children with speech, language and communication needs post pandemic. She said that local authorities have “some shortfalls to address.”<sup>34</sup>

**58.** Another gap identified in the CSAs was the confidence of providers in supporting children with ALN. The then Deputy Minister said the “ability of childcare providers to provide suitable and affordable places was also identified as a gap, along with the training, resources and equipment needed.” Another gap is holiday childcare, which is particularly problematic for under 2’s and school age children.<sup>35</sup>

**59.** The Welsh Government highlighted the availability of funding to local authorities through the Childcare and Play element of the Children and Communities Grant to help address gaps identified in CSAs. They said this funding

---

<sup>30</sup> CYPE Committee, 25 October 2023, Record of Proceedings, paragraphs 24-27.

<sup>31</sup> CYPE Committee, 25 October 2023, Record of Proceedings, paragraphs 24

<sup>32</sup> CYPE Committee, 25 October 2023, Record of Proceedings, paragraph 28.

<sup>33</sup> CYPE Committee, 29 November 2023, Record of Proceedings, paragraph 22.

<sup>34</sup> CYPE Committee, 29 November 2023, Record of Proceedings, paragraph 17.

<sup>35</sup> CYPE Committee, 29 November 2023, Record of Proceedings, paragraph 18.

has been used to “support Assisted Places, Extra Hands and 1:1 support to improve access for children with ALN.”<sup>36</sup>

**60.** However, the then Deputy Minister also accepted that while local authorities are trying to mitigate these gaps, it was also during a “particularly difficult time for local authorities.” While saying the pandemic was “not an excuse” she acknowledged that the challenges have “impacted upon aspects of the CSA programme.” She said that local authorities “are doing their best but there are gaps.”<sup>37</sup>

**61.** The then Deputy Minister highlighted that at the time of giving evidence there was an independent review underway on the 2022 CSAs and action plans. She envisaged that the review would help “support the evolution of the CSA process”.<sup>38</sup>

**62.** This review was published in March 2024, and found that the current CSAs are “not fit for purpose and that the time, effort and resources required to produce them does not constitute good value for money.”<sup>39</sup> It makes a number of recommendations including that the Welsh Government should “consider reviewing the current CSA regulations and guidance.”<sup>40</sup> At the time of writing it was unclear what the Welsh Government’s response was.

## Funding

---

**63.** We heard that funding is critical to inclusive provision. A lack of sufficient levels of funding were raised. A provider said that they “just don’t have the finances to be able to sustain the additional support requirements to do the job well for children with additional needs, often.”<sup>41</sup> National Day Nurseries Association said it was one of the “main overriding” issues.<sup>42</sup> While Sparkle said that without a statement of needs, nurseries cannot access additional funding to provide this additional staffing resource.<sup>43</sup>

---

<sup>36</sup> Written evidence, [AEC 77 Welsh Government](#), paragraph 8.5

<sup>37</sup> [CYPE Committee, 29 November 2023, Record of Proceedings, paragraph 19](#)

<sup>38</sup> [CYPE Committee, 29 November 2023, Record of Proceedings, paragraph 23](#)

<sup>39</sup> [Welsh Government, Research into Childcare Sufficiency Assessments, 14 March 2024, paragraph 5.1](#)

<sup>40</sup> [Welsh Government, Research into Childcare Sufficiency Assessments, 14 March 2024, paragraph 5.26](#)

<sup>41</sup> Written evidence, [AEC 43 Clybiau Plant Cymru Kids’ Clubs](#)

<sup>42</sup> Written evidence, [AEC 54 National Day Nurseries Association \(NDNA\)](#)

<sup>43</sup> Written evidence, [AEC 36 Chair, Sparkle](#)

**64.** The Royal College of Occupational Therapists said there was “inequitable” access to funding for either additional staff support or equipment, saying that “some areas will fund equipment/support while others will not.”<sup>44</sup> While Mudiad Meithrin highlighted that:

*“Extra hands funding is more likely to be available for children who qualify under the Childcare Offer. The problem is that the Childcare Offer is offered based on the parents/carers’ eligibility, not the child. This will exclude disabled and neurodivergent children from equitable access to childcare and education, when play opportunities and interaction with people and children may be one of the interventions that would make a real difference to that child.”<sup>45</sup>*

**65.** The general complexity of the various funding sources was raised by many, including Clybiau Plant Cymru Kids Clubs<sup>46</sup>; Early Years Wales<sup>47</sup>; and National Day Nurseries Association.<sup>48</sup> These complexities are compounded by different approaches taken by different local authorities.

**66.** Mudiad Meithrin said that these inconsistencies are difficult for families, but also for national organisations like themselves, who have to “advise” on “22 different ways of doing things”. These complexities are even more challenging for families to navigate if they have children with additional needs.<sup>49</sup> While Clybiau Plant Cymru Kids Clubs said they have tried to pull together the different approaches across different local authorities “on many occasions, but it changes year to year, depending on budgets”.<sup>50</sup>

**67.** We visited ASD Rainbows, a registered charity, who provide childcare and support for children on the autistic spectrum, including pre-school provision for children aged 2-5, and wrap-around after school provision for children up to 16. They told us their biggest challenge was funding. At any given point they can be involved in processes for around 30 different grants. They believed there was a

---

<sup>44</sup> Written evidence, [AEC 30 Royal College of Occupational Therapists](#)

<sup>45</sup> Written evidence, [AEC 51 Mudiad Meithrin](#)

<sup>46</sup> [CYPE Committee, 12 October 2023, Record of Proceedings, paragraph 25](#)

<sup>47</sup> [CYPE Committee, 12 October 2023, Record of Proceedings, paragraph 30](#)

<sup>48</sup> [CYPE Committee, 12 October 2023, Record of Proceedings, paragraph 64](#)

<sup>49</sup> [CYPE Committee, 12 October 2023, Record of Proceedings, paragraph 23](#)

<sup>50</sup> [CYPE Committee, 12 October 2023, Record of Proceedings, paragraph 69](#)



gap in available grants for their services. They said there are restrictions on some grants limiting what they can apply for.<sup>51</sup>

**68.** The funding complexity can be even greater if there is a need for local authorities to work together. Early Years Wales said that some local authorities work well, but others do not collaborate effectively. They acknowledged that “each local authority does their very best” but that funding streams are not “set up for it, so if the funding is attached to the address of the child, then it won’t travel across into the county. It’s really complicated”.<sup>52</sup> PACEY Cymru highlighted that sometimes childcare teams may be restricted by the corporate requirements on procurement, which also vary across local authorities.<sup>53</sup>

**69.** The National Autistic Society while welcoming the additional funding available through the ASG, queried whether the £1.5million annually was sufficient. They said they were aware of “lots” of families who “are still having to fork out hundreds of pounds every month for a private crèche, as mainstream nurseries cannot meet their needs.” They cited the feedback from a parent who had told them:

*“If my son wasn't autistic and didn't have the needs that he has, he would have a full-time place and we wouldn't have to pay any fees’.”<sup>54</sup>*

**70.** Aside from the potential need to fund additional staff, there is also the issue of funding for specialist resources and equipment, as highlighted by Mudiad Meithrin.<sup>55</sup>

**71.** The then Deputy Minister highlighted the range of funding that is available, including the childcare and play element of the Children and Communities Grant, which local authorities can use to address gaps found in their CSAs. Alongside this, she said the ASG “doesn’t have a ceiling”, and is a demand-led grant. If it goes above the allocated £2million, it can still be accessed.<sup>56</sup>

---

<sup>51</sup> [CYPE Committee, Visit to ASD Rainbows, 9 October 2023, paragraph 7.](#)

<sup>52</sup> [CYPE Committee, 12 October 2023, Record of Proceedings, paragraph 78.](#)

<sup>53</sup> [CYPE Committee, 12 October 2023, Record of Proceedings, paragraph 83.](#)

<sup>54</sup> [CYPE Committee, 7 June 2023, Record of Proceedings, paragraphs 227.](#)

<sup>55</sup> [CYPE Committee, 12 October 2023, Record of Proceedings, paragraph 34.](#)

<sup>56</sup> [CYPE Committee, 29 November 2023, Record of Proceedings, paragraphs 28.](#)

## **Flying Start and the Childcare Offer**

---

**72.** Mudiad Meithrin highlighted differences between funding available to those who live in Flying Start areas and those who do not. They cited an example of a child who professionals believed would have benefited from additional support that would have been available in a Flying Start area. The family was unable to pay for a nursery place. They called for financial support to be available based on the child's needs and the setting's ability to meet that need, and not on parental eligibility. They also felt more work was needed to "promote and give status to the work that childcare and education practitioners do to facilitate interventions to support children at an early age."<sup>57</sup>

**73.** Others also highlighted that access to Flying Start is not universal, including Early Years Wales<sup>58</sup>; National Day Nurseries Association<sup>59</sup>; and Oxfam Cymru.<sup>60</sup> Early Years Wales said that although the services can "vary from county to county", there is "a huge range of additional services" that are only available within Flying Start provision, including:

- Enhanced Health Visitor services;
- Parent Support;
- Enhanced support; and
- "Easy" access to speech and language therapists and educational psychologists.

They also indicated that there is provision outside of Flying Start which may be able to secure "good provision via referral and brokerage schemes" but this varies between local authorities.<sup>61</sup> Early Years Wales, like Mudiad Meithrin, called for funding and support to be "available ... in a much more even way."<sup>62</sup>

**74.** Families are also aware of the differences in the provision offered in Flying Start areas. One parent said that the catchment areas for Flying Start might make sense on a map, but do not in real life. Another said they believed they would

---

<sup>57</sup> Written evidence, [AEC 51 Mudiad Meithrin](#)

<sup>58</sup> Written evidence, [AEC 53 Early Years Wales](#)

<sup>59</sup> Written evidence, [AEC 54 National Day Nurseries Association \(NDNA\)](#)

<sup>60</sup> Written evidence, [AEC 57 Oxfam Cymru](#), paragraphs 4.1

<sup>61</sup> Written evidence, [AEC 53 Early Years Wales](#)

<sup>62</sup> [CYPE Committee, 12 October 2023, Record of Proceedings, paragraph 31](#)

have had a much earlier diagnosis if they had been in a Flying Start area.<sup>63</sup> One parent said that there seemed to be more training available in settings in Flying Start areas.<sup>64</sup> PACEY Cymru confirmed these differences saying that Flying Start provision will:

*“... get in-service training days, they'll get training days, and they'll get funding for their staff to do this. For the private sector or voluntary sector, there aren't backfill payments and there aren't staffing payments for that either. So, it's often very difficult to release staff to do more targeted training when there's simply no funding for them to do it. And you're asking these businesses to take on that cost, and they can't always do that.”<sup>65</sup>*

**75.** PACEY Cymru believed using Flying Start as the “mechanism for the expansion” [of the Childcare Offer to 2 year olds] rather than the Childcare Offer will have an impact on the roll-out. They said this is because the Childcare Offer is “universally available to all registered settings to deliver” when if Flying Start is used “it becomes a local authority decision.” They said there are barriers for all settings delivering on an expanded Flying Start, in particular around procurement arrangements, which they say will be difficult for smaller settings and childminders.

*“That then impacts on the continuity of care for children that are using services in the early years, because in theory they're then having to move to follow the funding rather than being able to stay somewhere that supports their needs. It also impacts, obviously, on parental choice of childcare, and also then has a sustainability effect on the childcare settings that aren't able to deliver Flying Start and other funded programmes. Then what we have is displacement of childcare, and an unnecessary move, in our opinion.”<sup>66</sup>*

---

<sup>63</sup> [Children, Young People and Education Committee, Sparkle Focus Group session, 15 September 2023, paragraph 56](#)

<sup>64</sup> Written evidence, [AEC 72, Individual](#)

<sup>65</sup> [CYPE Committee, 12 October 2023, Record of Proceedings, paragraph 39](#)

<sup>66</sup> [CYPE Committee, 12 October 2023, Record of Proceedings, paragraphs 13](#)

**76.** Early Years Wales were concerned about some of the details around expansion of the Childcare Offer. These included whether the available hours available cover working hours, how joined up the approach to funding is and funding for additional support. They also flagged concerns about transitions:

*“... it's the movement between different settings to try and get all the funding to match up together and that joined-up thinking and those transitions between settings. If you think a child could be in one setting for nought to two, another setting for two to three, another setting for three to four, and then they could be in after-school club and holiday club, and education, that's an awful lot to take on. So, there needs to be more thought about how a child can stay in one place and the funding would stay with that child for the entirety of their needs, not just for patches.”<sup>67</sup>*

**77.** Clybiau Plant Cymru Kids Clubs also raised these issues, in particular the transitions out of early years to wrap around provision once the child is in school. They said that the way funding follows children can be “quite a significant barrier”. In particular, that extra hands funding may stop with the ending of the Childcare Offer. Some local authorities will continue to fund this, while others will not. This can then impact on whether families can return to the workplace.<sup>68</sup>

**78.** PACEY Cymru also highlighted that nannies cannot register for the Childcare Offer. They said that in Wales nannies are used in a “very non-traditional” way. They are often used for people who work shifts, have multiple children or for those with children with ALN.<sup>69</sup>

**79.** Oxfam Cymru said the combination of post code eligibility for Flying Start, and or parental employment / training for the Childcare Offer for Wales, meant there are “disparities and inequalities in eligibility for many families and children, directly contravening the principles outlined in the UN Convention.”<sup>70</sup> [UN Convention on the Rights of the Child.] They called for the Childcare offer to be “affordable and accessible for parents of all children from six months.”<sup>71</sup>

---

<sup>67</sup> [CYPE Committee, 12 October 2023, Record of Proceedings, paragraph 15](#)

<sup>68</sup> [CYPE Committee, 12 October 2023, Record of Proceedings, paragraphs 25-26](#)

<sup>69</sup> [CYPE Committee, 12 October 2023, Record of Proceedings, paragraphs 14](#)

<sup>70</sup> Written evidence, [AEC 57 Oxfam Cymru](#), paragraph 4.1

<sup>71</sup> Written evidence, [AEC 57 Oxfam Cymru](#), paragraph 4.2.1

**80.** PACEY Cymru shared concerns about the impacts on those families who are ineligible for support such as the Childcare Offer. They also highlighted the complexities that can arise when a child is accessing more than one provision (for example wrap around provision for a place funded by the Childcare Offer). In these cases, additional funding and therefore support may be available in one setting, but not the other, which causes inequalities and has “an impact ... on developmental outcomes for the children.” They said this can often be the case “where the parents are paying privately for a childcare arrangement, where you would think still that there would be some form of continuity of support.”<sup>72</sup>

**81.** PACEY Cymru said that for families who are eligible for the Childcare Offer “there are positives”, which included flexibility of choice about the type of provision, and the availability of additional funding support. Although they said there are “still issues” with families being aware of what they are eligible for, and how they can access it.<sup>73</sup>

**82.** The issues of funding for additional staffing to enable childcare providers to accommodate children and young people was raised by a number of organisations. A recent report by Sparkle highlighted that funding was not always available for the additional staffing support needed for some children.<sup>74</sup>

**83.** ASD Rainbows which is registered with the Childcare Offer said the funding doesn’t “scratch the surface” as this is £12.50 per session, yet their costs are £63 per child per session.<sup>75</sup>

**84.** Mudiad Meithrin said that inclusion could be supported by “offering extra hands funding rather than 1-1...” as this helps when more than one child needs support, and that it can “help prepare the child for attending education without an extra pair of hands.” They said there may be “historical tendencies” for settings to “say immediately” that extra hands funding is needed before thinking about a child’s specific needs.<sup>76</sup>

**85.** The Welsh Government highlighted that in the latest available data “2% of children on Flying Start health visitor caseloads had a declared impairment.” They said that guidance “prescribes that local authorities must accommodate children

---

<sup>72</sup> [CYPE Committee, 12 October 2023, Record of Proceedings, paragraph 12](#)

<sup>73</sup> [CYPE Committee, 12 October 2023, Record of Proceedings, paragraph 11](#)

<sup>74</sup> Written evidence, [AEC 36, Chair, Sparkle](#)

<sup>75</sup> [CYPE Committee, Visit to ASD Rainbows, 9 October 2023, paragraph 8](#)

<sup>76</sup> Written evidence, [AEC 51, Mudiad Meithrin](#)

with ALN and disabilities to enable them to engage with provision so far as this is practicable and in the best interest of the child.”<sup>77</sup>

**86.** The Welsh Government said that the offer “has been designed to take account of barriers” eligible parents may face, “in particular, those who have children with additional support needs, including learning disabilities, physical and sensory impairments.” They cited the ASG as ensuring the Offer “is inclusive to eligible children who need additional support.”<sup>78</sup> (We look at the ASG in more detail in the previous section.)

## **Staffing and training**

---

**87.** A key barrier to inclusive childcare is having sufficient numbers of, and appropriately trained and experienced, staff. Clybiau Plant Cymru Kids Clubs told us about their challenges in recruitment and retention.<sup>79</sup> While Early Years Wales agreed, saying that it is “difficult to recruit qualified and experienced staff especially considering their low wages.”<sup>80</sup>

**88.** One parent told us that three of the providers they contacted said they could secure the funding, but could not recruit the staff.<sup>81</sup> While Mudiad Meithrin said that recruitment in the sector has faced a “challenging time”, which is even greater if the funding is only for a few hours a day.<sup>82</sup>

**89.** Parents responding to Mudiad Meithrin’s survey indicated this was the main reason for children not being able to access provision, which was supported by the findings from the survey of childcare staff. Mudiad Meithrin said there can be challenges in managing the need for children to have additional support with the wider resourcing needs. This could lead to the setting being in breach of minimum standards for care ratios. They said this can be “very frustrating” for providers because “without support and guidance”, there can be concerns that “they are breaking rules and endangering the safety of other children.”<sup>83</sup> The National Day Nurseries Association also said that providers want to be inclusive but they also have to be sure they can meet children’s needs.<sup>84</sup>

---

<sup>77</sup> Written evidence, [AEC 77 Welsh Government](#), paragraph 7.6

<sup>78</sup> Written evidence, [AEC 77 Welsh Government](#), paragraph 7.8

<sup>79</sup> Written evidence, [AEC 43 Clybiau Plant Cymru Kids’ Clubs](#)

<sup>80</sup> Written evidence, [AEC 53 Early Years Wales](#)

<sup>81</sup> Written evidence, [AEC 21 Individual](#)

<sup>82</sup> Written evidence, [AEC 51 Mudiad Meithrin](#)

<sup>83</sup> Written evidence, [AEC 51 Mudiad Meithrin](#)

<sup>84</sup> Written evidence, [AEC 54 National Day Nurseries Association \(NDNA\)](#)

**90.** Another key factor is childcare staff having the right skills, knowledge and experience.<sup>85</sup> PACEY Cymru told us that there has been an increase in childcare practitioners having additional or specialist training in supporting ALN. This has increased from 50% of all settings in 2020, to “just under 60% in 2023, while there has also been an increase in childminders having this training, from “just over 20% in 2020” to “just under 30% in 2023. They said that lower figures for these settings was because of the “reduced likelihood of caring for a child with additional needs or disabilities.”<sup>86</sup>

**91.** The National Day Nurseries Association said that there was variable understanding across settings of disability, neurodiversity and ALN. They cited feedback from their members in Wales, which noted that while 80% of settings either had supported, or were currently supporting, children with different needs, “less than 20%” felt that “their setting is currently fully suitable and that they are confident and prepared to welcome a child that is neurodivergent, has physical, sensory or learning disabilities into their setting in a way that will fully meet all their individual needs.”<sup>87</sup>

**92.** One practitioner as part of the Mudiad Meithrin response suggested developing a pool system with staff with skills and experience to support children with additional needs. However, Mudiad Meithrin also cautioned that such pool systems can be “problematic” because “often ... the staff are offered jobs that are effectively permanent ...” due to the demand for these staff.<sup>88</sup>

**93.** PACEY Cymru highlighted that practitioners wanted specialist guidance and support to help meet the needs of individual children rather than more generalised training. They suggested including case studies of best practice within resources and guidance.<sup>89</sup> Mudiad Meithrin said that any guidance should also include advice on “assessment arrangements” for a child which will help settings ensure “they are assessing in a way that suits the child.”<sup>90</sup> The National Day Nurseries Association<sup>91</sup> and the Association of Directors of Education in Wales (“ADEW”)<sup>92</sup> agreed that training was needed, but that it needed to be specific. The National Day Nurseries Association said that “nearly all settings” felt they would

---

<sup>85</sup> Written evidence, [AEC 51 Mudiad Meithrin](#)

<sup>86</sup> Written evidence, [AEC 40 PACEY Cymru](#)

<sup>87</sup> Written evidence, [AEC 54 National Day Nurseries Association \(NDNA\)](#)

<sup>88</sup> Written evidence, [AEC 51 Mudiad Meithrin](#)

<sup>89</sup> Written evidence, [AEC 40 PACEY Cymru](#)

<sup>90</sup> Written evidence, [AEC 51 Mudiad Meithrin](#)

<sup>91</sup> Written evidence, [AEC 54 National Day Nurseries Association \(NDNA\)](#)

<sup>92</sup> [CYPE Committee, 25 October 2023, Record of Proceedings, paragraph 98](#)



“benefit from additional support from their local authority / multi agency teams”, and advocated bitesize sessions “on strategies to support children would be beneficial, to aid settings to cater to children’s individual needs.”

**94.** Mudiad Meithrin agreed that a lack of training was a key factor in any negative experiences of families. Childcare providers said that the right training was “rarely available” and that they wanted more “advice and guidance from experts when trying to offer support to an individual child.” While parents and carers raised a need for a better understanding of how to support a child; and of the differences between different conditions.<sup>93</sup> One parent described how their child, at the age of three was described as being “manipulative” by their teacher, due to a lack of knowledge and understanding from the teacher.<sup>94</sup>

**95.** Mudiad Meithrin were also concerned about a lack of Welsh medium training which is “essential” for staff in Welsh medium and bilingual provision. They said that some types of provision can feel they cannot access training provided by local authorities in the same way that education settings can. They also said there was insufficient expert advice to help provisions’ best support children. They called for experts visiting provisions to provide “advice, guidance and ideas about suitable activities and resources.”<sup>95</sup>

**96.** PACEY Cymru raised concerns about the amount of funding for training, in particular for ALN. They said that while “general” funding has improved, there “is still a big gap in the ability to access the funding for the training that’s needed.”<sup>96</sup> They also indicated the challenges for some providers such as childminders who will struggle to attend “multiple days of training”. Childminders also have to attend training on other relevant issues such as safeguarding and first aid, as there are no other staff who can lead on specific elements.<sup>97</sup> Early Years Wales also called for “a stronger element of mandatory training within ALN, that’s for sure, but you have to consider the funding element of that.”<sup>98</sup>

---

<sup>93</sup> Written evidence, [AEC 51 Mudiad Meithrin](#)

<sup>94</sup> [CYPE Committee, Visit to ASD Rainbows, 9 October 2023, paragraph 27](#)

<sup>95</sup> Written evidence, [AEC 51 Mudiad Meithrin](#)

<sup>96</sup> [CYPE Committee, 12 October 2023, Record of Proceedings, paragraph 40](#)

<sup>97</sup> [CYPE Committee, 12 October 2023, Record of Proceedings, paragraphs 44-45](#)

<sup>98</sup> [CYPE Committee, 12 October 2023, Record of Proceedings, paragraph 43](#)

## Welsh medium provision

---

**97.** One of the big issues was a lack of inclusive Welsh medium provision. This was raised by both families and organisations. This can be compounded by a lack of wider Welsh medium play or other early years clubs, reducing the opportunities to socialise with other Welsh speaking families. A parent called for “better planning” so that a child’s language needs can be met.<sup>99</sup>

**98.** Mudiad Meithrin told us that some families have to send their children to English medium provision simply because specialist inclusive provision is not available in Welsh.<sup>100</sup> They said this was particularly the case outside the north-west and south-west. The variation in inclusive Welsh medium provision was linked to “the planning of the local authority for the child, and the speciality level that the setting and the *cylch meithrin* has to adapt”.<sup>101</sup> This was also an issue that was raised about school provision, and which we cover in the next Chapter.

**99.** Compounding these issues, is the lack of Welsh language health care, according to Mudiad Meithrin. They said a lack of Welsh speaking healthcare staff is one of the “weaknesses” in Welsh medium provision. They said it has a “direct impact on the choices of parents and carers.” They were particularly concerned about shortages in Welsh medium speech and language support.

*“We believe there is still work to be done to show parents and carers, as well as the health sector, that children with ALN can flourish in Welsh-medium education.”<sup>102</sup>*

## The impact of the ALN Act and Code

---

**100.** The ALN Act and Code covers all children and young people from the age of 0 up to 25. As a result of the ALN Act and ALN Code being introduced, there have been new duties and responsibilities which relate to the early years sector. One key change is that every child who is identified as having Additional Learning Needs (ALN) by the local authority must have a statutory Individual Development Plan (IDP). IDPs should include additional learning provision (ALP) agreed by health services, social services and other services, including education. We have

---

<sup>99</sup> Written evidence, [AEC.51 Mudiad Meithrin](#)

<sup>100</sup> [CYPE Committee. 12 October 2023. Record of Proceedings, paragraphs 53-54.](#)

<sup>101</sup> [CYPE Committee. 12 October 2023. Record of Proceedings, paragraph 17.](#)

<sup>102</sup> Written evidence, [AEC.51 Mudiad Meithrin](#)

also looked at the impact of the ALN Act and ALN Code in our chapter on schools. This section focuses on those issues which are specific to the early years.

**101.** The British Psychological Society said they “fully endorse” the principles of the reforms, but are concerned that the implementation has not been supported with “adequate resources” or support. They are also concerned about the “lack of clarity, consistency and a shared understanding in the language used” by all the involved professionals. They said that the Code and associated pathways “are not working for families because there isn’t a shared understanding about what individual’s right and needs are”. This is compounded by services “being ‘service’ led rather than ‘person-centred’ led.”<sup>103</sup>

**102.** Early Years Cymru said that children in childcare provision tend to have “emerging needs which have not had any interventions or support.” This can be because of waiting lists, or because needs are not fully known. They said IDPs are “not usually in place at an age where children are attending childcare i.e 0-3 no mandatory provision.”<sup>104</sup>

**103.** PACEY Cymru welcomed the ALN Act and Code including children from birth, saying it was an improvement on the previous SEN system as support could start at an earlier age leading to improved outcomes. They felt it would increase “availability of support, guidance and training” for all early years provision. They were encouraged that all local authorities have a designated Early Years Additional Learning Needs Lead Officer. But they called for a more consistent approach to support across different local authorities. They were particularly concerned that smaller childcare providers in some areas such as registered childminders were less able to access support, guidance and services, and are less likely to be included in planning and communications.<sup>105</sup> Mudiad Meithrin called for the Early Years Additional Learning Needs Lead Officer to “ensure” experts provide advice to settings on how best to support children.<sup>106</sup>

**104.** PACEY Cymru highlighted the importance of good communication between all involved in supporting a family. They said for this to happen the Early Years Additional Learning Needs Lead Officers must have an inclusive approach on working with all types of childcare providers, as well as “similar recognition and support for those caring for school-age children when the responsibility for ALN

---

<sup>103</sup> Written evidence, [AEC 58 British Psychological Society](#)

<sup>104</sup> Written evidence, [AEC 53 Early Years Wales](#)

<sup>105</sup> Written evidence, [AEC 40 PACEY Cymru](#)

<sup>106</sup> Written evidence, [AEC 51 Mudiad Meithrin](#)

transfers to maintained education settings.”<sup>107</sup> We look at the importance of multi-disciplinary working in Chapter 7.

**105.** ADEW said that all providers have free access to the statutory Early Years Additional Needs Lead Officer. This role is both anticipatory and reactionary, and providers can access training when needed. Although they said that it was an important role to help build capacity within providers, whilst also being able to provide bespoke support for individual needs.<sup>108</sup>

**106.** The WLGA said the establishment of these statutory posts along with their involvement in early year panels and a national forum, is helping to “develop consistency of practice and learn from good practice.”<sup>109</sup>

**107.** PACEY Cymru highlighted that awareness of the ALN Act and Code is increasing among registered providers, noting it was now at “almost 87% of all settings and 73% of childminders.” They also indicated that the percentage of settings which have a designated ALN person has increased across all settings from 60% in 2020 to 73% in 2023. But they called for “further targeted engagement” to ensure all registered childcare providers know about the new system.<sup>110</sup>

**108.** PACEY Cymru also called for a “nationally consistent approach to the training, guidance and resources for all childcare, early years and play settings” which they called “important” in supporting effective implementation. They cited different approaches taken in local authorities, some of which have been particularly onerous, and others where it’s been inaccessible. They said the priorities for training should be a:

*“... focus on their role, such as helping settings to be aware of the system, where to go for guidance and support, how to discuss concerns with parents/carers, how to make a referral, and ways to communicate and share information, rather than aspects that the statutory roles within the ALN Code should be leading on.”<sup>111</sup>*

---

<sup>107</sup> Written evidence, [AEC40 PACEY Cymru](#)

<sup>108</sup> [CYPE Committee, 25 October 2023, Record of Proceedings, paragraphs 32-33](#)

<sup>109</sup> [CYPE Committee, 25 October 2023, Record of Proceedings, paragraph 99](#)

<sup>110</sup> Written evidence, [AEC 40 PACEY Cymru](#)

<sup>111</sup> Written evidence, [AEC 40 PACEY Cymru](#)

---

**109.** The National Day Nurseries Association highlighted the differences in implementation across different local authorities. The impact of the ALN Act and Code is “very dependent” on the way it’s being delivered. They were aware of some very good work, and support for childcare providers but this is not consistent across Wales. They said there is a lot of confusion. While some providers lack resources, funding or support to offer support. They said it can be “dependent on where they reside and how the local authority is looking at that framework.”<sup>112</sup> They called for clarity on the expectations of a childcare provider, so providers understand what they have to do to support local authorities to meet their statutory duties.<sup>113</sup>

**110.** This lack of clarity was raised by other stakeholders. Mudiad Meithrin raised concerns about the information being provided to some childcare settings in relation to their duties under the Code. They said “a number of local authorities have been misleading nursery settings with messages that go against the Code.” They said that while there has been an “attempt” to counter these messages through a blog on the Cwlwm website, this was no longer sufficient, and called for the Government to “give concrete examples of what providers are expected to do” under the duties.<sup>114</sup>

**111.** The National Day Nurseries Association agreed that there was a need for “further clarity from the Welsh Government on the requirements, expectations, and role of the non-maintained providers in supporting local authorities to fulfil their statutory obligations.” They said that if providers do not receive the right support they may not be able to meet children’s individual needs.<sup>115</sup>

**112.** Mudiad Meithrin highlighted that the duty, in the ALN Act, on non-maintained funded nursery settings to support local authorities to identify and maintain an IDP for children with ALN came into force at the same time as “financial austerity which continues and is likely to get worse”. They say that the financial cuts have “had a direct impact on the rights of disabled and neurodivergent children across Wales, and in particular their access to childcare and education.”<sup>116</sup>

**113.** The National Day Nurseries Association also raised the issue of funding in supporting children with ALN. It said it was “apparent” that there was variation

---

<sup>112</sup> CYPE Committee, 12 October 2023, Record of Proceedings, paragraph 64

<sup>113</sup> CYPE Committee, 12 October 2023, Record of Proceedings, paragraph 104

<sup>114</sup> Written evidence, AEC 51 Mudiad Meithrin

<sup>115</sup> Written evidence, AEC 54 National Day Nurseries Association (NDNA)

<sup>116</sup> Written evidence, AEC 51 Mudiad Meithrin

between different local authorities. One provider was told by the local authority that they had run out of funding, and that providers could not continue with one-to-one support. However the local authority then changed their minds saying support could continue for existing children but that there would be no more funding for new children in the future. They also said that it was the case that some local authorities have a “no funding blanket approach on the horizon.”<sup>117</sup>

**114.** The Chair of the Sparkle charity shared recent reports from their organisation which outlined some of the experiences of the families that they support. They highlighted that there has been an “impact on funding for nurseries to enable them to provide support ... since the introduction of IDPs.”<sup>118</sup>

**115.** Mudiad Meithrin said that there appears to be a “significant increase in the number of children with ALN in all-ages childcare settings”. This, they said, was in line with “practitioners’ perception” but that it was “unclear” if increases were because of ALN reforms. They called for a “better understanding” of the data, along with “better information” which help non-maintained settings to offer equal access.<sup>119</sup>

**116.** The Welsh Government said that while the approach local authorities took to identify and manage ALN referrals differs, “the majority” have “dedicated teams/people to manage ALN provision to ensure inclusion and access.”<sup>120</sup>

## **Before and after school clubs and holiday provision**

**117.** We heard of how the offer of before and after school, and holiday childcare provision differs significantly between children and young people and their non-disabled or neurotypical peers. This is much like the provision for early years, and school more widely. This was an issue raised repeatedly, including from the families we spoke to<sup>121</sup>; and the Equality and Human Rights Commission<sup>122</sup>. We heard about this in the context of holiday clubs and after school clubs struggling to survive, and challenges recruiting qualified staff.<sup>123</sup>

---

<sup>117</sup> Written evidence, [AEC 54 National Day Nurseries Association \(NDNA\)](#)

<sup>118</sup> Written evidence, [AEC 36 Chair, Sparkle](#)

<sup>119</sup> Written evidence, [AEC 51 Mudiad Meithrin](#)

<sup>120</sup> Written evidence, [AEC 77 Welsh Government](#), paragraph 8.3

<sup>121</sup> [Children, Young People and Education Committee, Do Disabled Children and Young People have equal access to education and Childcare? Engagement Findings, March 2023](#)

<sup>122</sup> [CYPE Committee, 18 May 2023, Record of Proceedings, paragraph 98](#)

<sup>123</sup> [CYPE Committee, 12 October 2023, Record of Proceedings, paragraph 19](#) and [CYPE Committee, 25 October 2023, Record of Proceedings, paragraph 12](#)

**118.** Clybiau Plant Cymru Kids Clubs said that a lack of inclusive provision is the result of social barriers as opposed to discrimination. They shared the experiences of a setting:

*“It is incredibly difficult to run a childcare service for children with additional needs due to the high level of staffing, training, qualification and facilities needed. It requires substantially more preparation for each child/young person such as visiting them in school, at home and in other settings in order to have the full picture of the individuals needs, behaviours, likes and dislikes. ... The expense of running our setting is way beyond what it is reasonable to charge parents in fees, so we are constantly fundraising to open the setting.”<sup>124</sup>*

**119.** One parent told us this means that the options available for her children are “vastly different” to those of their children’s non-disabled and neurotypical classmates. This discrepancy extends to holiday provision, saying:

*“... the Council’s holiday childcare/activity offerings are only available to a small cohort of disabled children. Sports camps ... targeted as disabled children, have a minimum entry criteria (being able to feed and toilet themselves) that not all disabled childcare can meet.”*

They added that in their local authority, some provision is only available to children in particular special resource base units, so a child with similar needs in the same local authority but who attends a different resource base cannot attend.<sup>125</sup> This very starkly demonstrates the post code lottery that we heard about across Wales. It exists both within the same local authority area, as well as between different local authorities.

**120.** Another parent who has two autistic non-verbal children with complex needs told us:

*“There is NO childcare facility provision !!!!! I have NO choice!!!! The limited number of spaces over the summer is not even a choice it’s a lottery [...] Even if I was rich there is no facility in my*

---

<sup>124</sup> Written evidence, [AEC 43 Clybiau Plant Cymru Kids’ Clubs](#)

<sup>125</sup> Written evidence, [AEC 28 Individual](#)



*local authority area that I can, out of my own choice, send my children to for the level of childcare that my children need.”<sup>126</sup>*

**121.** Oxfam Cymru cited the experience of a parent in an urban area, who said there is only childcare available for six days out of the six week holiday, while another parent told them that there is no appropriate provision for their non-verbal autistic child.<sup>127</sup> Another parent said they felt their family’s voice was a “lost” one that had been “forgotten”.<sup>128</sup>

**122.** A parent said that a lack of wrap-around provision can impact on a family’s decision about what type of school children will go to:

*“Most units/special schools don’t offer breakfast club and after school club which is essential for working parents. It’s also provides social development and peer friendship opportunities. Parents have to choose mainstream for this which can compromise a child’s education as there is a lack of specialist training relating for ALN for mainstream teaching staff.”<sup>129</sup>*

**123.** At one school, we heard how parents had taken matters into their own hand and established their own inclusive holiday provision. The scheme is popular, and has a waiting list, but is unable to expand due to staff recruitment challenges.<sup>130</sup> The challenge of the transient nature of the work combined with the need for certain qualifications or experience, make them difficult roles to fill.<sup>131</sup> The parents said that they believed this was a service that the local authority should be operating.<sup>132</sup> This was a view shared by other families, who called for a percentage of all funding for play, sports and culture to be targeted at children and young people, with penalties if this does not happen.<sup>133</sup>

---

<sup>126</sup> Children, Young People and Education Committee, [Do Disabled Children and Young People have equal access to education and Childcare? Engagement Findings, March 2023](#).

<sup>127</sup> Written evidence, [AEC 57 Oxfam Cymru](#), paragraphs 3.2.5

<sup>128</sup> Written evidence, [AEC 57 Oxfam Cymru](#), paragraphs 3.2.10

<sup>129</sup> Written evidence, [AEC 55 Swansea Parent Carer Forum](#)

<sup>130</sup> [Children, Young People and Education Committee, School Note 2, 29 June 2023, paragraphs 28-30](#).

<sup>131</sup> [Children, Young People and Education, Oakhill ASD Childcare focus group session, 15 September 2023, paragraphs 7-8](#).

<sup>132</sup> [Children, Young People and Education Committee, School Note 2, 29 June 2023, paragraphs 28-30](#).

<sup>133</sup> [Children, Young People and Education Committee, Sparkle Focus Group session, 15 September 2023, paragraph 58](#).

**124.** The challenges in securing holiday childcare was one of the reasons why Oakhill ASD Childcare switched from providing wrap around provision to holiday care. Although they also shared the challenges on securing funding for the service, and therefore have focused on summer holiday provision as this is the most needed.<sup>134</sup> While the provision is successful and has a waiting list, there are real challenges in ensuring it's financially viable, while they receive grants from a number of organisations and charge fees, the fees do not cover the costs of the intensive level of support needed. (The provision is run as charity.)<sup>135</sup>

**125.** The challenges of accessing wrap-around provision was raised by parents. Even if a school does provide inclusive provision, often learner transport restrictions mean children and young people cannot attend. This was raised repeatedly by parents; <sup>136</sup> during our school visits<sup>137</sup> and by others including Estyn<sup>138</sup>. Not being able to access this type of provision, can have an impact on social isolation. <sup>139</sup> These challenges can be even greater for those in live in rural areas.<sup>140</sup> We look at the issues of learner travel in more detail in the next Chapter.

**126.** One of the special schools we visited suggested a solution to these challenges. This would be to allow teaching assistants to take responsibility for the wrap-around care, as well as for direct transport to and from the school if funding was available. This, they said, would help with the pay for teaching assistants as they could become full time contact workers. Although they also noted that additional time in school could be challenging for some learners, who are often very tired at the end of the school day.<sup>141</sup> Parents at Oakhill ASD Childcare also suggested enabling teaching assistants to be employed in holiday care, which could be a helpful additional income stream for staff who are not paid over the holidays.<sup>142</sup>

**127.** Parents and carers compared the experiences of their children, with their non-disabled and / or neurotypical siblings. One child cannot access anything, in

---

<sup>134</sup> Children, Young People and Education, Oakhill ASD Childcare focus group session, 15 September 2023, paragraphs 4-5

<sup>135</sup> Children, Young People and Education, Oakhill ASD Childcare focus group session, 15 September 2023, paragraphs 12-13

<sup>136</sup> Written evidence, AEC 55 Swansea Parent Carer Forum

<sup>137</sup> Children, Young People and Education Committee, School Note 2, 29 June 2023, paragraph 18

<sup>138</sup> AEC 48 Estyn

<sup>139</sup> CYPE Committee, 18 May 2023, Record of Proceedings, paragraph 46

<sup>140</sup> Written evidence, AEC 67 Undeb Cenedlaethol Athrawon Cymru

<sup>141</sup> Children, Young People and Education Committee, School Note 4, 28 September 2023, paragraphs 13-16

<sup>142</sup> Children, Young People and Education, Oakhill ASD Childcare focus group session, 15 September 2023, paragraphs 24

comparison to their sibling's "wide choice of extracurricular activities including swimming lessons, gymnastics, ballet and goes to childcare five mornings a week."<sup>143</sup> A parent as part of the response from the National Neurodiversity Team described how their son could not go to youth clubs or other similar provision such as scouts, and that along with missing out on "a sense of normality", he also "feels locked inside the house."<sup>144</sup>

**128.** We were told that school holidays can be "especially long and challenging" because of a lack of inclusive provision.<sup>145</sup> Both schools<sup>146</sup> and families talked about the impact of a lack of routine over the summer holidays. Parents talked about how continuity in delivering provision across the year would be helpful. They said that any type of break upsets routines.<sup>147</sup>

**129.** Play Wales said that many local authority and voluntary providers do offer "supported spaces for disabled children", most of which was in the summer holidays. However, they noted that the availability of spaces is dependent on a number of factors, including the level of support needed (flagging that one-to-one support is a "challenge"); staff skills; and building accessibility. They said that when opportunities are available they can be limited both in length and the number of sessions offered.<sup>148</sup>

**130.** The limitations of choice and flexibility in dates when inclusive holiday clubs are available was raised by parents. One parent described being offered only 4, 3 hour sessions for the whole of the summer, and these dates were only offered on 17 July. When they questioned the dates, they were told "tough luck, it's not respite, it's play, it's not childcare." They compared this with the experiences of families with non-disabled and neurotypical children who can choose when to use childcare over the summer, when they are offered limited dates and have to accept what is offered.<sup>149</sup>

**131.** Mudiad Meithrin cited that there is a specific issue around funding for inclusive holiday provision. They highlighted the example of a single parent whose funding for childcare was cut and they "faced weeks without respite from caring"

---

<sup>143</sup> Written evidence, [AEC.31.Individual](#)

<sup>144</sup> Written evidence, [AEC.52.National.Neurodiversity.Team](#)

<sup>145</sup> Written evidence, [AEC.31.Individual](#)

<sup>146</sup> [Children.Young.People.and.Education.Committee.School.Note.2.29.June.2023.paragraph.19](#)

<sup>147</sup> [Children.Young.People.and.Education.Committee.Do.Disabled.Children.and.Young.People.have.equal.access.to.education.and.Childcare?.Engagement.Findings.March.2023](#)

<sup>148</sup> Written evidence, [AEC.37.Play.Wales](#), paragraph 1.9 and 1.11

<sup>149</sup> [Children.Young.People.and.Education.Oakhill.ASD.Childcare.focus.group.session.15.September.2023.paragraph.14](#)

for their child with “intensive needs”. This resulted in an adverse impact on their mental health. They also said that parents and carers have “real concerns” that services and support during school holidays will be cut further. They called for local authorities to ring-fence money to support equitable access to both holiday and wrap around care.<sup>150</sup> (We cover the impact of a lack of inclusive provision on children, young people and their families in Chapter 6.)

**132.** Clybiau Plant Cymru Kids Clubs said 41% who responded to their survey have accessed funding to support a child attending. This came from a range of different funders, including the Childcare Offer for Wales; local authorities as well as grant funders such as the National Lottery, and Children in Need. They said they are currently refreshing their information on funding streams for this type of support, but they said that there are early indications that “funding seems to be limited.” Also, any support through the Childcare Offer for Wales stops when a child reaches school age.<sup>151</sup>

**133.** The need to secure before or after school or holiday provision tends to become less of an issue for families with non-disabled and neurotypical children as they get older. However, this is not the case for many children and young people and their families.

*“Children with ... disabilities [sic] require childcare beyond the age of 12 i.e. to 18, before being eligible for adult care services. Mainstream childcare provision only caters up to age 12. Children without disabilities tend to be independent enough to arrange their own social and leisure interaction from age 13. For children with low functioning ASD and similar the development age is a lot lower. My daughter's speech and social interaction is equivalent to about age 3 for example. She requires ongoing childcare for school holidays and after school up to 18. For 13 to 18 there is no provision at all. This a huge gap in provision.”<sup>152</sup>*

**134.** This issue was also raised by parents who contributed to Sparkle’s report on childcare. They highlighted that as non-disabled and neurotypical children get older, they can spend time at home alone, enabling parents and carers to work more “typical 9-5 hours”.<sup>153</sup>

---

<sup>150</sup> Written evidence, [AEC 51 Mudiad Meithrin](#)

<sup>151</sup> Written evidence, [AEC 43 Clybiau Plant Cymru Kids' Clubs](#)

<sup>152</sup> Written evidence, [AEC 21 Individual](#)

<sup>153</sup> Written evidence, [AEC36 Chair Sparkle](#)

**135.** At Oakhill ASD Childcare they provide spaces for all ages between 3 and 19. They said this broad range of ages causes additional challenges, not just in terms of physical differences but also in terms of interests. For example older children and young people may want to play with Lego, but this poses a choking hazard to younger children. They said that having more physical space would help them increase capacity.<sup>154</sup> They also highlighted that it's particularly disheartening when they cannot accept children at Oakhill who have already been turned away from mainstream settings.<sup>155</sup>

**136.** We heard how having breakfast, after school and holiday provision at a child's school would be helpful. Partly because it will be a familiar environment both for the child and the family, giving both confidence that the provision will meet needs.<sup>156</sup> This was a view supported by parents we spoke to from Oakhill ASD Childcare, they wanted to see closer links between education and childcare settings. They felt that school buildings which are often empty outside school hours could provide an opportunity to offer provision in spaces which are familiar to children, young people and their families.<sup>157</sup>

### Positive experiences and good practice

**137.** The impact that a positive experience in childcare has can be lifechanging. It was heartening to hear some of these, especially in relation to some specialised settings.

#### **Case study 3**

*Our son attended a mainstream day nursery 3 days a week whilst I worked. When he regressed, I sought support for our son to help him progress. ... felt there was very little support available to help our son. ... I took a career break so he could attend this setting and in the meantime looked for suitable options closer to home that would enable me to go back to work.*

---

<sup>154</sup> Children, Young People and Education, Oakhill ASD Childcare focus group session, 15 September 2023, paragraphs 11

<sup>155</sup> Children, Young People and Education, Oakhill ASD Childcare focus group session, 15 September 2023, paragraph 24

<sup>156</sup> Written evidence, AEC 36, Chair, Sparkle

<sup>157</sup> Children, Young People and Education, Oakhill ASD Childcare focus group session, 15 September 2023, paragraphs 18-19

*... my son was able to attend 4 mornings a week. We will be forever grateful to them as straight away they said come up for a chat and could immediately see the concerns I had for my son. For the first time I felt like I wasn't going mad and was being taken seriously. ... is a 40-minute drive away from my home and is a 2.5hr session. This meant the only way I could get my son to this provision was to take a career break as there were no other suitable provisions closer to home that could meet his needs. Financially this was very difficult for us as a family as I had to take 18 months off work unpaid, it also meant sitting outside the center in the car everyday as the distance to drive home was too far. However, seeing the progress our son made there and how happy he was there made it all worthwhile. The ladies that work there are incredible, I only wish there was an ... in every community.*

*Our son has happily been in his specialist setting since not long after his 3rd birthday. He is ... thriving. The support he has had in his first few years of life has been life changing for him but accessing that support took a huge toll on us all as a family. There is also the worry that if he is seen as doing too well that support will be pulled and he could potentially regress again. If all children were able to access support early it could be lifechanging for them and their families.<sup>158</sup>*

**138.** Examples of good practice in the childcare sector have also been shared with us. We think it is important to bring these to a wider audience.

### **Good practice example 1**

*One local authority funds a club that is CIW registered to offer, during the summer holidays, 80 children with additional needs—some with severe additional needs—to have play opportunities. It's not childcare, parents don't pay; it's respite. It's two weeks in the summer holidays for 80 children to access play opportunities, and one local authority funds that through the all-Wales play opportunity grant. It's the way that different local authorities look at their funding and the*

---

<sup>158</sup> Written evidence, [AEC 65 Individual](#)



*opportunities to provide provisions that are really welcoming, offering holiday childcare or opportunities.*<sup>159</sup>

### **Good practice example 2**

*“E-PAtS, or Early Positive Approaches to Support programme, is an eight week group session led by a professional to help support families of children aged five and under with disabilities. The programme seeks to improve parental psychosocial well-being, access to services and support, and positive approaches to behaviours that challenge. ... In Neath Port Talbot, a multi-agency playgroup for pre-school aged children focuses on providing meaningful advice that is based on needs at the time and that can lead to meaningful change for families, based on their best hopes. This is a pilot group that is having some positive early feedback from families.”*<sup>160</sup>

**139.** The Royal College of Speech and Language Therapists highlighted the Welsh Government’s “Talk with Me” programme, which is focused on speech, language and communication in the early years. They said it’s been “really, really important” but that this work needs to continue. They also said there is the development of a Wales specific bilingual surveillance tool, but that it is in the early stages of development and will take some time to be in place.<sup>161</sup>

### **Good practice example 3**

*“In the local authority that I work with, we have a multi-agency playgroup, where OTs, speech and language, educational psychologists and portage are all involved in getting to know families from a really young age—15 months and upwards—and the focus on that is providing support there on what’s needed. And, often, families will say that they just want to share that with someone and for someone to reassure them along the way a lot of the time. So, even when there are some more complex needs, or support that might be*

---

<sup>159</sup> [CYPE Committee, 12 October 2023, Record of Proceedings, paragraph 4.9](#)

<sup>160</sup> [Written evidence, AEC.58, British Psychological Society](#)

<sup>161</sup> [CYPE Committee, 16 November 2023, Record of Proceedings, paragraph 9.6](#)



*required later on, a lot of the things that we do that are most helpful are around listening and having that reassuring role as well. I don't think there's enough emphasis placed on that level of support that they find so massively beneficial. And, then, obviously, that information, and that sharing of that communication, has already had a journey far before school for those children.”<sup>162</sup>*

## Experiences of different types of need

**140.** Across both the early years and school age provision and childcare, we heard from a range of different organisations and individuals about the particular issues they experienced in trying to access inclusive provision.

### Deaf / hearing loss

---

**141.** There is a lack of deaf friendly provision in particular, there are issues around childcare settings being able to use technological support or having the right communication adjustments. NDCS queried whether Flying Start leads are engaging with the needs of deaf children and their needs.<sup>163</sup>

**142.** Auditory Verbal UK said it was particularly important for deaf children born into hearing families with no experience of hearing loss, that there was “skilled and sensitive early support” so that children can develop the language and communication skills so they can start school with their hearing peers.<sup>164</sup>

### Wheelchair users

---

**143.** For these children, we were told that childcare must meet a number of different criteria to be suitable, as well as provision being physically accessible for a wheelchair user; it must also meet medical and physical needs as well as social needs. Whizz Kidz said that the wording of the National Minimum Standards for Regulated Childcare in Wales leaves too much to interpretation by provider and “does not offer tangible, measurable minimum standards.” They highlight that the Standards does not mention wheelchair accessibility.<sup>165</sup>

---

<sup>162</sup> CYPE Committee, 16 November 2023, Record of Proceedings, paragraph 145

<sup>163</sup> Written evidence, AEC05 Third Sector Additional Needs Alliance (TSANA)

<sup>164</sup> Written evidence, AEC 59 Auditory Verbal UK

<sup>165</sup> Written evidence, AEC35 Whizz Kidz

## Autism

---

**144.** The Children’s Commissioner highlighted the work of ASD Rainbows, which runs childcare provision for children on the autistic spectrum, noting that there is “little provision for this particular group of children...”.<sup>166</sup> We were fortunate to visit ASD Rainbows as part of our inquiry and see the life-changing impact such specialised provision can have on both children, young people and their families.

**145.** The National Autistic Society said they were “deeply concerned” about a lack of inclusive provision across Wales. In particular for those children with higher support needs. They also said that where there is provision, the costs can be a “significant barrier”, an challenge that is further compounded by the “cost-of-living crisis and stubbornly high poverty rates.”<sup>167</sup>

**146.** More generally, people also highlighted that the type of need has changed over the last 30 years, and that the system and services have not been managed in way that takes account of these changes. We were told that changes in identifying and addressing needs has partly driven these changes. In particular the improved understanding of neurodiversity has led to better identification. Previously these children would have just struggled, and been seen as being difficult and awkward.<sup>168</sup>

### Our view: Access to childcare

**147.** We are acutely aware that there are issues accessing affordable and appropriate childcare for families of non-disabled and neurotypical children. We look forward to seeing the findings of the Equality and Social Justice Committee work in this area. We do not under-estimate the challenges faced by families and childcare providers across Wales.

**148.** However, for families with children and young people within the scope of the inquiry, as well as facing these challenges, they face additional ones making it, in many cases, impossible to secure childcare that meets their needs. We have heard heartbreaking stories from families across Wales of how trying to secure inclusive childcare has broken them. This lack of access has stopped them being able to work, or spend time with other family members, or do household chores, never mind having time to relax. It affects every single aspect of family life, and these impacts cannot be underestimated. These impacts are also being

---

<sup>166</sup> [CYPE Committee. 18 May 2023. Record of Proceedings, paragraph 18.](#)

<sup>167</sup> [CYPE Committee. 7 June 2023. Record of Proceedings, paragraphs 226-227.](#)

<sup>168</sup> [CYPE Committee. Stakeholder event \(virtual\). 27 September 2023. paragraphs 7-8.](#)

disproportionately felt by women. It also has an impact on the Welsh economy, and public finances. We look at all of these in more detail in Chapter 6.

**149.** The challenges in accessing inclusive provision can be compounded for those living in rural areas. When inclusive provision is available, it can often involve long travelling distances. We heard different examples of families having to make long journeys in order to access childcare provision that met their needs. We are also aware that there can be additional challenges for those who want to access inclusive Welsh medium provision both in rural and urban areas which we look at in more detail below.

**150.** One of the challenges throughout this inquiry has been to find data which supports the individual stories we have heard. This lack of data and information also impacts on families as shared in paragraph 48. A lack of data is a common thread through almost all the work we have done as a Committee, but there is a particular gap in relation to childcare provision. We cover issues with the Childcare Sufficiency Assessments in the next section, but we think there is a clear need for more research and available data on gaps in childcare provision.

**Recommendation 2.** The Welsh Government should ensure there is more research and data available on the gaps in childcare provision, which can help inform development of inclusive provision. As part of this, the Welsh Government should ensure that local authorities are collecting data when children and young people leave or move between childcare and education provisions and the reasons for this. This data should then be used to inform future reviews, training and assessments for childcare and education providers.

**151.** Even when inclusive childcare can be secured, it is often not local, and involves the need to travel distances to attend. The story of one parent who would sit in the car, sometimes very upset, during their child's 2.5 hour session of accessible childcare, because they couldn't afford the petrol costs to return home and back again, will stay with those of us who heard it. Inclusive provision needs to be available locally to all families.

**152.** Some of the barriers to providing accessible inclusive provision are the same for the broader childcare provision, but some are specific to the needs of these children, young people and their families.

**153.** We note the views of numerous parents who highlighted third sector provision which they felt should be delivered by local authorities. In one instance

where families themselves had to start delivering provision. We suspect that there are other instances across Wales of this happening.

**154.** We were incredibly frustrated with some of the evidence we heard, in particular from local authority representatives. There was no real acknowledgement or acceptance of the challenges families face, or the significant impact a lack of inclusive childcare has. We were concerned that there was no sense of local authorities stepping up to the mark to help ensure that gaps in provision are met. We know there are significant pressures on local authorities, but we think a more open approach to the evidence we have heard, and some willingness to accept that they can play a role in solving these challenges would be helpful.

### **Childcare Sufficiency Assessments**

---

**155.** Since we finished gathering evidence, the Welsh Government have published their review into CSAs. There is much in this review that chimes with the evidence we have heard about CSAs. We would welcome the Welsh Government setting out its response to the recommendations in that review.

**Recommendation 3.** The Welsh Government should share its response to the recommendations in the Research into Childcare Sufficiency Assessment with us. In providing this, the Welsh Government should detail how it is ensuring recommendations are being implemented and how implementation is being monitored.

**156.** We are particularly concerned that the CSAs have shown significant gaps in provision for children and young people across Wales, yet we cannot identify what actions are being taken to address these gaps. For too many local authorities, we think CSAs are simply a tick box exercise and not leading to gaps in provision being addressed. We believe both the Welsh Government and local authorities should be taking more proactive steps to address these gaps. We think more can be done in supporting businesses in either opening up or developing inclusive childcare.

**157.** These gaps in provision are not going to be filled organically, intervention is critical to help build and develop the sector.

**Recommendation 4.** The Welsh Government should set out how gaps in childcare provision for inclusive and accessible childcare identified in CSAs should be met. This should include setting out how the Welsh Government and local

authorities can work and support each other in ensuring positive action is taken to secure sustainable and inclusive childcare in all areas of Wales.

## Funding

---

**158.** The very complex nature of childcare funding is a significant barrier to inclusive childcare provision. There are multiple and different funding sources, all which have different requirements, and monitoring. These complexities are magnified by the variety of different approaches taken by each local authority in Wales. We heard from national organisations of how they struggle to keep on top of 22 different approaches which can also regularly change. This then makes it more difficult for providers to ensure that they are able to access all possible funding to help them support inclusive provision.

**Recommendation 5.** The Welsh Government should set out how it can seek to streamline the various different funding streams available to childcare providers to ensure that it is easier for childcare providers to know what support they can access and how best to access this.

**159.** As we set out in paragraphs 72-80, there are concerns that some families face additional barriers to accessing inclusive provision because they do not live in a Flying Start area or because they are ineligible for the Childcare Offer. This can also affect a childcare provision's ability to access funding too, for example the ASG. We share these concerns, and believe that funding to help support a child access inclusive childcare provision, should be available regardless of where they live, or whether their parents are in employment, education or training. This applies both to the funding available to families and settings.

**Recommendation 6.** The Welsh Government must ensure that financial support for childcare is based on a child and setting's needs and not on parental eligibility. In line with Recommendation 16, the Welsh Government should consider the use of ring-fencing to ensure that funding aimed to support inclusive provision is used for this specific purpose.

## Staffing and training

---

**160.** Having sufficient staff who are paid and trained appropriately is critical to the delivery of inclusive childcare. We know there are issues with recruitment and retention of childcare staff more broadly. But, as with almost all aspects of this work, these problems are magnified in terms of inclusive childcare.

**161.** Training is critical to ensure that staff have the confidence, and the skills to support children and young people. We heard that there is not enough support to develop these skills. There is a need for general training and awareness raising, combined with more specific and tailored training that ensures staff can best support the individual needs of children in their settings. Training needs to be delivered in ways that support providers and their staff to be able to access it easily. This means training opportunities need to be available across Wales, and in a range of different formats. There needs to be specific consideration given to ensuring that training and resources are available in Welsh, so that Welsh language or bilingual settings can access and then support children through the Welsh medium.

**162.** In the section below on the ALN Act and Code, we make two recommendations around training and guidance to support providers in delivering ALN support.

### **Welsh medium provision**

---

**163.** The Welsh Government's Welsh language strategy, Cymraeg 2050 sets the clear ambition of a million Welsh speakers by 2050. As the strategy states, education is "central" to this vision. The strategy identifies the importance of Welsh medium early years provision which can then support "a seamless transition" into Welsh medium education.<sup>169</sup> We have considered the issues of Welsh medium provision in this context.

**164.** While some families are able to access inclusive provision in the language of their choice, it is clear that for many, they are unable to do so. This can lead to difficult choices for families, and can create barriers to then progressing into Welsh medium schooling. In some cases families may have to change the language of the home. As well as being a choice no individual family should make, it also has a wider impact on the use of the Welsh language within the community and across Wales. This is in direct contrast with the ambitions of Cymraeg 2050.

**165.** We are mindful, that of the time of writing, the Welsh Language and Education Bill is expected to be introduced into the Senedd before the summer recess. By the time of publication, it may have been introduced, but at this stage, we do not know the detail of the Bill. However, if the Bill is referred to us for

---

<sup>169</sup> [Welsh Government, Cymraeg 2050. A Million Welsh Speakers. 10 July 2017](#)

scrutiny, we will reflect on the evidence in relation to both early years and statutory schooling, as part of our scrutiny of that Bill.

### **The impact of the ALN Act and Code**

---

**166.** During a recent scrutiny session with us, the Cabinet Secretary for Education set out the work she has instigated looking at implementation of the ALN Act and Code. This session was focused on implementation of the ALN Act and Code in schools, but the Cabinet Secretary said this work would involve meeting “early year leads”.<sup>170</sup> We are therefore assuming that the review will encompass all aspects of the ALN Act and Code, starting from early years through to post 16 provision.

**Recommendation 7.** The Welsh Government confirms the scope of the review into the ALN Act and Code, and outlines the timeline for completion of this review, and whether the findings of the review will be published.

**167.** We support the calls for a consistent and national approach to training, guidance and resources for childcare settings on the ALN Act and Code. But we are very mindful of the challenges in funding to support staff and settings to access this training. We therefore want to see more work done to better understand the costs, and feasibility of development of a suite of training and resources, with specific reference to the costs faced by providers.

**Recommendation 8.** The Welsh Government should explore the feasibility of the development of a suite of training, guidance and resources for childcare settings on the ALN Act and Code. As part of the feasibility work, the Welsh Government should give specific consideration to how childcare providers would be able to access and fund such training.

**168.** We heard about inconsistencies across Wales in terms of the support local authorities offer childcare providers in implementing the ALN Act and Code. We heard that on occasion some local authorities have given inaccurate information (see paragraphs 109-111). There is a clear need for greater clarity for childcare providers about their duties. Improved awareness and understanding by childcare providers of the expectations that are placed upon them, will hopefully, improve the inclusivity of childcare provision. It will also help ensure greater consistency of provision across Wales.

---

<sup>170</sup> [CYPE Committee, 8 May 2024, Record of Proceedings, paragraph 19](#)



**Recommendation 9.** The Welsh Government should issue guidance for all childcare providers about what they are expected to do in supporting local authorities in discharging their duties in the ALN Act and Code. This guidance should provide concrete examples of what providers are expecting to do. This guidance should be regularly updated to ensure it remains up to date, relevant and useful.

### **After school and holiday provision**

---

**169.** While securing inclusive early years provision is difficult, some of those we spoke to said, that accessing inclusive before and after school clubs and holiday provision can be even more difficult. This becomes even more difficult as children and young people get older. This is for a range of reasons. But often, there simply is not any childcare provision once children approach their early teens. While for non-disabled and neurotypical children and young people and their families, this is not an issue, this is not the case for these families.

**170.** We have heard of cases where families have ended up setting up their own provision, such as Oakhill ASD Childcare. Many felt that this is the type of provision that should be run by local authorities, and not left to local charities. We acknowledge the importance of community and local groups, which are often run by those with extensive knowledge, experience and passion. They can often be more flexible and able to adapt to the needs of their local communities. It can also help with community cohesion. But, it is clear that more needs to be done to ensure more families can access inclusive before and after school, and holiday provision. We will touch on the issue of respite in Chapter 7.

## 5. Is there equal access to schools?

Throughout Wales inclusive provision is patchy, and not consistent. Schools struggle with sufficient funding, staffing and expertise to deliver inclusive education. There is an increasing complexity of need at the same time that school budgets are stretched.

### The statutory framework

**171.** The Equality Act 2010 (“the Equality Act”) contains a number of provisions that apply to all schools regardless of how they are funded or managed. Local authorities also have obligations under the schools provisions where they are the responsible body for a school, for example if they are the admissions authority for a school.

**172.** The Equality Act defines unlawful discrimination as:

- Direct discrimination (including discrimination based on perception or association);
- Indirect discrimination;
- Discrimination arising from disability;
- Failure to make reasonable adjustments (for disabled people).

**173.** Unlawful discrimination can apply to every aspect of school life, and therefore covers all school activities, such as extra-curricular activities, school facilities, sports activities and leisure activities.

**174.** Discrimination relating to disability will happen if the following three conditions are met:

- A school treats a disabled learner unfavourably, that is putting them at a disadvantage, even if this was not the intention; and
- This treatment is because of something connected with the disabled learner’s disability (which could be the result, effect or outcome of their

disability) such as an inability to walk unaided or disability related behaviour; and

- The school cannot justify the treatment by showing that it is “a proportionate means of achieving a legitimate aim”.

**175.** Schools and local authorities have a duty to provide reasonable adjustments under the Equality Act, although this was originally a duty under the Disability Discrimination Act 1995. Education providers are required to take reasonable steps to avoid substantial disadvantage when a provision, criterion or practice puts disabled learners at a substantial disadvantage. This duty is an anticipatory and ongoing one that an education provider owes to disabled learners generally, regardless of whether they know that a pupil is disabled or whether any of their learners are disabled. The duty applies to existing learners, admissions applicants, and in limited circumstances to former learners in relation to:

- Deciding who is offered admission;
- The provision of education;
- Access to any benefit, service or facility.

**176.** This duty does not require a school to make reasonable adjustments to avoid the disadvantage caused by physical features as this is covered by planning duties (see the section below on school estates).

**177.** The Equality Act also established the Public Sector Equality Duty (“the PSED”). Those subject to the PSED must, in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

**178.** The Equality Act explains that to have due regard for advancing equality involves:

- Removing or minimising disadvantages suffered by people due to their protected characteristics;
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people;
- Encouraging people from protected groups to participate in public life of in other activities where their participation is disproportionately low.

**179.** The Equality Act states that meeting different needs involves taking steps to take account of disabled people’s disabilities. It describes fostering good relations as tackling prejudice and promoting understanding between people from different groups. It states that compliance with the duty may involve treating some people more favourably than others.

**180.** The Welsh Government published statutory guidance in 2018, “Planning to increase access to schools for disabled pupils”. It says that improving access to education means considering:

- The curriculum and how it is taught;
- The accessibility of school buildings and their surroundings, school activities including school trips and transport; and
- Information and activities provided by schools and how easy it is for disabled pupils and / or their disabled parents to understand.<sup>171</sup>

**181.** Local authorities must prepare, implement and update accessibility strategies for all schools for which they are the responsible body. The responsible body of any school in Wales must prepare, implement and update accessibility plans. This requirement also covers pre-school nurseries and pupil referral units maintained by the local authority.

**182.** Both the accessibility strategies and plans must be prepared, implemented, evaluated, revised and re-issued on a rolling three-year basis and must consider all aspects of education and associated services provided by schools. Full and effective consultation must be undertaken in preparing these strategies and

---

<sup>171</sup> [Welsh Government. Planning to increase access to schools for disabled pupils. March 2018](#)

plans. This consultation must normally ensure that the views of children, young people and their families as well as appropriate professionals are taken into account.

**183.** The Equality and Human Rights Commission (“the EHRC”) highlighted desk based research they had undertaken in 2022 on the Strategic Equality Plans of secondary schools, special schools and pupil referral units.. They said that only about a quarter of schools, at the time of the research, had their plans on their website. Of this quarter, “just over half ... were out of date, having expired and not being reviewed from the autumn term 2021 onwards.” This, they said, meant 33 schools, 12.4% of the total “appear to have a current Strategic Plan accessible on their website.”<sup>172</sup>

**184.** This was a “big concern” and they called for the plans to be updated. They issued guidance to schools in March 2023 to support them in developing and updating their plans. They also noted that Welsh Ministers have powers to issue directions to local authorities and schools if they feel their obligations are not being met.<sup>173</sup> They also suggested that the Welsh Government may want to revisit their 2018 guidance to help schools and local authorities better understand that the accessibility strategies and plans are an important tool to help make better decisions, and help direct “scarce resources”.<sup>174</sup>

**185.** ADEW said that it was “difficult to know” the quality of accessibility strategies and equality plans, “without gathering first-hand evidence”. They said local authorities are under an obligation to ensure schools and governing bodies “are well informed” about their statutory rights and how they should be discharging them. They have:

*“... issued model policies to schools and governing bodies around what should be in accessibility plans and strategic equality plans, and governing bodies as well need to be very clear about what their responsibilities are in ensuring that that information is in place, and that it's made accessible to key stakeholders as well.”*

---

<sup>172</sup> Written evidence, [AEC 02 Equality and Human Rights Commission](#)

<sup>173</sup> [CYPE Committee, 18 May 2023, Record of Proceedings, paragraphs 161-163](#)

<sup>174</sup> [CYPE Committee, 18 May 2023, Record of Proceedings, paragraph 168](#)

They also told us they were about to start on “refresher training” for schools on the PSED.<sup>175</sup>

**186.** The Children’s Commissioner said that they are aware that the statutory requirement for schools to consult with children and young people on the accessibility plans does not always happen.<sup>176</sup> Whizz Kidz highlighted that local authorities do not “routinely” involve children and young people in the development of the accessibility strategies. They said only one local authority across Wales had engaged with young people when developing their strategy.<sup>177</sup> The EHRC called for schools and local authorities to meet their statutory duties to engage with children, young people and their families.<sup>178</sup>

**187.** The then Minister for Education and Welsh Language told us that guidance to schools on development and delivery of accessibility plans had been “refreshed and strengthened.”<sup>179</sup>

**188.** The then Minister for Social Justice told us that there has to be a “whole-school approach to embracing equality in all its dimensions, because this is intersectional as well.” She believed the Disability Rights Taskforce was a “real opportunity”. She said that the most important thing that schools could do was:

*“... embrace and understand the social model of disability. That’s about the responsibility to break down the barriers. These are not children’s impairments or needs; it’s about us breaking down the barriers and understanding them.”<sup>180</sup>*

## What is happening across Wales?

**189.** We heard a consistent message from children, young people, families, professionals and representative organisations, that the UNCRC right to an education was being breached.

**190.** Discrimination, either direct or indirect is rife. Although we were told that discrimination is often unintentional, or schools may not realise they are

---

<sup>175</sup> [CYPE Committee, 25 October 2023, Record of Proceedings, paragraphs 53 and 61](#)

<sup>176</sup> Written evidence, [AEC 01 Children’s Commissioner for Wales](#)

<sup>177</sup> Written evidence, [AEC 35 Whizz Kidz](#)

<sup>178</sup> [CYPE Committee, 18 May 2023, Record of Proceedings, paragraph 165](#)

<sup>179</sup> [CYPE Committee, 29 November 2023, Record of Proceedings, paragraph 46](#)

<sup>180</sup> [CYPE Committee, 29 November 2023, Record of Proceedings, paragraphs 62-63](#)

discriminating. Stakeholders told us that it often stops when appropriate support is provided to the school.<sup>181</sup>

**191.** The Children’s Commissioner said that there is a “clear difference” in how children and young people access education compared to their non-disabled and neurotypical peers. She said this has been linked to a lack of awareness.<sup>182</sup> She said there is a “spectrum from direct to indirect discrimination” but that the reality is that children and young people are not treated equally and are made to feel differently which affects their educational experience.

**192.** While it is clear that there is some good practice and some excellent support being provided, it is patchy, inconsistent and all too often down to the commitment of individual families and professionals. One parent said that their son’s experience in a mainstream setting, “as a severely learning and physically disabled learner has depended on very dedicated, positive thinking staff. It isn’t systematic.”<sup>183</sup>

**193.** Disability Wales agreed that inclusivity is too dependent on individual schools. This means that children, young people and their families:

*“... don't have that consistency of, 'I'm a disabled child, this is how I'm going to be treated in this school,' or the consistency of how schools approach disabled students and attitudes within.”<sup>184</sup>*

**194.** ADEW said that local authorities had a role to play in ensuring that there is “consistency ... so that no child is disadvantaged.”<sup>185</sup> While WLGA said that the variation across Wales is because each setting will have to respond to the specific and individual needs of the school, teachers and children and young people.<sup>186</sup> UCAC though said the level of inconsistencies between schools and local authorities is “not good enough.”<sup>187</sup>

**195.** The Royal College of Paediatric and Child Health called for the Welsh Government to “champion the Social Model of Disability and ensure it is

---

<sup>181</sup> [CYPE Committee, Stakeholder event \(virtual\), 27 September 2023, paragraph 31](#)

<sup>182</sup> [CYPE Committee, 18 May 2023, Record of Proceedings, paragraph 6](#)

<sup>183</sup> Written evidence, [AEC 66 Joining the Dots Parents and Carers](#)

<sup>184</sup> [CYPE Committee, 7 June 2023, Record of Proceedings, paragraph 51](#)

<sup>185</sup> [CYPE Committee, 25 October 2023, Record of Proceedings, paragraph 41](#)

<sup>186</sup> [CYPE Committee, 25 October 2023, Record of Proceedings, paragraph 46](#)

<sup>187</sup> [CYPE Committee, 25 October 2023, Record of Proceedings, paragraph 235](#)



embedded across all policies, including health and education.”<sup>188</sup> While Fair Treatment for the Women of Wales also called for everyone, including ourselves, “to use social model language and abide by its principles whenever possible.”<sup>189</sup>

**196.** Families told us that they felt their children were being set up to fail every day because schools are not willing to make reasonable adjustments.<sup>190</sup> While other families told us that even when children and young people are able to access education, their experiences and opportunities are far more limited than those of their non-disabled and neurotypical peers.<sup>191</sup> One parent described the current system as an “absolute disaster ... doesn’t work.”<sup>192</sup>

**197.** Carers Trust Wales said that the “inequitable” access to all elements of school life “is a source of concern and frustration for parents and opportunities to work constructively with schools to address this aren’t always easily identified.” They added that when adaptations are put in place they are often only focused on ensuring participation and not ensuring that this is “optimal, or equal” to that of their non-disabled and neurotypical peers.<sup>193</sup>

#### **Case Study 4**

*“Mom tells us that when the young adult was in high school, at times when staff could not cope with the young person’s needs, they would leave them without support, even to physically move around the school, or would ask other pupils to support the young adult travel from one place to another. Mom also reported that the school would leave the young autistic adult alone when they were having an intense response to an overwhelming situation ... Approximately a year later (2020), the young adult was diagnosed with cancer which started a two-year journey to fight, and thankfully overcome the cancer. This fight has unfortunately aggravated the cerebral palsy symptoms and the developed anxiety has caused further complications with their autism. ... As of the end of 2022, the young adult was at home because the catchment school is not suitable for*

---

<sup>188</sup> Written evidence, [AEC 49. Royal College of Paediatrics and Child Health](#)

<sup>189</sup> Written evidence, [AEC 50. Fair Treatment for the Women of Wales](#)

<sup>190</sup> [Children, Young People and Education Committee. Do Disabled Children and Young People have equal access to education and Childcare? Engagement Findings, March 2023.](#)

<sup>191</sup> [Children, Young People and Education Committee. Sparkle Focus Group session, 15 September 2023, paragraph 6.](#)

<sup>192</sup> [CYPE Committee. Visit to ASD Rainbows, 9 October 2023, paragraph 20.](#)

<sup>193</sup> Written evidence, [AEC 56. Carers Trust Wales](#)

*their needs and the local council will not pay for them to travel to the new school until they have been through the statementing process which is being refused by the Local Authority.”<sup>194</sup>*

**198.** We heard repeated experiences of families having to change schools before finding the right support.<sup>195</sup> Parents told us that support always starts with the least amount, which traumatises their children. They were concerned that discussions about support only starts when children are failing rather than being put in place from the outset to prevent this happening.<sup>196</sup>

**199.** Families told us that the inclusivity of the school is more dependent on the staff, rather than the systems underpinning the school system. In fact, for many, they felt that the system was setting children and young people up to fail. Young people who shared their experiences with Platform also said that any support that was put in place was “far too dependent on individual schools or staff members and is not consistent across the system.”<sup>197</sup>

**200.** We also heard that reports will be produced setting out what support will be provided, but they are not fully implemented, or if they are when the child starts to thrive, the school will remove the support believing the job is done. Yet, the support needs to stay in place to maintain this. We were also told that families are not always told when support is changed, and in one case they only realised when their child started to regress.<sup>198</sup> We heard similar stories throughout our discussions with families, including one family who only found out during a tribunal that their child had not seen an occupational therapist for 19 months, despite plans stating they would be seen weekly.<sup>199</sup>

**201.** A parent said that one of the challenges is that a child is labelled, and the focus is on the condition, rather than “concentrating on the solution to regulate”. They talked about how their child sees their condition as a “super power” and because this is supported by the school they have been able to attend all their classes and socialise. Their child is thriving as a result, in stark contrast to their experiences in their previous school. “They’re like a different person now.”<sup>200</sup>

---

<sup>194</sup> Written evidence, [AEC.05.Third Sector Additional Needs Alliance \(TSANA\)](#)

<sup>195</sup> [Children, Young People and Education Committee, Do Disabled Children and Young People have equal access to education and Childcare? Engagement Findings, March 2023](#)

<sup>196</sup> [CYPE Committee, Visit to ASD Rainbows, 9 October 2023, paragraph 28](#)

<sup>197</sup> Written evidence, [AEC.39.Platform](#)

<sup>198</sup> [CYPE Committee, Visit to ASD Rainbows, 9 October 2023, paragraph 29](#)

<sup>199</sup> [CYPE Committee, Stakeholder Event \(In-person\), 27 September 2023, paragraphs 3-4](#)

<sup>200</sup> Written evidence, [AEC.66.Joining the Dots Parents and Carers](#)

**202.** Another regular story we heard about was those children and young people who may be classed as having an intermediate level of need, or might be doing OK academically but needs additional support, not getting the support they need. This was raised by a number of stakeholders including Carers Trust Wales.<sup>201</sup>

**203.** The Royal College of Paediatrics and Child Health described these children and young people as “the ‘Missing Middle’” and called for us to consider how both education and health can better support their needs.<sup>202</sup> Some parents wanted to see wider access to “smaller nurturing education alternatives” for these children and young people. They said that some families are having to travel long distances to access such type of provision, and that there is a need for more funding to expand provision such as Cardiff’s Carnegie Centre.<sup>203</sup>

**204.** Fair Treatment for the Women of Wales said that it is was “essential” that schools are organised to ensure they become “preventative and supportive spaces rather than further exacerbating trauma and entrenching disadvantage.”<sup>204</sup>

**205.** We heard more than once of families being told by schools that they had to prioritise support for others in the school.<sup>205</sup> In a special school we were told there is a need for something in-between mainstream and special settings, for these reasons. They said there are examples of learners who have not been able to get the qualifications they should have got because they were not in the right environment for them to learn.<sup>206</sup> While one parent said that there are “in-between children who are really struggling” but with no suitable provision available to them.<sup>207</sup>

**206.** The issue of learners, in particular those in mainstream schools not getting the right level of support was raised during our school visits and discussions with families. These children and young people were described as “falling between the cracks.” These are often children and young people who do not need to be in a special school but mainstream is not the right fit either . There were concerns that mainstream settings are trying to fit all children into the same box. We were told

---

<sup>201</sup> Written evidence, [AEC 56 Carers Trust Wales](#)

<sup>202</sup> Written evidence, [AEC 49 Royal College of Paediatrics and Child Health](#)

<sup>203</sup> Written evidence, [AEC 52 National Neurodiversity Team](#)

<sup>204</sup> Written evidence, [AEC 50 Fair Treatment for the Women of Wales](#)

<sup>205</sup> Written evidence, [AEC 33 Individual](#)

<sup>206</sup> [Children, Young People and Education Committee, School Note 4, 28 September 2023, paragraphs 7-8](#)

<sup>207</sup> [Children, Young People and Education Committee, Do Disabled Children and Young People have equal access to education and Childcare? Engagement Findings, March 2023](#)

that one of the barriers to this is a lack of training<sup>208</sup> which we look at the section below on School staff training and knowledge. We were also told of the “big gap” in criteria between mainstream and special settings.<sup>209</sup>

**207.** A parent said “there's definitely unconscious bias in cases of invisible disability especially when combined with good academic capability.”<sup>210</sup>

**208.** Amongst hearing so many challenging personal experiences, it has been heartening to hear of where it is working effectively, although as we state in conclusion four, it is too often dependent on the dedication of individual staff and families:

### **Case Study 5**

*“My child is currently in the last year at this primary and has been there since nursery. The headmaster, Deputy, both ALNCO's and receptionist are outstanding. If we have an issue, we meet and discuss it and resolve it we then move on. We have built an outstanding relationship and work together to ensure our child needs are met. The school has recently had funding to install a fabulous adventure play which all children love. They all have their certain days apart from our ALN children have constant access to it regardless of who day it is.”<sup>211</sup>*

### **Case Study 6**

*“I think the school has been excellent, they have changed things to help her. For example to help her visually, they have painted steps, changed the laminated signs to matt, they have really tried to help. If there were any issues, I feel like I could always pick up the phone and speak to them.”<sup>212</sup>*

### **Case study 7**

*“Two of my four children have ALN. Honestly, both of them have had extremely positive experiences. One was mainstream and the other is*

---

<sup>208</sup> [Children, Young People and Education Committee, School Note 1, 29 June 2023, paragraph 2](#)

<sup>209</sup> [Children, Young People and Education Committee, Sparkle Focus Group session, 15 September 2023, paragraph 10](#)

<sup>210</sup> Written evidence, [AEC 66 Joining the Dots Parents and Carers](#)

<sup>211</sup> Written evidence, [AEC 14 Individual](#)

<sup>212</sup> [Children, Young People and Education Committee, Do Disabled Children and Young People have equal access to education and Childcare? Engagement Findings, March 2023](#)

*in a special school. I genuinely cannot fault either establishment and the support they provided to both children. I don't know whether we've been lucky, or whether a small few have been unlucky. We've had excellent relationships with staff and very positive collaboration.”<sup>213</sup>*

**209.** Young people who spoke to Plattform also shared some of their positive experiences, including staff making adjustments to help them take part in lessons, such as adding bells to hockey balls, or teaching young people how to get around the school estate. They also praised the work of support service SenCom in Gwent, which supports those with visual impairments. There was also general consensus that “support was better than it used to be.”<sup>214</sup>

**210.** The then Minister for Education and Welsh Language accepted the challenges facing children, young people and education staff, in particular following the pandemic. However, he added:

*“But I just want to say that every day in our schools in Wales, there are teachers going into work and teaching assistants going into work doing incredible work to meet the needs of our young learners—often increasingly complex needs—against quite a challenging context in terms of budgets and broader social pressures, and I'm sure we would all want to thank them for the incredible work that they do.”<sup>215</sup>*

## **Special schools or mainstream schooling**

**211.** The UK ratified the UNCRPD in 2009. By ratifying the UNCRPD, the UK agrees to protect and promote the human rights of disabled people, including Article 24 which ensures an inclusive education system. When ratifying the UNCRPD, the EHRC said that the UK Government placed restrictions on its obligations, two of which relate to Article 24.

*“The first changes the UK's definition of a 'general education system' to include segregated education. The second reserves the UK's right to send disabled children to special schools outside their local area. The UK is one of only two signatories to*

---

<sup>213</sup> Written evidence, [AEC.55 Swansea Parent Carer Forum](#)

<sup>214</sup> Written evidence, [AEC.39 Plattform](#)

<sup>215</sup> [CYPE Committee, 29 November 2023, Record of Proceedings, paragraph 127.](#)

*retain a reservation and an interpretive declaration to Article 24.”<sup>216</sup>*

**212.** The EHRC outlined that the most recent review of the UK’s progress against the UNCRPD in 2017, raised these reservations. The UN Committee recommended that the UK remove its reservations to this Article, and that it should “develop laws and policies to support inclusive education”. They also called for more to be done to tackle disability discrimination and harassment, and to:

*“... put in place a fully-funded strategy with concrete timelines and measurable goals, to make education more inclusive. This strategy should cover implementation of laws and policies, teacher training, awareness-raising amongst parents of disabled children, and data collection about where disabled children go to school.”<sup>217</sup>*

**213.** In Wales, the ALN Act includes a duty to favour education for children at mainstream maintained schools, although there are exceptions where any of the following apply:

- Educating the child in a mainstream maintained school is incompatible with the provision of efficient education for other children.
- Educating the child otherwise than in a mainstream maintained school is appropriate and in the best interests of the child and compatible with the provision of efficient education for other children.
- The child’s parent wishes the child to be educated otherwise than in mainstream maintained school.

**214.** The EHRC said that Wales does not have a fully inclusive system, and that the numbers of children in specialist provision is increasingly “significantly”. This means “Wales isn’t really moving in the direction the UN would recommend”. The reservations that the UK Government has placed on the UNCRPD have been “highly criticised by the UN Committee” and recommendations have been made for change. They said that the UN would say that “the right thing to do ... is for

---

<sup>216</sup> Written evidence, [AEC 02 Equality and Human Rights Commission](#)

<sup>217</sup> Written evidence, [AEC 02 Equality and Human Rights Commission](#)



every child to have an inclusive education in mainstream school, properly supported and properly funded.”<sup>218</sup>

**215.** However, the EHRC acknowledged that “pragmatically” there may be some children and young people for whom specialist provision is more appropriate. They emphasised the need to be child-centred in decision making, including listening to the family’s view as well.<sup>219</sup>

**216.** Learning Disability Wales said there are “various versions” of inclusive education, and queried whether there was a full understanding of what it means in Wales. They listed the various different forms of education available in Wales, and how it’s not currently meeting children and young people’s needs:

*“We have special schools, we have mainstream schools, we have special units, we have pupil referral units, we have young people going through the criminal justice system, and many of those young people going through the criminal justice system and in pupil referral units don't have access to appropriate education that is based on their need. And that's really important—that we're not offering a state of education that is based on young people's needs; we're basing it on what resources we have and how we can equally distribute those resources to the young people”.*<sup>220</sup>

They believe in an entirely inclusive system but acknowledged that is not yet achievable, and is unlikely to be achievable “until we’ve seen radical reform” in Welsh education.<sup>221</sup>

**217.** They called for the UNCRPD to be the starting point for education:

*“... You take your guidance from the UN convention on the rights of disabled people and you put that in the sat nav, so you know what direction you're heading. At the moment, it's not in the sat nav. It is going to take a long time, ... but if you haven't got the right direction in mind, you're not going to go that way. The dual education system causes the problem. Nobody questions about money that's spent battling parents. Nobody questions*

---

<sup>218</sup> [CYPE Committee. 18 May 2023. Record of Proceedings, paragraphs 116 and 118.](#)

<sup>219</sup> [CYPE Committee. 18 May 2023. Record of Proceedings, paragraph 120.](#)

<sup>220</sup> [CYPE Committee. 7 June 2023. Record of Proceedings, paragraph 102.](#)

<sup>221</sup> [CYPE Committee. 7 June 2023. Record of Proceedings, paragraph 152.](#)



*the money that's spent in tribunals. But they will question whether you're allowed to have a few more hours of speech and language therapy a year.”<sup>222</sup>*

**218.** Disability Wales said that while it would take “significant work” and a “significant change to our culture within education” they did not believe meeting the UNCRPD was “unrealistic”. They said this should be the “baseline” of what should be achieved, but that they are concerned “that the amount of work that it will take is something that is not being reflected in current policy.”<sup>223</sup>

**219.** ADEW said that to be “truly inclusive” there is a need to both embrace differences and learn from it. They said inclusion “is a continuous process” and that it was important for leaders to “continuously horizon scan” because “no cohort stays the same, you should be looking your provision on an annual basis”. They said that considering needs should happen before children and young people arrive at school.<sup>224</sup>

**220.** Professor Jonty Rix provided an overview of what inclusive education looks like across the world. He said that “almost categorically that in every single country, in every single system, children are marginalised and excluded for a huge variety of reasons, and one those is around notions of ability, disability...”. He said that there are “so many variables”:

*“It really depends where you are, who you are, who your class teacher is, who your headteacher is, who your parents are, what your local authority is, who the other kids are in the class.”<sup>225</sup>*

**221.** Some parents told us that education is “very exclusive” and that inclusivity is only available “if you fit into a box.” Another told us that inclusion was “great” as an “ideal but for some children it is not appropriate.”<sup>226</sup>

**222.** The different responses to children and young people with hidden or less visible disabilities was highlighted. One parent said they see the different ways their two children are treated, when one has very visible needs, and the other child’s needs are not accepted because they mask them.<sup>227</sup> The Royal College of

---

<sup>222</sup> [CYPE Committee, 7 June 2023, Record of Proceedings, paragraph 167](#)

<sup>223</sup> [CYPE Committee, 7 June 2023, Record of Proceedings, paragraph 31](#)

<sup>224</sup> [CYPE Committee, 25 October 2023, Record of Proceedings, paragraph 42](#)

<sup>225</sup> [CYPE Committee, 12 October 2023, Record of Proceedings, paragraphs 117- 119](#)

<sup>226</sup> Written evidence, [AEC 66 Joining the Dots Parents and Carers](#)

<sup>227</sup> [CYPE Committee, Visit to ASD Rainbows, 9 October 2023, paragraph 43](#)

GPs agreed.<sup>228</sup> The Children's Commissioner also said that "accessibility and attitudes towards hidden disabilities is where progress needs to be made much more quickly now."<sup>229</sup>

**223.** The Children's Commissioner said that children with either hidden or less visible disabilities feel they experience a greater lack of awareness, which can "sometimes turn into outright hostility". This can result in children and young people being disciplined for behaviour that is directly linked to the disability but is perceived as "being naughty and challenging." She said there needs to be a shift in focus from "challenging behaviour to talking about behaviour that challenges" and ask why it is, for example is it about capacity to respond, or a lack of awareness or a lack of time or space.<sup>230</sup>

**224.** One parent said that a fully inclusive system without special settings was "highly undesirable" because specialised settings "give so many children the opportunity to learn, grow and thrive ... That these special units and schools exist is a blessing." Yet others said a fully inclusive system "with the right staff, resources, adaptations bringing acceptance and inclusion" would be "very desirable" but that it "just feels like a pipe dream."<sup>231</sup>

**225.** The Royal College of GPs said:

*"Across Wales there are 40 specialist schools, with 5,500 children attending these schools (under 10% of disabled children in Wales have a place in a specialist school).*

...

*... Three schools provide education through the medium of Welsh. There are no special schools in Ceredigion or Monmouthshire."<sup>232</sup>*

**226.** Most of the special settings we visited were over-subscribed, although most were either looking to expand or had recently expanded. One school is currently looking at expansion, but they said that while they were able to offer places to seven learners at the start of the academic year, they identified 20 learners who

---

<sup>228</sup> [CYPE Committee, 16 November 2023, Record of Proceedings, paragraph 275](#)

<sup>229</sup> [CYPE Committee, 18 May 2023, Record of Proceedings, paragraph 39](#)

<sup>230</sup> [CYPE Committee, 18 May 2023, Record of Proceedings, paragraphs 9-10](#)

<sup>231</sup> Written evidence, [AEC 66 Joining the Dots Parents and Carers](#)

<sup>232</sup> Written evidence, [AEC 76 Royal College of General Practitioners](#)

would have benefitted from joining the school.<sup>233</sup> Another said that despite a forthcoming move into a new build which would help increase capacity, they would still be over-subscribed because of the extent of the waiting list.<sup>234</sup>

**227.** The Children’s Commissioner said that the capacity of special schools “is just not sufficient at the moment.”<sup>235</sup> Learning Disability Wales said the increase could be down to a number of factors, but that “anecdotally ... parents feel that they are too nervous to send their children to mainstream schools without adequate support.”<sup>236</sup>

**228.** The Royal College of Speech and Language Therapists said the advances in medicine and technology mean that people are living longer “often with more complex needs.” They said this means there is both increased complexity and diversity. When new special schools are being built “provision from a health perspective isn’t necessarily being considered in that planning.”<sup>237</sup>

**229.** One of the schools told us there was a balance that needed to be struck with expansion, in terms of meeting the needs of more children, but not at the detriment of existing learners. They said that the class sizes vary dependent on the needs of the individual learners, so it’s not as simple as increasing the class size of every class.<sup>238</sup>

**230.** With demand outstripping supply in terms of special schools, children and young people who might have previously been in these settings are now in mainstream settings. The Royal College of Speech and Language Therapists said this is happening at the same time as increasing pressures on teaching staff and fewer support staff. This means that schools will have less capacity to get support from healthcare professionals. This creates a “vicious circle” where schools feel unable to support some children which can then result in actions such as reduced timetables and “increased pressure on local authorities to offer more specialist placements.”<sup>239</sup>

**231.** We heard from a number of different families who were unable to secure a place in a special school for their children, with one saying their child was being forced into a mainstream setting that did not meet their needs. Another parent

---

<sup>233</sup> Children, Young People and Education Committee, School Note 2, 29 June 2023, paragraph 1

<sup>234</sup> Children, Young People and Education Committee, School Note 3, 29 June 2023, paragraph 3

<sup>235</sup> CYPE Committee, 18 May 2023, Record of Proceedings, paragraph 76

<sup>236</sup> CYPE Committee, 7 June 2023, Record of Proceedings, paragraph 152

<sup>237</sup> CYPE Committee, 16 November 2023, Record of proceedings, paragraph 7

<sup>238</sup> Children, Young People and Education Committee, School Note 1, 29 June 2023, paragraph 7

<sup>239</sup> Written evidence, AEC 45 Royal College of Speech and Language Therapists, paragraph 9

told us their child needed to be in a special setting but this was not being listened to. While another talked of having to wait for another academic year before a place in a special school would be available, meaning their children would be losing out on even more education before they can take up a place that meets their needs.<sup>240</sup>

**232.** The issue of the experiences in mainstream schools, in comparison to those in special schools, was one we explored during our visit to schools. We visited four special schools, and one Special Resource Base within a mainstream setting. We also reflected on the experiences from our visits to both mainstream and special schools in our other work as Senedd Members, as well as visits we have done for other committee work.

**233.** Some learners had experiences in both mainstream and special school. We heard how some wished they had gone to a special school earlier, and that they felt supported and understood in the special school. They also felt that there was more flexibility and understanding about issues such as the need for medical appointments.<sup>241</sup>

**234.** We heard from some parents of how due to the breakdown in previous school settings, “restorative work” which included therapy was needed to “undo” what happened previously.<sup>242</sup>

**235.** We heard powerfully from Georgia Miggins, who was then a Welsh Youth Parliament Member, who compared her experiences in mainstream primary and in specialist secondary school.

*“... When I was a young autistic girl in primary school, it was hard for me. I didn't have the right support and my needs couldn't be met. I struggled with social and sensory challenges, and I never felt like I belonged. I was bullied for my disabilities from such a young age, which resulted in me developing very severe anxiety, which I still have today, unfortunately. All this stopped me from attending school for one year, when I was nine and 10 years old. Those memories have stuck with me ever since. When I was 11, it was time for me to go to secondary school. It would have been hard for me to go to a*

---

<sup>240</sup> [Children, Young People and Education Committee, Sparkle Focus Group session, 15 September 2023, paragraph 12](#)

<sup>241</sup> [Children, Young People and Education Committee, School Note 1, 29 June 2023, paragraph 1](#)

<sup>242</sup> [Children, Young People and Education Committee, School Note 2, 29 June 2023, paragraph 43](#)

*mainstream secondary school as my emotional needs wouldn't have been able to have been met, and social needs, and I wouldn't have had the right support that I needed. I'm lucky to have an amazing mum and dad who supported me and fought for me to go to a special school where they knew I'd get the right support. I am now lucky and fortunate to be able to attend a special school, where I've had amazing opportunities and experiences. My confidence has soared, and my mental health and well-being have improved greatly. I'm able to be myself with friends and teaching staff, who understand and accept and support me. I won't be judged for being who I am, and I can use my fidget toys that help me whenever I want.”<sup>243</sup>*

**236.** While at a Special Resource Base (“SRB”), some of the staff felt that model was more inclusive than special schools.<sup>244</sup> At a special school we heard that inclusive schooling can have benefits for non-disabled and neurotypical children and young people, with the opportunity to mix with a more diverse set of peers, but this might not always be best for children and young people within the scope of the inquiry. Some of the parents felt that inclusive education was a “dogma” and not always in the best interest of the child.<sup>245</sup>

**237.** In another special school, we were told that mainstream can be the best option for some learners, but this is dependent on the school and the needs of each individual learner. They offer a high percentage of shared placements, where the learner splits their time in a mainstream setting and their own.

*“Shared placement ... it works for some of them, they get to know their peers in their own community, and that's good for them. But for others, most of their education while they're in mainstream is either in the corridor or in a side room or in the hall ... it's a token gesture.”<sup>246</sup>*

**238.** The Carers Trust Wales said that for children and young people who are able to secure a place in a specialised setting, parents and carers see “significant positive behavioural change” because they are in a setting which “properly

---

<sup>243</sup> [CYPE Committee, 7 June 2023, Record of Proceedings, paragraph 109](#)

<sup>244</sup> [Children, Young People and Education Committee, School Note 5, 4 December 2023, paragraph 12](#)

<sup>245</sup> [Children, Young People and Education Committee, School Note 3, 29 June 2023, paragraphs 7-9](#)

<sup>246</sup> [Children, Young People and Education Committee, School Note 4, 28 September 2023, paragraphs 1-3](#)

recognises and meets their needs.” This then helps improve their ability to “fully access the curriculum and thrive in a school-based setting.”<sup>247</sup> The Children’s Commissioner said that the experiences of children and young people in specialised settings compared to those in mainstream settings can be “very different” with those in mainstream settings experiencing “a very different set of challenges.”<sup>248</sup>

**239.** We also heard from an inclusive education campaigner who shared their experience of “pushing” to have their child attend and stay in mainstream education. As a result, her child was taking a number of GCSEs. They said the teaching assistant had been instrumental. She acknowledged that

*“... because I insisted on taking him to school, I’ve had access to the TA every morning and every night—it’s nearly killed me, that journey. But we were able to actually talk things out and there’s a lot of unconscious bias with the staff ...”*<sup>249</sup>

**240.** Some parents we spoke to felt that the normalisation of segregation of children and young people from their non-disabled and neurotypical peers could result in segregation continuing in later life. One parent said if their child was not in a mainstream setting “his non-disabled peers wouldn’t know that he exists.”<sup>250</sup> Fair Treatment for the Women of Wales said that this segregation “can only serve to exacerbate perceptions of ‘difference’ and perpetuate both internalised and societal ableism.”<sup>251</sup> The Equality and Human Rights Commission said inclusive education “benefits the whole community, the whole school community”. They said when you go to “fully resourced schools where children are fully integrated, the benefits for all the pupils, both the children and their families is huge.”<sup>252</sup> Learning Disability Wales said there was the need for “much, much more support for non-disabled children to understand how to support their peers.”<sup>253</sup>

**241.** Special schools are not available in all areas. In Monmouth, for example, there are not any, so all children who need more specialist provision go into SRBs. We visited one, and the staff said it can be positive because children and young people are attending school alongside their non-disabled and neuro-typical peers

---

<sup>247</sup> Written evidence, [AEC 56 Carers Trust Wales](#)

<sup>248</sup> [CYPE Committee 18 May 2023. Record of Proceedings, paragraph 6](#)

<sup>249</sup> [CYPE Committee 7 June 2023. Record of Proceedings, paragraph 142](#)

<sup>250</sup> [Children, Young People and Education Committee. Do Disabled Children and Young People have equal access to education and Childcare? Engagement Findings, March 2023.](#)

<sup>251</sup> Written evidence, [AEC 50 Fair Treatment for the Women of Wales](#)

<sup>252</sup> [CYPE Committee 18 May 2023. Record of Proceedings, paragraph 140](#)

<sup>253</sup> [CYPE Committee 7 June 2023. Record of Proceedings, paragraph 172](#)



whilst still getting the specialist support they need. However, it can put pressure on school budgets and training requirements.

**242.** At this SRB, there is an equity of offer for all children, including extra-curricular activities. For example a trip will not be offered unless accessible transport is available. They said they have to budget for the additional costs, and that there is a good level of goodwill from staff.<sup>254</sup> Parents at this school said that full integration is very important within the school, which they felt benefitted all at the school. They also welcomed the fact that children and young people could access qualifications which might not be available in a special school.<sup>255</sup>

**243.** A number of stakeholders raised the differences in support and education received in a special school as opposed to mainstream schools. Swansea Bay University Health Board said that for those with “obvious” needs “often have a great support” in special schools, (although noting it can be school dependent), while those in mainstream settings “often have less support.” They also flagged that when mainstream schools have support available, some might not want to access the support for fear of being identified by their peers as being “special/different.”<sup>256</sup>

**244.** A special school called for more joined up working. They said there was a lot of variety between local authorities in terms of support. They wanted to see more outreach in schools, including peer to peer outreach, and with special school staff going out into the community and into mainstream schools, and teaching assistants within clusters coming together to find solutions and upskill staff.<sup>257</sup> We heard from another special school of how some of their higher teaching assistants are going into mainstream schools to help upskill.<sup>258</sup>

#### **Good practice example 4**

*In one special school we heard how they had prioritised the establishment of a Family Liaison Officer post. This role provides intensive and sophisticated support to families. Previously, this responsibility had sat with the Deputy Head but due to a lack of*

---

<sup>254</sup> [Children, Young People and Education Committee, School Note 5, 4 December 2023, paragraphs 3-5](#)

<sup>255</sup> [Children, Young People and Education Committee, School Note 5, 4 December 2023, paragraphs 29-30](#)

<sup>256</sup> Written evidence, [AE24 Swansea Bay University Health Board](#)

<sup>257</sup> [Children, Young People and Education Committee, School Note 1, 29 June 2023, paragraph 10](#)

<sup>258</sup> [Children, Young People and Education Committee, School Note 2, 29 June 2023, paragraph 23](#)



*capacity, interventions were only made when families were at crisis. As the school has grown, they identified a gap for pro-active support. Staff believed this was a good model which other schools should look to learn from. They also said it reduces pressures on the rest of the school staff, as well as on social services.<sup>259</sup> The parents we spoke to at this school all agreed that this post should be replicated across other schools. They appreciated the whole family approach taken to the support offered. We heard powerful examples of how this support had made a difference to individual families.<sup>260</sup>*

**245.** There can be other forms of education available, which may be appropriate for some children and young people. A number of families spoke about the impact of emotionally based school avoidance. One parent said they had been told to “off-roll” but this was all done verbally without a paper trail. They felt their child would benefit from “Nurture” provision, but said this provision was not available to those children who do not display challenging behaviour. Their child has been out of school for two years. They noted this has saved the local authority a lot of money, while the local authority is not meeting their legal requirement to provide schooling.<sup>261</sup>

**246.** We were told that Education Other Than at School (“EOTAS”) can often be the right route for these groups of children and young people. But there were concerns about a lack of a clear and consistent route into EOTAS. One parent told us that they had to use a Freedom of Information request to access the local authority’s EOTAS policy.<sup>262</sup> A stakeholder told us that local authorities were not “forthcoming” on EOTAS provision.<sup>263</sup> While another parent said that the EOTAS panel was the “real power broker” but the child or young person, family, and school are not allowed to represent themselves on the panel.<sup>264</sup> (The issues around decision making panels are covered in paragraphs 623-632).

---

<sup>259</sup> Children, Young People and Education Committee, School Note 2, 29 June 2023, paragraph 20.

<sup>260</sup> Children, Young People and Education Committee, School Note 2, 29 June 2023, paragraph 37.

<sup>261</sup> Children, Young People and Education Committee, Sparkle Focus Group session, 15 September 2023, paragraph 16.

<sup>262</sup> Children, Young People and Education Committee, Sparkle Focus Group session, 15 September 2023, paragraph 11.

<sup>263</sup> CYPE Committee, Stakeholder Event (In-person), 27 September 2023, paragraph 32.

<sup>264</sup> Children, Young People and Education Committee, Sparkle Focus Group session, 15 September 2023, paragraph 14.

**247.** Estyn raised concerns that some children and young people in EOTAS are not accessing full time education, which means they are not receiving “access to an appropriate curriculum.”<sup>265</sup>

**248.** We were told that there have been increases in the number of children being electively home educated, the EHRC said that while “national data” is not currently collected that there is “evidence” that suggests that certain groups of children and young people may be “over represented” including children and young people with ALN. They said that, while for many, elective home education is a “positive choice”, others may feel forced into it because children and young people are not receiving adequate support in schools.<sup>266</sup> This chimes with the evidence we heard as part of our pupil absence work.

**249.** This was also raised by families, who highlighted that they had to homeschool because of a lack of accessible provision.

*“I’ve always had to homeschool my child. The schools around where we live wouldn’t take them and the nearest school was so far away logistically it wouldn’t make sense, we would have spent all day travelling back and forth and with my child’s disabilities, that wouldn’t be possible.”<sup>267</sup>*

**250.** The then Minister for Education and Welsh Language said that he wanted to ensure the individual needs of each child and young person is met. That “we want to do as much of that as possible in mainstream, and, where that isn’t possible, to make sure that there is specialist provision available to support” those who need it.<sup>268</sup>

**251.** He said the “underlying principle” behind the new Curriculum is for the education system to be “as fully inclusive as possible”. The new Curriculum will ensure that “mainstream provision is able to deliver that bespoke teaching that reflects the needs of the particular cohort of learners in front of a teacher.”<sup>269</sup>

**252.** The Welsh Government also highlighted the work of the Disability Rights Taskforce which aims to remove “inequalities and discrimination disabled people face every day, in every aspect of their lives.” It includes people with lived

---

<sup>265</sup> Written evidence, [AEC 48 Estyn](#)

<sup>266</sup> Written evidence, [AEC 02 Equality and Human Rights Commission](#)

<sup>267</sup> Written evidence, [AEC 05 Third Sector Additional Needs Alliance \(TSANA\)](#)

<sup>268</sup> [CYPE Committee, 29 November 2023, Record of Proceedings, paragraph 125](#)

<sup>269</sup> [CYPE Committee, 29 November 2023, Record of Proceedings, paragraph 124](#)

experience, stakeholder organisations and Welsh Government officials. It works within the Social Model of Disability, but is only focused on areas that are devolved. It has a Children and Young People Working Group. The work from the various different working groups will help inform the development of a Disability Rights Action Plan.<sup>270</sup>

## Access to all areas of school life

**253.** The Equality and Human Rights Commission said that access to all aspects of school was “patchy” saying it varies not just between local authorities, but also between schools in the same local authority. They said that inclusive education is a right under the UNCRP, yet children and young people are “not getting access.”<sup>271</sup> They said there is a sense that children and young people are treated differently, and that it’s “probably indirect or unintentional discrimination”. As well as “unintended consequences” there is also a need to consider and scrutinise some of the “structural barriers.”<sup>272</sup>

**254.** Heledd Fychan MS asked families whether they felt their children were excluded from certain aspects of either education or childcare because of their disability or neuro-divergency. 64.6% responded completely; with 21.2% saying some of the time and 14.2% saying not at all.<sup>273</sup>

**255.** NASUWT said that children themselves use the word “unfair” when they are excluded from activities.<sup>274</sup>

**256.** At one school, we spoke to the School Council. They gave us a great presentation telling us about their experiences, they said:

*“We feel our school lacks the resources and space that you get in mainstream school in order to take part in DT lessons. We do not have proper big power tools such as drills and saws that everyone in mainstream gets to use. We don’t even have enough hand tools ... None of us have had the opportunity to use bunsen burners and burn magnesium, or hold fire like we feel they get to do in mainstream school or experiment with*

---

<sup>270</sup> Written evidence, [AEC 77 Welsh Government](#), paragraphs 5.1 and 5.3

<sup>271</sup> [CYPE Committee, 18 May 2023, Record of Proceedings, paragraph 98](#)

<sup>272</sup> [CYPE Committee, 18 May 2023, Record of Proceedings, paragraphs 103-104](#)

<sup>273</sup> Written evidence, [AEC 78 Heledd Fychan MS, A Continuous Battle, Experiences of families of neuro divergent children and young people requiring Additional Learning Provision in South Wales Central](#)

<sup>274</sup> [CYPE Committee, 25 October 2023, Record of Proceedings, paragraph 203](#)

*chemicals ... In mainstream we feel pupils would be offered rugby lessons and would benefit from facilities such as running tracks. Why can't we access these facilities? It is not fair that most pupils get to benefit from high quality facilities but that we miss out ... Some pupils in our school are capable of getting GCSE's but these are not offered in school. We feel this isn't fair. We get opportunities to complete qualifications in school but when we move onto college, courses are limited at an accessible level."*<sup>275</sup>

**257.** Access to sporting opportunities seem to be more limited. Learners at one school we visited, said they wanted to have more opportunities, including having PE on a weekly basis, and wanted access to a wider range of sports.<sup>276</sup> RNIB Cymru said that assumptions are often made about what children and young people with vision impairments can do, citing a lack of access to PE and sport, which can have long term impacts.<sup>277</sup> While Fair Treatment for the Women of Wales also said that PE often does not cater to “needs outside of the default ‘non-disabled’ person, which can have implications for health and well-being far into the future.” They called for a greater diversification of the offer in schools which can help encourage participation after school.<sup>278</sup>

**258.** Parents reminded us that PE “is important to reset mentally”. Yet “A child with a mental disability is largely excluded from this. The law for physical education in schools applies to non disabled kids.. Therefore young people with mental health issues, who often have accompanying anxiety issues are more likely to be offered medication and exclusion.”<sup>279</sup>

**259.** We heard mixed views from families about exclusion from visits and residential trips. While some felt that schools had worked hard to make sure their children could attend, with good support, others told us their children were not able to attend.<sup>280</sup>

**260.** For example, we heard of some children and young people able to go to centres such as Llangrannog, but others not. Stakeholders said these

---

<sup>275</sup> Written evidence, [AEC 18 School Council](#)

<sup>276</sup> [Children, Young People and Education Committee, School Note 1, 29 June 2023, paragraph 1](#)

<sup>277</sup> Written evidence, [AEC 47 RNIB Cymru](#)

<sup>278</sup> Written evidence, [AEC 50 Fair Treatment for the Women of Wales](#)

<sup>279</sup> Written evidence, [AEC 55 Swansea Parent Carer Forum](#)

<sup>280</sup> [Children, Young People and Education Committee, Do Disabled Children and Young People have equal access to education and Childcare? Engagement Findings, March 2023](#)

discrepancies were often down to a lack of planning, and a lack of appropriate risk assessments being put in place.<sup>281</sup> The Carers Trust said that some parents are pressurised to accompany their children on visits, which may not be possible for some to do.<sup>282</sup>

**261.** We were told that those in Special Resource Bases are not offered residential trips, but even those in mainstream settings won't be able to go on trips offered by their school. We heard that these opportunities would be beneficial to children and young people. Something we are particularly aware of having recently completed scrutiny of the Residential Outdoor Education (Wales) Bill. There were calls for a more person-centred approach to planning visits, and for money to be set aside to ensure that these experiences are accessible to all children and young people.<sup>283</sup>

**262.** A parent said that their child had been in their primary school since Year 1, yet the school did not make arrangements for them to go on the Year 6 residential.<sup>284</sup> The majority of families responding to Heledd Fychan MS's survey said their children were not able to access school trips. This was for a range of reasons including unsuitability of destinations or transport or because of a lack of one to one support. Often the solution is for a parent to accompany the child, but this is not always possible because of work commitments.<sup>285</sup>

**263.** Swansea Bay University Health Board said that children and young people are often excluded from trips because they are classed as behaving badly:

*"... when they are just fidgety, or have more difficulty with transitions. This really affects their social interactions with their peers and makes them feel outcast and different. This affects their self-esteem and causes them to disengage with education."<sup>286</sup>*

**264.** We were told the exclusion of children and young people from these experiences can impact on their education, because schooling does not just

---

<sup>281</sup> [CYPE Committee, Stakeholder Event \(In-person\), 27 September 2023, paragraph 33](#)

<sup>282</sup> [Written evidence, AEC 56 Carers Trust Wales](#)

<sup>283</sup> [Children, Young People and Education Committee, Sparkle Focus Group session, 15 September 2023, paragraph 19](#)

<sup>284</sup> [Written evidence, AEC 55 Swansea Parent Carer Forum](#)

<sup>285</sup> [Written evidence, AEC 78 Heledd Fychan MS, A Continuous Battle, Experiences of families of neuro divergent children and young people requiring Additional Learning Provision in South Wales Central](#)

<sup>286</sup> [Written evidence, AEC 24 Swansea Bay University Health Board](#)

happen in the classroom.<sup>287</sup> Estyn said that these exclusions mean children and young people are losing out on the “same enriching educational experiences as their peers.”<sup>288</sup>

**265.** In terms of play opportunities, we look at the restriction to break times in the next section. However, we also heard of a number of incidents where children were not best supported to join in with other children’s play. One child was struggling with a playground game, and staff said they did not have time to explain it. When this was raised with the headteacher, they said all children had to face humiliation.<sup>289</sup>

**266.** We also heard from families of “shaming and punitive” approaches to discipline. A parent who of a child who has experienced significant trauma and adverse childhood experiences described an incident in their child’s school:

*“I remember in nursery, they had all the kid’s faces laminated on a display with a rainbow and a storm cloud, and if the child was ‘naughty’ they would move your face to a storm cloud. You would never put that display up in the staffroom, that would be classed as bullying in the workplace. Why do they think it’s okay to do it children?”<sup>290</sup>*

**267.** The Welsh Government said that the implementation of education reforms in terms of both the Curriculum for Wales and the new ALN system seek to:

*“... to transform the expectations, learning experiences and outcomes for children and young people. Both emphasise an inclusive education system which balances equity of access to the curriculum for all learners with addressing the needs of individual learners.”<sup>291</sup>*

---

<sup>287</sup> [CYPE Committee, Stakeholder Event \(In-person\), 27 September 2023, paragraph 14](#)

<sup>288</sup> [AEC 48, Estyn](#)

<sup>289</sup> [CYPE Committee, Visit to ASD Rainbows, 9 October 2023, paragraph 41](#)

<sup>290</sup> [Children, Young People and Education Committee, Do Disabled Children and Young People have equal access to education and Childcare? Engagement Findings, March 2023](#)

<sup>291</sup> Written evidence, [AEC 77, Welsh Government](#), paragraph 1.1



## Access to teaching / timetabling

### Academic aspirations

---

**268.** Some stakeholders raised concerns about the lack of aspirations for these children and young people, saying that school “is not a holding pen.” They called for Estyn to ensure that these groups of children, young people and families get the opportunity to share their experiences as part of the inspection process. Some also said that progress needs to be measured against each individual child’s own circumstances.<sup>292</sup>

**269.** Disability Wales told us they know of “multiple” incidents of direct and indirect discrimination. Some of which can be very explicit, citing the example of someone being told “they shouldn't bother taking their education courses because they'd never be able to work anyway.”<sup>293</sup> Whizz Kidz also highlighted the impact that unconscious bias can have on children and young people:

*“When young wheelchair users have limitations and low expectations imposed upon them by school staff, it can undermine their confidence and self-esteem. Whether the outlook and bias of staff is conscious or unconscious, the impact this can have is great; misconceptions about disability and negative attitudes towards disabled people pose barriers to disabled people living the lives they want.”<sup>294</sup>*

**270.** In particular, the issue of access to qualifications within special schools was raised. One special school told us that GCSEs will be offered to those learners who are capable.<sup>295</sup> Disability Wales said that the new Curriculum for Wales could provide an opportunity to open up more opportunities for qualifications. They said if teachers teach holistically and to children and young people’s abilities, it may open up qualifications.<sup>296</sup> Professor Jonty Rix also said that the new Curriculum was “a start in the right direction” although he said one problem is that there will still be exams at the end.<sup>297</sup>

---

<sup>292</sup> [CYPE Committee, Stakeholder Event \(In-person\), 27 September 2023, paragraphs 22-23](#)

<sup>293</sup> [CYPE Committee, 7 June 2023, Record of Proceedings, paragraph 15](#)

<sup>294</sup> Written evidence, [AEC 35 Whizz Kidz](#)

<sup>295</sup> [Children, Young People and Education Committee, School Note 1, 29 June 2023, paragraph 15](#)

<sup>296</sup> [CYPE Committee, 7 June 2023, Record of Proceedings, paragraph 68](#)

<sup>297</sup> [CYPE Committee, 12 October 2023, Record of Proceedings, paragraph 128](#)



**271.** Learning Disability Wales highlighted that the emphasis in mainstream settings placed on academic achievement is particularly challenging for children and young people with learning disabilities. They said that success is measured against GCSE outcomes, but that:

*“... most children with a learning disability will never take a GCSE or will take at most 1 or 2. They will therefore leave the education system with no marker against their achievements. We are measuring children who have a learning disability on their ability to academically achieve - one of the things they find most challenging. The system will argue that by not entering these children into GCSEs they are not held against that marker. However, they then become insignificant when schools are measured in that way and planning and design focuses solely on those taking GCSEs (or equivalent qualifications).”<sup>298</sup>*

**272.** Families shared their thoughts on the approach to teaching and how it can impact on their children. In particular we heard that there was a need for more support for the social aspects of school. One parent of a child awaiting an autism, ADHD, and PDA diagnosis said there was a need for greater expertise in recognising certain behaviours over academic work. While another said:

*“The focus is always on “we need to adjust this child” not “we need to adjust our practice.”<sup>299</sup>*

**273.** On the other side of the coin, we also heard how some children were not being sufficiently challenged academically. A parent of a child with cerebral palsy said:

*“I question and worry that the school are going over and over the same things that are nursery level.”*

---

<sup>298</sup> Written evidence, [AEC 06 Learning Disability Wales](#)

<sup>299</sup> [Children, Young People and Education Committee, Do Disabled Children and Young People have equal access to education and Childcare? Engagement Findings, March 2023](#)

While a parent of a child with Down Syndrome said:

*“They wouldn’t normally send a 10-year old- to play with 5 year-olds. But I guess that they are doing it when they are short-staffed.”<sup>300</sup>*

**274.** Parents suggested that this disconnect may be the result of children and young people being segregated, and possibly receiving one to one support from staff who did not set the work. During one of the family interviews, a child said that teachers were unaware of her sister’s abilities. During lockdown, her sister, who was in high school was receiving overly easy work compared to her own primary level assignments.<sup>301</sup>

**275.** Many of the families who responded to Heledd Fychan MS’s survey in South Wales East believed that the key factor in whether children would be able to access “a full formal curriculum was them having 1 to 1 support.” Yet a number cited a lack of this support at all, or for others it was part time / irregular, with a number having to access a reduced timetable. Others had opted out of the formal school system all together.<sup>302</sup>

**276.** Parents told us of how adjustments were not made in terms of schoolwork. One parent said that by giving their child the same homework as their non-disabled and neurotypical peers they were actually excluding him despite trying to include him, because it was all work he could not even attempt. The more inclusive approach would have been to give him specific homework targeted at what he could do.<sup>303</sup>

**277.** The British Psychological Society were concerned about the ways that “outcomes, targets and provisions for neurodivergent children” are set. Often they are not appropriate for the child’s needs. They said if outcomes are not set in the context of where children are developmentally or psychologically then “we are at risk of making it appear that neurodivergent or disabled children are not developing or ‘failing.’” They believed it was important that neurodivergent

---

<sup>300</sup> [Children, Young People and Education Committee, Do Disabled Children and Young People have equal access to education and Childcare? Engagement Findings, March 2023](#)

<sup>301</sup> [Children, Young People and Education Committee, Do Disabled Children and Young People have equal access to education and Childcare? Engagement Findings, March 2023](#)

<sup>302</sup> Written evidence, [AEC 78 Heledd Fychan MS, A Continuous Battle, Experiences of families of neuro divergent children and young people requiring Additional Learning Provision in South Wales Central](#)

<sup>303</sup> [CYPE Committee, Visit to ASD Rainbows, 9 October 2023, paragraph 41](#)

children were not being “encouraged to behave like other children but are valued for being themselves.”<sup>304</sup>

## **Absences, reduced timetables and exclusions**

---

**278.** If children do not or cannot attend school they will be missing out on all areas of school life. We are very familiar with the issues around school absences. We published our report on this issue in November 2022. We made seven recommendations, which covered issues including messaging on the positive aspects of school; learner travel; data and trigger levels for intervention.<sup>305</sup> All the recommendations were either accepted, or accepted in principle by the Welsh Government.<sup>306</sup> We are likely to revisit implementation of these recommendations before the end of the Senedd term.

**279.** The EHRC raised concerns about persistent absence, saying there was a “particularly high rate among children with additional learning needs.”<sup>307</sup> The Royal College of Paediatrics and Child Health highlighted that it is difficult to understand whether absences which are classed as illness are because of a long time issue or more transient issues such as a seasonal cold. The current statistics do not make this differential.<sup>308</sup>

**280.** In one shocking story, a parent described how their child had missed six years of primary school because of a lack of an accessible school place. A number of placements broke down, the first one lasted only six weeks; while in their second placement twelve points of disability discrimination were upheld. They are currently in a secondary school, but there are issues around transport, toilet access and lunchtime facilities causing the child to be segregated from their peers. Their parent said that neither the care plan or individual development plan were being followed.<sup>309</sup>

**281.** Some children and young people may have higher levels of absence related to their needs and conditions, such as medical appointments. We heard concerns about awards for attendance, which don’t take into account the different circumstances of children and young people. Young people told Platform that it

---

<sup>304</sup> Written evidence, [AEC 58 British Psychological Society](#)

<sup>305</sup> [Children, Young People and Education Committee, Pupil Absence, November 2022](#)

<sup>306</sup> [Welsh Government, Response to the recommendations from the Children, Young People and Education Committee report: Pupil Absence, January 2023](#)

<sup>307</sup> Written evidence, [AEC 02 Equality and Human Rights Commission](#)

<sup>308</sup> Written evidence, [AEC 49, Royal College of Paediatrics and Child Health](#)

<sup>309</sup> [Children, Young People and Education Committee, Sparkle Focus Group session, 15 September 2023, paragraph 13](#)

was rewarding “people for ‘being healthy.’”<sup>310</sup> Cardiff University highlighted this, sharing the experiences of a young person with diabetes:

*“A lot of pressure was on more of attendance because, if you drop below this amount of attendance, you can’t go on the end of year trip. But if I had said to my teachers in advance, i’ve got an appointment on this day at this time, i’ll have to miss this lesson. They wouldn’t count that as an authorised absence. So, it just looked like I hadn’t turned up, but really, I was at an appointment.”<sup>311</sup>*

**282.** The Royal College of Occupational Therapists said attendance awards are “discriminatory”. They cited examples where whole classes may “lose out on a reward if 100% attendance is not achieved, meaning learners with additional needs are unfairly blamed by peers for something they can’t control.”<sup>312</sup>

**283.** One of the issues raised was the use of reduced timetables, and more flexible approaches to teaching. We heard both sides of the argument, sometimes it can be a solution that helps support continued attendance and engagement with school, but others were concerned that they were being too often used as a mechanism to avoid offering inclusive education.

**284.** The Children’s Commissioner said that families recommended the use of “flexible and blended learning and adjustments to timetables” which can better support those learners who may find full time school challenging.<sup>313</sup> A parent shared how her autistic daughter’s reduced timetable, reduction of subjects along with the support of Learning Support Assistant “worked well, she felt safe and began to access more lessons.” The result of this was that their daughter started sleeping better, there was a reduction in meltdowns, and while still anxious she started doing well academically.<sup>314</sup>

**285.** We heard of an increase in reduced timetables for very young children, as well as older children and young people. Stakeholders said they should only be used with the agreement of parents / carers and when it is in the best interests of the child. Additionally, there is little monitoring of their use, with examples of

---

<sup>310</sup> Written evidence, [AEC.39.Platform](#)

<sup>311</sup> Written evidence, [AEC.44.WISERD.Cardiff.University](#)

<sup>312</sup> Written evidence, [AEC.30.Royal.College.of.Occupational.Therapists](#)

<sup>313</sup> Written evidence, [AEC.01.Children’s.Commissioner.for.Wales](#)

<sup>314</sup> Written evidence, [AEC.29.Individual](#)

children being on them for years rather short term.<sup>315</sup> The Royal College of Speech and Language Therapists said this was an issue raised by their members. In particular children and young people with autism and / or learning difficulties are the most likely to be on reduced timetables. They said this means that children who may already find socialising more challenging have even fewer opportunities to learn and socialise.<sup>316</sup>

**286.** Whizz Kidz said that for those children who may be away from school more often due to “unavoidable circumstance” related to their conditions, should have access to “alternative formats of learning” such as online learning. A recent small scale survey they had done had indicated that such opportunities would help “many young wheelchair users.”<sup>317</sup> Cardiff University agreed that some changes made as a result of the pandemic, including listing school work online makes it easier for children and young people to catch up on missed lessons. However, they were concerned these adjustments were not available everywhere, and that they may not continue in the future.<sup>318</sup>

**287.** Learning Disability Wales had concerns that children with ALN were “disproportionately likely to be excluded from schools and ‘special schools’ have the highest rate of fixed-term exclusions of all types of school.”<sup>319</sup> We were told that there are issues about “unlawful exclusions” where schools will exclude children and young people informally to avoid having to adhere to requirements such as return dates and setting out reasons for the exclusion. Parents are often unaware of the requirements around exclusions.<sup>320</sup> SNAP Cymru said it was unclear how often “unrecorded, informal exclusion” is happening across Wales.<sup>321</sup> Stakeholders also said that exclusions because of behaviour issues happen despite consideration as to whether the school has adequately supported the child.<sup>322</sup>

**288.** The British Psychological Society highlighted the EHRC’s data that “disabled children and young people are more likely to be permanently or temporarily excluded than non-disabled children.” They were “concerned” that exclusion rates are increasing in Wales. They said that while sometimes exclusions are “often due

---

<sup>315</sup> [CYPE Committee, Stakeholder event \(virtual\), 27 September 2023, paragraph 9](#)

<sup>316</sup> Written evidence, [AEC 45 Royal College of Speech and Language Therapists](#), paragraph 9

<sup>317</sup> Written evidence, [AEC 35 Whizz Kidz](#)

<sup>318</sup> Written evidence, [AEC 44 WISERD, Cardiff University](#)

<sup>319</sup> Written evidence, [AEC 06 Learning Disability Wales](#)

<sup>320</sup> [CYPE Committee, Stakeholder Event \(In-person\), 27 September 2023, paragraph 34](#)

<sup>321</sup> [CYPE Committee, 7 June 2023, Record of Proceedings, paragraph 283](#)

<sup>322</sup> [CYPE Committee, Stakeholder event \(virtual\), 27 September 2023, paragraph 10](#)

to unavoidable barriers” they were concerned schools overlooked the impact on children and young people, and “that many schools fail to listen to the child to come up with innovative solutions to enable inclusion and equity.” They called for schools to deliver “effective solutions” to tackle exclusions, and for schools to have “ongoing support so that their default response is always about how they can ensure child-centred, creative/supportive solutions to inclusion, so that exclusion should never be an option.”<sup>323</sup>

**289.** The National Autistic Society said that autistic children and young people are “particularly vulnerable” to exclusion. They are often “unfairly punished” when their behaviour is “actually an indicator that their support needs are not being met.” They shared some “truly shocking statistics”:

*“A quarter of parents of autistic pupils say their child has faced exclusion internally by isolation or through external fixed-term or permanent exclusion. Over half of parents receive no written record of temporary exclusions, and one in four pupils suspended or excluded were aged 10 or under, and I'm personally aware of a little girl who's four-years-old who has been excluded multiple times in one year.”<sup>324</sup>*

They said that work with Autism Education Trust and Lincolnshire Council to embed best practice saw an 80 per cent decrease in the numbers of autistic children and young people being excluded in a 3 year period. They highlighted the cost of permanent exclusion which is “around £370,000 in terms of lifetime education, welfare benefits, healthcare, criminal justice costs.”<sup>325</sup>

**290.** SNAP Cymru said exclusions practice varies between schools, with some never using exclusions, and others using it regularly. They said there is some “outstanding practice” where schools have committed to not exclude “by putting on different ways of managing some of the challenges and supporting these young people.” They said parents want “stronger, more explicit guidance” on exclusions so that they are clear on rights and options. They also said schools also need support to be able to put in reasonable adjustments “at an earlier stage” which can help reduce the risk of exclusion.<sup>326</sup>

---

<sup>323</sup> Written evidence, AEC 58 British Psychological Society

<sup>324</sup> CYPE Committee, 7 June 2023, Record of Proceedings, paragraphs 285-288

<sup>325</sup> CYPE Committee, 7 June 2023, Record of Proceedings, paragraphs 285-288

<sup>326</sup> CYPE Committee, 7 June 2023, Record of Proceedings, paragraph 284



**291.** ASCL said that schools “work hard to minimise” exclusions. They were encouraged that the Welsh Government had, at the time of the evidence session, recently announced a review of exclusion policy and guidance. They also said that it was an area where more training for staff could help reduce the number of exclusions.<sup>327</sup> NEU said that both a lack of funding and staff training was a factor in the number of exclusions, saying schools cannot always put in adjustments, or provision to prevent exclusions. They said another factor might be children and young people being in mainstream provision when it is not suitable for them.<sup>328</sup>

**292.** We heard from a number of families of being asked to keep their child away from school, or asking them to start later or being picked up early. One parent told us that they were asked to keep their child at home “on regular occasions” during one term because of “resource issues.” This was at a mainstream primary school. The school was unable to secure an appropriately trained and reliable one-to-one support, and the school, did not want to use the available teaching assistant to provide this support.<sup>329</sup> While another described how the school pushed for their child to be collected at lunchtime, which they refused “as I know that they just wanted her off site so that she wasn’t their issue.”<sup>330</sup>

**293.** Young people talking to Plattform said they felt that:

*“... perhaps schools were looking out for their own needs first instead of their students, which may be why young people tended to be suspended or excluded from school or “dropped out of some lessons” in order to prioritise students they considered more important, maintain their reputation and make their lives easier.”<sup>331</sup>*

**294.** Families talked of their experiences of reduced timetables, highlighting that this means they are receiving fewer educational hours than their non-disabled and neurotypical peers. Parents think that the factors driving this is often limited school capacity rather than children and young people’s needs. The term “constructive exclusion” was used by some parents.

---

<sup>327</sup> [CYPE Committee, 25 October 2023, Record of Proceedings, paragraphs 176-177](#)

<sup>328</sup> [CYPE Committee, 25 October 2023, Record of Proceedings, paragraph 274](#)

<sup>329</sup> Written evidence, [AEC 28 Individual](#)

<sup>330</sup> Written evidence, [AEC 33 Individual](#)

<sup>331</sup> Written evidence, [AEC 39 Plattform](#)



**295.** We also heard experiences where families struggled to access suitable (if any) work for their child to do at home:

*“There’s no help out there, I asked the teachers to email to share themes and topics – I have to wing it!”<sup>332</sup>*

**296.** Carers Trust Wales described the experience of a child who had not attended school for two years, but the school “is yet to offer” any support, nor put in place any plans for a return to school.<sup>333</sup>

**297.** Some parents raised safeguarding concerns about the lack of contact from the school when children and young people are away from school. They cited their own experiences of having no contact from the school during their child’s absence. One parent said “the school was sucking the funding for him, but no one got in touch.”<sup>334</sup> Another parent said they had to ask the local authority to come and check on their child when they were out of school for 9 months.<sup>335</sup>

**298.** Play Wales raised specific concerns that some children are missing out on play opportunities during break times, often to catch up on work or due to a teacher feeling the child has misbehaved. They said that they have received queries which “seems to suggest that this practice often relates to disabled and neurodiverse children.” They said it can “cause stigmatisation and conflicts with children’s right to play.” Additionally it can be “counter productive, as it often impacts most on children who find it difficult to focus in class and need to get out and move.” They highlighted that the Welsh Government’s Whole School Approach to emotional and mental well-being is explicit in stating that play should not be removed at school as a form of punishment.<sup>336</sup>

**299.** The EHRC also raised concerns about these issues. They said that removing the opportunities of break times mean children and young people “are not experiencing that full school-day life.”<sup>337</sup>

**300.** We also heard about specific areas of the school curricula that children and young people may be excluded from. A number of music and arts organisations

---

<sup>332</sup> [Children, Young People and Education Committee, Do Disabled Children and Young People have equal access to education and Childcare? Engagement Findings, March 2023](#)

<sup>333</sup> Written evidence, [AEC 56 Carers Trust Wales](#)

<sup>334</sup> [Children, Young People and Education, Oakhill ASD Childcare focus group session, 15 September 2023, paragraph 28](#)

<sup>335</sup> [CYPE Committee, Visit to ASD Rainbows, 9 October 2023, paragraph 34](#)

<sup>336</sup> Written evidence, [AEC 37 Play Wales](#), paragraphs 1.12-1.16

<sup>337</sup> [CYPE Committee, 18 May 2023, Record of Proceedings, paragraph 138](#)

highlighted that these children and young people faced “a number of barriers to inclusive educational musical experiences.” They said these include a lack of:

- Suitable curricula and learning pathways;
- Confidence and training opportunities for teachers;
- Resources;
- Space in the school timetable.

They said the opportunities decrease as children and young people get older, saying 40% of special schools have no music curriculum. They called for greater partnership working between mainstream settings and “out-of-school expert providers”. Their project evaluations have shown that these groups of children and young people “have rewarding and transformative musical experiences as a result of partnership projects ... can have a significant impact on young people’s well-being, skills development and even potential career paths.”<sup>338</sup>

**301.** On the use of reduced timetables, the then Minister for Education and Welsh Language said there was “very clear guidance” on how they should be used. Currently, it says that their use should be “bespoke” and kept to a maximum of six weeks, and generally used as part of a “return-to-school plan” when the child or young person has been absent for a prolonged period. He was very clear that:

*“It absolutely should not be used as a means of managing challenges in behaviour. And it also has to be done in a way that is documented and understood, by the school but also parents, learners, the local authority, and even beyond that. It should be documented in that way so that it can be, as you were suggesting, monitored and evaluated.”*

This guidance, was at the time he was speaking, in the process of being revised. He said there would also be “more bespoke and distinct” guidance on exclusions.<sup>339</sup>

**302.** The work to update the guidance is being done in two phases. With the first stage focused on “improving the way in which some things are expressed, the

---

<sup>338</sup> Written evidence, [AEC 46 Music and Arts organisations](#), paragraphs 2.1 and 2.5

<sup>339</sup> [CYPE Committee, 29 November 2023, Record of Proceedings, paragraph 53](#)

tone, the language, making sure it reflects the significant legislative change that we've had in our schools system.” The second stage was due to be:

*“... a more fundamental revision, really, and it will be about how we can understand the use of exclusion in particular for learners with protected characteristics and, reflecting the point that you've just made, where some cohorts of learners can be disproportionately more likely to be excluded. It goes to the heart of that as well.”<sup>340</sup>*

**303.** The Welsh Government said that progression should involve everybody including the learner, and that it should recognise “the individual learning needs and backgrounds of each learner and encourage a holistic view of each learner’s development.”<sup>341</sup>

## Implementation of the ALN Act and Code

**304.** As we have outlined in paragraph 23, we are currently conducting a Senedd long piece of work looking at the implementation of the Curriculum for Wales and the ALN Act. Our comments here are focused on the issues raised during this inquiry.

**305.** Learning Disability Wales gave a stark overview of how the system has failed multiple generations of children and young people:

*“... I sit here 16 years later to give evidence, having seen two cohorts of children, two generations of children, go through a system that is still not fit for purpose. It's not implemented yet, and many children still have the most awful experiences in our Welsh education system.”<sup>342</sup>*

**306.** Numerous stakeholders and organisations were supportive of the approach set out in the ALN Act and Code, but had concerns about the implementation. A key issue was inconsistencies in implementation and interpretation across Wales.<sup>343</sup>

---

<sup>340</sup> [CYPE Committee, 29 November 2023, Record of Proceedings, paragraph 55](#)

<sup>341</sup> Written evidence, [AEC 77, Welsh Government](#), paragraph 1.6

<sup>342</sup> [CYPE Committee, 7 June 2023, Record of Proceedings, paragraph 101](#)

<sup>343</sup> [CYPE Committee, 18 May 2023, Record of Proceedings, paragraph 85](#)

**307.** Learning Disability Wales said that while the UNCRPD is written into the ALN Act, the legislation “didn't really understand the rights of disabled people as far as education was concerned, so it's in conflict with itself.”<sup>344</sup>

**308.** Estyn told us:

*“Pre-existing weaknesses within the additional learning needs (ALN) system, as well as a variable implementation of this reform mean that not all disabled children and young people in Wales experience equitable access to education and childcare.”<sup>345</sup>*

**309.** The Children’s Commissioner for Wales told us:

*“... the delays in the implementation of the additional learning needs code, the variation in progress across Wales, and the confusion for families of the migration to the new system are further exacerbating the barriers to accessing a suitable education and necessary support services for disabled children. Too often, neurodivergent children do not receive support if they do not meet the requirements for ALN support.”<sup>346</sup>*

**310.** ADEW said there is “unequivocal support” from education professionals for the reforms, because it is “person centred”. However, it will take time to implement it fully because of the need to understand a child’s needs, the barriers to learning, and how the barriers can be addressed.<sup>347</sup> ASCL also emphasised the time that is needed to “embed” such large scale reforms.<sup>348</sup> Although NEU said that even once the initial implementation has passed, a lot of current issues will continue because of the way the Act and Code “passes the responsibility down to the school from the local authority”. They said there will continue to be additional workloads for schools while schools are also struggling to access resources from local authorities.<sup>349</sup>

**311.** Staff capacity to deliver on the Act and Code was raised repeatedly. One parent said that in a secondary setting it was not realistic to expect a teacher, who will be teaching hundreds of children and young people a week to “remember

---

<sup>344</sup> [CYPE Committee, 7 June 2023, Record of Proceedings, paragraph 166](#)

<sup>345</sup> Written evidence, [AEC 48, Estyn](#)

<sup>346</sup> Written evidence, [AEC 01, Children’s Commissioner for Wales](#)

<sup>347</sup> [CYPE Committee, 25 October 2023, Record of Proceedings, paragraph 105](#)

<sup>348</sup> [CYPE Committee, 25 October 2023, Record of Proceedings, paragraph 181](#)

<sup>349</sup> [CYPE Committee, 25 October 2023, Record of Proceedings, paragraph 284](#)

every single need and have the capacity to accommodate that when roughly 20% of the class have SEN. I couldn't remember every detail of my sons statement every day I certainly couldn't remember 100s let alone differentiate work for 100s it's just not realistic."<sup>350</sup> SNAP Cymru also recognised the daily pressures faced by teachers:

*"They have to deliver subject lessons in an all-inclusive way to children with differing needs through adaptive teaching strategies, and there are many challenges encountered to keep all children engaged and on task with minimum disruption to the class."*<sup>351</sup>

**312.** The NEU said that their members have highlighted the time it takes to complete an IDP "up to seven hours in some cases". They said the "onerous" paperwork means they have less time to spend "on the interventions that they're best placed to be offering."<sup>352</sup> While NASUWT said that the costs for ALN reforms were "not assessed". They queried how without this analysis it was possible to know whether the necessary funding has been allocated. In particular, they said the amount of staff hours were "crucial".<sup>353</sup>

**313.** Estyn highlighted that in their recent thematic report on ALN reforms, there is "a lack of Welsh medium provision to meet the needs of disabled children and young people through their first language."<sup>354</sup>

**314.** UCAC raised concerns that some local authorities in their Welsh in Education Strategic Plans have indicated that they do not have sufficient Welsh medium staff to support learners. They are aware of children and young people leaving Welsh medium settings because there are insufficient Welsh medium resources. This is also a view we have heard directly from families . (See our next section on Welsh medium provision.) UCAC called for this "fundamental injustice" within the current ALN system to be "abolished". They said it was "important" that children, young people and families can get the support they need in Welsh "without having to fight for it."<sup>355</sup> While they welcomed the Welsh Government's work in

---

<sup>350</sup> Written evidence, [AEC 66 Joining the Dots Parents and Carers](#)

<sup>351</sup> [CYPE Committee, 7 June 2023, Record of Proceedings, paragraph 281](#)

<sup>352</sup> [CYPE Committee, 25 October 2023, Record of Proceedings, paragraph 204](#)

<sup>353</sup> [CYPE Committee, 25 October 2023, Record of Proceedings, paragraph 256](#)

<sup>354</sup> Written evidence, [AEC 48 Estyn](#)

<sup>355</sup> Written evidence, [AEC 67 Undeb Cenedlaethol Athrawon Cymru](#)

this area, they said there was a need for more support available at a national, rather than local authority level.<sup>356</sup>

**315.** Some felt that neither parents nor schools are receiving the correct information about the Act and Code. This is not helped by the fact that local authorities are all implementing it differently, despite the fact that the definition of ALN is the same as it was under the SEN system.<sup>357</sup> NDCS Cymru said they are seeing inconsistent approaches taken by different local authorities in relation to assessing and developing IDPs for deaf children.<sup>358</sup> While UCAC said that “the principle behind ‘all reasonable steps’ is open to interpretation and is a very subjective matter.”<sup>359</sup>

**316.** ADEW accepted there is still a “process of establishing consistency”. They said that during the implementation period unforeseen issues have arisen, which are adding to the “variables” that need tackling. They said there is a national forum which can look at developing and ensuring consistency.<sup>360</sup>

**317.** ASCL said that the range of different organisations and bodies involved in implementation will result in varied implementation, in particular where “central guidance ... policy” has to be interpreted<sup>361</sup> The British Psychological Society said there is a lot of confusion around terminology, and that there is a need for “more clarity” from the Welsh Government. Although they also acknowledged that variations will arise because “communities are going to be different”.<sup>362</sup>

**318.** Mudiad Meithrin raised concerns that the Pupil Level Annual School Census shows a “sharp fall in the number and percentage of children identified with ALN in schools.” They queried this when previously the figures have been consistent. But they also said:

*“... it is good to see that the percentage of children with ALN in Welsh medium schools and receiving the majority of their education through the medium of Welsh is close to the percentage of ALN pupils receiving English medium education, and the percentage of all Welsh pupils with ALN. Therefore, by*

---

<sup>356</sup> [CYPE Committee, 25 October 2023, Record of Proceedings, paragraph 208](#)

<sup>357</sup> [CYPE Committee, Stakeholder event \(virtual\), 27 September 2023, paragraphs 33-35](#)

<sup>358</sup> Written evidence, [AEC 42 National Deaf Children's Society Cymru](#)

<sup>359</sup> Written evidence, [AEC 67 Undeb Cenedlaethol Athrawon Cymru](#)

<sup>360</sup> [CYPE Committee, 25 October 2023, Record of Proceedings, paragraph 106](#)

<sup>361</sup> [CYPE Committee, 25 October 2023, Record of Proceedings, paragraph 181](#)

<sup>362</sup> [CYPE Committee, 16 November, 2023, Record of proceedings, paragraph 136](#)



*this estimate, there appears to be equitable access for children with ALN in Welsh language education.*

*When scrutinising the percentages for some local authorities, a greater gap is noticeable between the percentage of pupils with ALN in Welsh-medium education and those in English-medium education.”<sup>363</sup>*

**319.** This decline was an issue we pursued throughout our inquiry into the implementation of education reforms. During our second ‘check in’, we wrote to the then Minister for Education and Welsh Language.<sup>364</sup> In his response, he said it was “difficult to anticipate the future trajectory in terms of ALN numbers, both during implementation and while our reforms bed in.” Adding that the “most important point is that learners are getting the support they need to thrive” and that “all children and young people with ALN should have an IDP”.<sup>365</sup>

**320.** It is not surprising that the implementation of the new ALN Act and Code, and comparisons with the old SEN system were a feature of the evidence we gathered. In particular, it was an issue highlighted during our school visits and our discussions with families. We heard contrasting views.

**321.** At one school we were told that the new system was “too bureaucratic” and can be difficult for families and teachers to navigate.<sup>366</sup> At another school, the parents we spoke to had very negative experiences of the new system, including one telling us that “I would like to take a match to the new ALN Act.” They felt it was too much of a postcode lottery, with families left to try and navigate the system. They were also concerned with local authorities interpreting the Act differently, and said that there can even be inconsistencies between schools within the same local authority. They said IDPs too often were vague, and teachers do not read them.<sup>367</sup>

**322.** Yet other families told us that they felt the paperwork was an improvement on the old system. They said they felt that the IDPs were “largely more positive,

---

<sup>363</sup> Written evidence, [AEC 51 Mudiad Meithrin](#)

<sup>364</sup> [Letter from Chair, CYPE Committee to Minister for Education and Welsh Language, Deputy Minister for Social Services, Implementation of education reforms: outcome of our summer 2023 check-in, 17 July 2023](#)

<sup>365</sup> [Letter from Minister for Education and Welsh Language, Deputy Minister for Social Services, Implementation of Education reforms, 30 August 2023](#)

<sup>366</sup> [Children, Young People and Education Committee, School Note 1, 29 June 2023, paragraph 8](#)

<sup>367</sup> [Children, Young People and Education Committee, School Note 5, 4 December 2023, paragraphs 34-36](#)



more concise and more about the child in the here and now” compared to the old statements.<sup>368</sup> Early Years Wales said that parents have told them they prefer the new approach “as it puts their child front and centre.”<sup>369</sup>

**323.** Some families said it was a struggle getting IDPs in place because “schools don’t want to do them.” There were also concerns about IDPs not being followed. Parents were frustrated about this, because they believed that if they were followed their children would thrive in mainstream settings. We heard that some adjustments were small but would have a big impact.<sup>370</sup> There is a concern that ALN support is being interpreted according to what schools can offer.<sup>371</sup> This was an issue raised by other parents, with concerns that there is no monitoring as to whether IDPs are being delivered.<sup>372</sup>

**324.** Some believed that the issues with the previous system had been in the implementation, and that these are likely to continue with the new system. Although others told us tht the key difference is that the new system should be needs-led rather than diagnosis led. Yet, currently families were still being asked for a diagnosis before support is provided.<sup>373</sup>

**325.** We heard about the importance of the Additional Learning Needs Coordinator (ALNCo) role, but families raised concerns about the capacity or the expertise of ALNCoS. One parent said that an ALNCo should just be doing that job, and not combined with other duties, such as teaching or school management.<sup>374</sup> This was an issue that was also raised by others including the education unions.<sup>375</sup> Although Early Years Wales said parents have told them the they feel ALNCoS “are better equipped” to support children and young people and that they are “kept better informed.”<sup>376</sup>

**326.** We heard examples of children missing out on support because an ALNCo was unavailable because of teaching commitments. There were also calls to

---

<sup>368</sup> [Children, Young People and Education Committee, Sparkle Focus Group session, 15 September 2023, paragraph 32](#)

<sup>369</sup> [Written evidence, AEC 53 Early Years Wales](#)

<sup>370</sup> [CYPE Committee, Visit to ASD Rainbows, 9 October 2023, paragraph 31](#)

<sup>371</sup> [CYPE Committee, Stakeholder event \(virtual\), 27 September 2023, paragraph 37](#)

<sup>372</sup> [Written evidence, AEC 52 National Neurodiversity Team](#)

<sup>373</sup> [CYPE Committee, Stakeholder Event \(In-person\), 27 September 2023, paragraphs 44-45](#)

<sup>374</sup> [Children, Young People and Education Committee, Do Disabled Children and Young People have equal access to education and Childcare? Engagement Findings, March 2023](#)

<sup>375</sup> [Written evidence, AEC 69 Joint Trade Unions](#)

<sup>376</sup> [Written evidence, AEC 53 Early Years Wales](#)

ensure that all ALNCoS received additional pay to reflect the additional responsibility.<sup>377</sup>

**327.** ADEW said developing the skills and expertise of ALNCoS would help improve consistency of implementation. They told us about the work the Welsh Government has been doing, including the creation of a “national pathway” for ALNCoS, which is an online bilingual training module with three different levels. They also highlighted that there are now ALN modules on “the Masters in Education—Wales”. This they said means there is now a “whole suite, from start to finish, to develop consistency” for ALNCoS.<sup>378</sup>

**328.** NASUWT had concerns about the ways in which ALNCoS can share their views and experiences. They highlighted a recent example where they were invited to speak at the all-Wales National ALN Steering Group. They learnt a lot during this meeting, in particular about issues that were of direct relevance to ALNCoS, yet no ALNCoS were involved. They also raised concerns that co-ordination between local authorities and Designated Educational Clinical Lead Officers (“DECLOs”) do not involve ALNCoS. They said that this also happens at a local level, with ALNCoS not involved in meetings between local authorities and DECLOs.<sup>379</sup>

**329.** Parents raised concerns about how the reforms have affected the funding streams. We were told that the old system meant the money followed the child, but this is no longer the case. One parent described how under the old system their child had transitioned from a Learning Resource Base back into mainstream provision, and the additional funding followed seamlessly, allowing the child to dip back into additional support from the Base when necessary. They said this helped support transition back into mainstream provision. Concerns were also raised about how long the ALN funding would be ringfenced.<sup>380</sup>

**330.** One parent highlighted what they considered good practice in Newport, saying there is a:

*“MATRIX platform that provides a framework for the ALN Reform, from universal support to need for referral to specialist*

---

<sup>377</sup> Children, Young People and Education Committee, Sparkle Focus Group session, 15 September 2023, paragraph 27

<sup>378</sup> CYPE Committee, 25 October 2023, Record of Proceedings, paragraph 49

<sup>379</sup> CYPE Committee, 25 October 2023, Record of Proceedings, paragraphs 232-233

<sup>380</sup> Children, Young People and Education Committee, Sparkle Focus Group session, 15 September 2023, paragraphs 21, 28 and 30

*services. This digital platform supported by the LA advice helpline for schools within Newport Borough should be rolled out across Wales.*<sup>381</sup>

**331.** SNAP Cymru raised concerns about those who are identified as having their needs being met “within universal provision”. Parents are telling them that “universal provision looks very, very different across Wales, and what happens in a city-centre primary is really different in a 24-pupil-on-roll school.” Parents are concerned that too much is down to interpretation, and that in one school a child may have an IDP, but not in another “despite having extremely similar needs.” They said that schools use a range of different terms such as “universal provision plus” which is “really confusing”. They also said families:

*“... described having enhanced one-page profiles with targets on the back, which they perceive, in their eyes, is so that school can avoid writing an IDP. But, fundamentally, we consider this is a children's and young person's rights issue, because not having an IDP means that they won't be recognised as having additional learning needs.”*<sup>382</sup>

**332.** This was an issue we explored in more detail during our evidence session with the President of the Educational Tribunal for Wales as part of our work looking at implementation of the new ALN system. During which, she said:

*“... the law will always top-trump the policy. So, you can have a policy about something, for instance, we're hearing a lot about universal provision, but there's no such thing as universal provision in the law. It's not in the ALN Act, it's not in the regulations, it's not mentioned in the code. But there's a lot of conversation about children not having ALN because there's provision that's provided for them under universal provision. Welsh Government hasn't set out what a universal provision is. It's not there in the law. The legal tests are a child compared with the ordinary developing child, or provision that's provided in mainstream schools across Wales, so it's not specific to a particular local authority area, or a particular school even, and that's causing confusion.”*<sup>383</sup>

---

<sup>381</sup> Written evidence, [AEC 52 National Neurodiversity Team](#)

<sup>382</sup> [CYPE Committee 7 June 2023, Record of Proceedings, paragraphs 219 - 221](#)

<sup>383</sup> [CYPE Committee 20 March 2024, Record of Proceedings, paragraph 150](#)

**333.** The education unions raised concerns about “an imbalance of duties within the legislation, which means the health bodies are essentially in a voluntary arrangement, and do not have to support schools or local authorities.”<sup>384</sup> NASUWT said there are inconsistencies in the Act, in particularly the way in which the statutory duties on education and health interact. They said:

*“... there is a statutory duty on health to work in partnership, there is not a statutory duty on health to fulfil the IDP, and that is an inconsistency within the legislation that also means that the burden keeps falling back on the schools.”*<sup>385</sup>

**334.** NEU said that schools needed to have access to “health information and specialist services, such as speech and language therapy, CAMHS and educational psychologists” to enable them to support children.<sup>386</sup>

**335.** The British Psychological Society had concerns that the ALN reforms had not been accompanied by increases in health service resources. They called for the Welsh Government to review how health and education services are collaborating.<sup>387</sup>

**336.** The DECLO is a statutory requirement under the 2018 Act, responsible for co-ordinating the health board’s functions in relation to children and young people with ALN. The importance of this role was emphasised to us, but there were concerns about the extent which Health Boards took the role seriously.<sup>388</sup> This was also borne out during our recent visits to schools as part of our implementation of education reforms work. At one school we heard that the DECLO role is not making referrals for healthcare support more effective.<sup>389</sup>

**337.** The Welsh Government said that:

*“Early identification, intervention and prevention is a key aim of the ALN system which changes the legal framework and practices to support children and young people, so their needs are met in a more timely way.”*<sup>390</sup>

---

<sup>384</sup> [AEC 69 Joint Trade Unions](#)

<sup>385</sup> [CYPE Committee, 25 October 2023, Record of Proceedings, paragraph 286](#)

<sup>386</sup> Written evidence, [AEC 71 National Education Union](#)

<sup>387</sup> Written evidence, [AEC 58 British Psychological Society](#)

<sup>388</sup> [CYPE Committee, Stakeholder Event \(In-person\), 27 September 2023, paragraph 56](#)

<sup>389</sup> [CYPE Committee, Implementation of education reforms: 3<sup>rd</sup> check-in, Summary of findings from school visits, Summer 2024](#)

<sup>390</sup> Written evidence, [AEC 77 Welsh Government](#), paragraph 1.2

**338.** They outlined the funding they have allocated to support implementation, saying they have “invested significantly”. They cited the:

*“... over £62 million of revenue grant funding in ALN between 2020 and 2023 and we increased the ALN implementation grant by £5.4m, to £12m, across Wales for 2023-24. This additional grant is intended to increase the resources for schools to implement the ALN system and lead wholeschool strategies to embed inclusive education.”<sup>391</sup>*

**339.** The Welsh Government accepted that more work is needed to “establish a consistent approach” to implementation across Wales. They said the Estyn review on implementation of the ALN Act and Code would be “crucial” in understanding where improvements are needed. This review found that while learners are receiving the support they needed, there are differences in the interpretation and application of the legislation.<sup>392</sup> There will be a second thematic review undertaken by Estyn in 2024, alongside “formative evaluation” of implementation.<sup>393</sup>

**340.** The then Minister for Education and Welsh Language said that they had recently commissioned research so that they will have a “data-driven understanding of what’s happening on the ground.” He accepted that there are variations in implementation. He said he had spoken to the President of the Education Tribunal on this and other issues and that there would be work on:

*“... the understanding of local authorities, of schools, of parents and learners themselves, of both rights, responsibilities, processes, transparency, rights of appeal, is clearer and more consistent across Wales.”*

He said when local authorities were brought together in October 2023, there was surprise at the levels of variation. Further “specific” training would also be provided on how the Act should be working to reduce unnecessary inconsistencies.<sup>394</sup> One of the areas that he identified as being inconsistent is “the designation of additional learning needs and the definition of additional learning provision”.<sup>395</sup>

---

<sup>391</sup> Written evidence, [AEC 77 Welsh Government](#), paragraphs 1.8-1.9

<sup>392</sup> Written evidence, [AEC 77 Welsh Government](#), paragraphs 2.3-2.4

<sup>393</sup> Written evidence, [AEC 77 Welsh Government](#), paragraph 9.3

<sup>394</sup> [CYPE Committee, 29 November 2023, Record of Proceedings, paragraphs 101-102](#)

<sup>395</sup> [CYPE Committee, 29 November 2023, Record of Proceedings, paragraph 109](#)

**341.** He also said he was “absolutely categorical” that the Act is clear that entitlement to an IDP is not diagnosis dependent. He said the “whole point” of the Act was to address the needs of someone as they present, rather than of a diagnosis.<sup>396</sup>

**342.** The Welsh Government told us that they were “alert” to the concerns about the pressures on ALNCOs, and their workloads. They said that the Code is clear that having an ALNCO does not “remove the responsibilities of the wider workforce.” They told us that a Task and Finish Group had been established to look at the pay and non-contact time of ALNCOs.<sup>397</sup>

**343.** This report was published in February 2024, and made a number of recommendations which included that ALNCOs should be:

- Part of the senior leadership team;
- Remunerated in line with being part of the senior leadership team;
- Offered a Professional Learning Package and be allocated non-contact time to undertake this.<sup>398</sup>

In a written response to that report, the then Minister for Education and Welsh Language said that the report had been shared with the Independent Welsh Pay Review Body for their consideration, and that the Government has “already taken steps to address some of the further considerations identified by the Task and Finish Group.”<sup>399</sup>

**344.** We were told that the Welsh Government have identified a need to consider how better to encourage collaboration between different parts of the system. This would look at how local authorities and schools are working together, which the then Minister, said can vary, and is often dependent “on the level of central provision, and school-based provision in different authorities.” It would also look at how local authorities and health boards work together. He said DECLOs were currently identifying “some key performance indicators, which are there to both

---

<sup>396</sup> [CYPE Committee, 29 November 2023, Record of Proceedings, paragraph 107](#)

<sup>397</sup> Written evidence, [AEC 77 Welsh Government](#), paragraph 6.5

<sup>398</sup> [ALNCO task and finish group: report to the Minister for Education and Welsh Language, 20 February 2024](#)

<sup>399</sup> [Written statement, Report of the ALNCO Task and Finish Group, 20 February 2024](#)



support and report on the collaboration between authorities and health boards”.<sup>400</sup>

**345.** As we outlined in paragraph 166, the Cabinet Secretary for Education outlined how she is currently looking at the ALN Act and Code “on a granular level”, and is meeting with a wide range of key people, including holding a summit with ALNCos. She said all of this work needs to be done “quickly around how the legislation is working”. At the time of speaking, officials were currently “working up options” on how this work would be done. This work would look at “issues that have been raised with me about the inconsistencies, and the fact that the legislation is intellectually challenging.” She said she needed to be “really mindful” about the schools that are currently implementing it “really well”, or those who are “trying to implement this consistently.” In closing she acknowledged that the work needed to be done as “quickly as possibly can, but to get it done right” because “six months, a year, is a long time in the life of a child”.<sup>401</sup>

## **Bullying**

**346.** Bullying has a significant, lifelong impact on children and young people and can seriously reduce children and young people’s confidence.<sup>402</sup>

**347.** The Children’s Commissioner said she was hearing “a lot” about children and young people being bullied and discriminated against.<sup>403</sup> She shared the findings from her Ambitions for Wales survey of over 10,000 children, young people, parents / carers and professionals from autumn 2022, which showed:

*“Of young people aged 12-18 who have experienced bullying, 90.9% of those with disabilities were bullied in school*

*Among children aged 7-11, children with disabilities are statistically significantly more likely to have ever been bullied or suffered abuse (along with girls and those reporting the lowest level of family affluence) than children who do not identify as disabled (and boys and those in more affluent household)*

---

<sup>400</sup> CYPE Committee, 29 November 2023, Record of Proceedings, paragraph 103

<sup>401</sup> CYPE Committee, 8 May 2024, Record of Proceedings, paragraph 19

<sup>402</sup> CYPE Committee, 7 June 2023, Record of Proceedings, paragraph 61

<sup>403</sup> CYPE Committee, 18 May 2023, Record of Proceedings, paragraph 6



*59.1% of young people aged 12 – 18 and identified as disabled report having experienced bullying*

*Professionals surveyed most frequently identified disabled young people as most at risk from bullying (43.4%)*

...

*Young people aged 12 – 18 who identified as disabled are statistically significantly more likely than others to have been treated differently at school, college or university, in the street or in their town or village, in clubs and online*

*14.8% of young people aged 12-18 and identified as disabled said they never feel safe on the bus, school bus or train*

*17.4% of young people aged 12-18 and identified as disabled said they never feel safe at school, college or university*

*Participants were asked to reflect on what would make children's lives better; 31.3% of children and young people with PMLD [profound and multiple learning disability] agreed that it is important that 'all children are treated the same and have the help they need'<sup>404</sup>*

**348.** The Children's Commissioner said she was "very concerned" about how schools respond to bullying, saying it is "not adequate". She said that while there has been progress with the statutory guidance on bullying, there was a "long way to go" on strengthening implementation of the guidance. She said this extended to all types of bullying, and not just disability related bullying. She said that children and young people being bullied, but also their peers and teachers need:

*"... more support, more awareness and more clarity, really, on how to manage these situations, what bullying looks like, what the impact of it is, what to do once it's reported, how to support victims and perpetrators, and how to have conversations about the issues that lead to bullying. This is a huge area of practice*

---

<sup>404</sup> Written evidence, [AEC.01.Children's Commissioner for Wales](#)

*where I have also heard from teachers that they would like more support and resource too.”<sup>405</sup>*

**349.** NASUWT said that sometimes incidents are not labelled as bullying, and therefore “bullying strategies don’t kick in.”<sup>406</sup>

**350.** The Royal College of GPs said that 82% of children with a learning disability in the UK report being bullied at school. While the findings from the Anti-Bullying Alliance indicated children with ALN are more likely to report bullying experiences, suggesting that “while a clear message is sent that it is unacceptable to bully someone who may be in a wheelchair, for example, it seems that children with so called ‘invisible disabilities’, are still othered by their fellow pupils.”<sup>407</sup>

**351.** Disability Wales called bullying of children and young people as “rife ... so endemic ... it’s almost the norm”. They called for more to be done to stop bullying.<sup>408</sup> Learning Disability Wales also highlighted the use of certain terms that are used in the playground but also more widely in the public sphere. They said there are such high levels of unconscious bias in society, that it’s “almost an unchallengeable task to expect that young disabled people can access education and go into life the way they want to, as their non-disabled peers can.”<sup>409</sup>

**352.** Georgia Miggins, then a Welsh Youth Parliament Member, shared her own experiences of being bullied, which was very powerful. She said that no-one listened to her when she was bullied, and that as a result she had developed low self-esteem and other mental health issues. She called for more anti-bullying policies, and for there to be “more frequent lessons” throughout school to teach children and young people about “being more inclusive to their peers”.<sup>410</sup> She also agreed that some offensive terms are “normalised in schools” and that work was needed to ensure more inclusive language is used.<sup>411</sup>

**353.** Estyn said that while schools do collect data on bullying:

*“... they do not make productive use of the data and information available to them to categorise and analyse incidences of peer-on-peer bullying and harassment well*

---

<sup>405</sup> [CYPE Committee, 18 May 2023, Record of Proceedings, paragraphs 54-55](#)

<sup>406</sup> [CYPE Committee, 25 October 2023, Record of Proceedings, paragraph 239](#)

<sup>407</sup> [Written evidence, AEC 76 Royal College of General Practitioners](#)

<sup>408</sup> [CYPE Committee, 7 June 2023, Record of Proceedings, paragraph 53](#)

<sup>409</sup> [CYPE Committee, 7 June 2023, Record of Proceedings, paragraphs 131-132](#)

<sup>410</sup> [CYPE Committee, 7 June 2023, Record of Proceedings, paragraphs 111-112](#)

<sup>411</sup> [CYPE Committee, 7 June 2023, Record of Proceedings, paragraph 157](#)

*enough or identify trends. This hinders schools from having an accurate picture of the extent of different types of bullying and harassment. This hinders their ability to evaluate the impact on the well-being of particular groups of pupils, for example, disabled children.”<sup>412</sup>*

**354.** One of the special schools we visited said they thought that bullying was more likely to happen in mainstream schools, or outside of their own school settings. While they said there was greater recognition of bullying, with a lot of work done in schools on anti-bullying, there was a need to educate children and young people to recognise that people should not be treated in this way. They also raised concerns of those children and young people who live in rural areas and can be particularly at risk of feeling isolated when they are not in school.<sup>413</sup> Another special school said that online bullying is particularly challenging for schools to combat. They said while they can share information and advice, this can be limited due to the needs of learners.<sup>414</sup>

**355.** One of the themes in the responses to Heledd Fychan MS’s survey was “considerable concern about the psychological damage being caused to children and young people and the bullying that they suffer.” This report highlighted some troubling personal stories:

*““Not enough attention is given to the social integration within groups in the school. (My child) has repeatedly been the victim of bullying from neurotypical pupils who regard her as an easy target. Often the solutions to problems advocated by the school involve her having to make changes to her routines and behaviours rather than the bullies themselves.”*

*“My child has no friends and was horrendously bullied for a long time. School did not deal with it. She hated school and frequently refused to go.”<sup>415</sup>*

---

<sup>412</sup> Written evidence, [AEC 48 Estyn](#)

<sup>413</sup> [Children, Young People and Education Committee, School Note 1, 29 June 2023, paragraphs 22-23](#)

<sup>414</sup> [Children, Young People and Education Committee, School Note 4, 28 September 2023, paragraph 29](#)

<sup>415</sup> Written evidence, [AEC 78 Heledd Fychan MS, A Continuous Battle, Experiences of families of neuro divergent children and young people requiring Additional Learning Provision in South Wales Central](#)

**356.** ASCL said that schools are doing “a lot of work” to deal with bullying, including trying to develop an inclusive environment, broadening children and young people’s understanding of disabilities and ALN, and more on value and respect.<sup>416</sup>

**357.** The then Minister for Education and Welsh Language told us that bullying is a priority area. The anti-bullying guidance sets out that all forms are “completely unacceptable.” This guidance was being refreshed at the time he gave evidence to us. But he said it is important that incidents are “recorded and addressed” and that this data is then used by schools pro-actively to update their bullying strategies.<sup>417</sup>

**358.** He also emphasised the importance of reflecting on the experiences of children and young people who have been bullied, and using that to reflect on guidance and practice.<sup>418</sup> Both he and the then Minister for Social Justice emphasised the importance of the culture for schools, children and young people and their families.<sup>419</sup>

## Welsh medium provision

**359.** There are challenges with children and young people accessing Welsh medium education. The Children’s Commissioner said that children with ALN “face additional barriers”. They highlighted a case where a child in a Welsh medium school was told they had to move to an English medium school in order to have their needs met.<sup>420</sup> We were told that the level of Welsh medium need was under-identified.<sup>421</sup>

**360.** Estyn said there was particularly limited Welsh medium provision for children and young people who had additional learning needs or are neurodiverse. This can mean that these children and young people have to travel to access Welsh medium provision. Additionally there are “limitations on the assessments, resources and staffing of specialist support and services through the medium of Welsh across Wales.”<sup>422</sup>

---

<sup>416</sup> [CYPE Committee, 25 October 2023, Record of Proceedings, paragraph 160.](#)

<sup>417</sup> [CYPE Committee, 29 November 2023, Record of Proceedings, paragraph 92.](#)

<sup>418</sup> [CYPE Committee, 29 November 2023, Record of Proceedings, paragraph 96.](#)

<sup>419</sup> [CYPE Committee, 29 November 2023, Record of Proceedings, paragraph 94, and 97.](#)

<sup>420</sup> Written evidence, [AEC 01 Children’s Commissioner for Wales](#)

<sup>421</sup> [CYPE Committee, Stakeholder Event \(In-person\), 27 September 2023, paragraphs 30.](#)

<sup>422</sup> Written evidence, [AEC 48 Estyn](#)

**361.** The EHRC said they were aware anecdotally of cases when children have had to switch from Welsh medium provision into English medium provision, because needs were not being met. But they highlighted that “we don’t have any hard, statistical evidence on that fact.”<sup>423</sup>

**362.** Families told of us of challenges accessing suitable Welsh medium experience. For some that has involved families having to change their household language. As the parent of two children with multiple complex needs told us:

*“They [the children] are not speaking to me in Welsh. I was advised to stop teaching them. The speech and language therapist told me to choose a language. [...] I was devastated, I grieved. I’m working through the medium of Welsh, I cried for days.”*<sup>424</sup>

**363.** A parent of a child with uncontrolled complex epilepsy said their child does not have the same choices as others, with some of the options available in secondary school only available in English, when Welsh is the child’s first language.<sup>425</sup> Another parent said they felt they had to choose their child’s well-being over their language, because the Welsh medium provision was not able to meet their autistic child’s needs.<sup>426</sup>

**364.** The All Wales Forum said they were aware anecdotally of children and young people being “pushed” into English medium education. The process is “challenging” and can put families off “from doing this again for a second child”. But they said in the few cases where families have challenged this and managed to secure Welsh medium provision, the benefits have been evident in “the benefits of this, their inclusion in their community, the ability of talking Welsh to their grandparents and the mother”.<sup>427</sup>

**365.** During our inquiry, the Welsh Language Commissioner and the Children’s Commissioner jointly published a paper on “The Welsh Language in the Additional Learning Needs System.” This paper found that:

---

<sup>423</sup> [CYPE Committee, 18 May 2023, Record of Proceedings, paragraph 101](#)

<sup>424</sup> [Children, Young People and Education Committee, Do Disabled Children and Young People have equal access to education and Childcare? Engagement Findings, March 2023](#)

<sup>425</sup> [Children, Young People and Education Committee, Do Disabled Children and Young People have equal access to education and Childcare? Engagement Findings, March 2023](#)

<sup>426</sup> [CYPE Committee, Visit to ASD Rainbows, 9 October 2023, paragraph 39](#)

<sup>427</sup> [CYPE Committee, 7 June 2023, Record of Proceedings, paragraph 305](#)

*“... there is a long way to go to realise the vision of an ALN system that is available through the medium of Welsh. There are significant challenges, which we acknowledge will take time and resource to overcome.”*

They went on to call for the Welsh Government to “prioritise its duty to organise a national review” of Welsh medium ALN provision.<sup>428</sup> Mudiad Meithrin said they supported this call.<sup>429</sup>

**366.** Others raised concerns about a lack of Welsh medium assessments and tests. Even when they are available (such as the dyslexia screening tool) they are not consistently used across Wales. We also heard that it is “almost impossible to use British Sign Language or sign supported Welsh in Welsh medium settings.”<sup>430</sup> While an academic said there is “no standardised assessments ... which examine an individual’s literacy capacity in Welsh.” This, they said, means professionals:

*“... have to work from their own knowledge and understanding of individual need rather than using a standardised tool which can pinpoint areas that require further support. There is a reliance upon practitioners to undertake their own research in the field which can be quite individualistic in nature. As a result, it is difficult to measure individual academic progress in a consistent and effective way.”<sup>431</sup>*

**367.** The then Minister for Education and Welsh Language accepted that there are challenges in terms of Welsh medium provision, which affects choice and that there is a “need to do much more.” He told us that he had met with the Children and Welsh Language Commissioners following the publication of their joint report, and that there was agreement to “keep this on our regular agenda”.<sup>432</sup>

**368.** The Welsh Government said the issues raised in the joint report by the Children’s Commissioner and the Welsh Language Commissioner “echo many of the points raised with us”, and that addressing the challenges are a “priority.” They said that a national stakeholder group has been established to:

---

<sup>428</sup> [Welsh Language Commissioner and Children’s Commissioner for Wales, The Welsh Language in the Additional Learning Needs System, 1 June 2023](#)

<sup>429</sup> Written evidence, [AEC 51 Mudiad Meithrin](#)

<sup>430</sup> [CYPE Committee, Stakeholder event \(virtual\), 27 September 2023, paragraph 8](#)

<sup>431</sup> Written evidence, [AEC 32 Dr Rhiannon Packer, Cardiff Metropolitan University](#)

<sup>432</sup> [CYPE Committee, 29 November 2023, Record of Proceedings, paragraph 74](#)



*“... help co-ordinate and prioritise the development of Welsh-medium additional learning provision, resources and professional learning at a national level. The group will be supported by a National Welsh Language Lead who will work with local authorities and other partners to develop a consistent offer across Wales.”*

They also highlighted the created of the new bilingual educational resources company “Adnodd” which they say will “identify and commission resources to better support learners with ALN.”<sup>433</sup>

**369.** The then Minister also said that:

*“... as part of the strategic plans and as part of local authorities' responsibilities under section 63 of the Act, both of those issues have come together, and I see progress being made in the work at a grass-roots level so that councils can understand the need to ensure that the provision is available in Welsh and that there is purposeful planning in that regard. But I'd also acknowledge that there are frustrations that they can't control and which can restrict that work.”*<sup>434</sup>

**370.** He highlighted that the picture is not a totally negative one, and that there is good practice that can be learnt from.<sup>435</sup>

**371.** He acknowledged the importance of having the workforce to deliver ALN provision in Welsh, and said the ten year recruitment plan has a “specific element” that looks at this.<sup>436</sup>

## School resources

**372.** It is unsurprising that the issue of school resources was a big theme throughout the evidence we gathered and the conversations we had not just with staff and professionals but also with families. The two main issues were around funding, and staffing resources. The British Psychological Society said:

*“Schools and communities must be given resources and ongoing support to ensure that they can meet children's needs,*

---

<sup>433</sup> Written evidence, [AEC 77 Welsh Government](#), paragraphs 3.4-3.6

<sup>434</sup> [CYPE Committee, 29 November 2023, Record of Proceedings, paragraph 75](#)

<sup>435</sup> [CYPE Committee, 29 November 2023, Record of Proceedings, paragraphs 75-76](#)

<sup>436</sup> [CYPE Committee, 29 November 2023, Record of Proceedings, paragraph 79](#)



*rather than looking for alternative provision because they aren't equipped. This is a child's right as set out by the ALN Code of Practice. We would like to see education settings and support services adopt a needs-led approach for the individual where everyone involved in children's educational attainment agrees on what "inclusion" and "equity" actually mean and more importantly from the child and their family's perspective. Unfortunately, we witness that provision is based on what the services have (or don't have) and work within these confines."<sup>437</sup>*

## Funding

---

**373.** Funding is critical for all schools to provide an education that meets the needs of all children and young people. However, securing the funding to support children and young people is particularly challenging for schools in the current climate, despite additional funding being made available by the Welsh Government.

**374.** UCAC said there simply was not sufficient school funding,<sup>438</sup> while NASUWT said there are "huge" funding issues.<sup>439</sup>

**375.** The challenges faced in education are compounded because other statutory and non-statutory services that they need to help deliver holistic support are also facing significant budget reductions. The WLGA said:

*"So, it is about looking at the level of need, the provision currently offered, and how then—... the priorities then coming back. What are the priorities? What is front-loaded? Because under the current climate in going forward, there isn't enough money, and that's the bottom line, but that doesn't say we can't deliver good education and cover everybody's needs—it's down to that prioritisation and recognising the resources, and it's about schools collaborating with each other. Maybe that school may not have the expertise or the correct resources within the school, but the school down the road in the cluster may have. So, I think it is about looking at what is available and how best do we go forward with what little funding there is.*

---

<sup>437</sup> Written evidence, [AEC 58 British Psychological Society](#)

<sup>438</sup> [CYPE Committee, 25 October 2023, Record of Proceedings, paragraph 261](#)

<sup>439</sup> [CYPE Committee, 25 October 2023, Record of Proceedings, paragraph 256](#)

*That's not to say it's not deliverable—it comes with its own challenges—but it is about looking at different ways as well.*<sup>440</sup>

**376.** ASCL said there is a “lack of transparency” in how funding is allocated to schools. They called for “more transparency” to ensure that funding is equitably allocated across schools.<sup>441</sup> NASUWT also highlighted that local authorities do not share funding formulas, and that they differ across Wales. They said this information would “really help answer some questions”.<sup>442</sup> UCAC described it as a “funding fog” saying it was “very frustrating”. They called for a new funding model.<sup>443</sup>

**377.** Families were very understanding of the financial challenges facing schools. We were told that they understood that schools can only work within the budgets they have. But they also called for schools to be “fully funded” to deliver a whole school approach.<sup>444</sup> They said that the issue often sat with the local authority:

*“The school are doing everything they can. It’s the local authority that don’t want to do anything to help at this point.”<sup>445</sup>*

**378.** Another parent told us that schools would be able to do more if they had larger budgets.<sup>446</sup> While another said that schools are “operating on a shoestring”. Concerns were raised that one of the options available to schools is reducing the number of teaching assistants, but they are critical to providing support to children and young people.<sup>447</sup>

**379.** Families talked about the impact of limited resources, which results in a rationing of services. A parent described being told that their child would not be supported because the money was needed to support older children. Another said that because their child did not have behavioural issues they were not being

---

<sup>440</sup> CYPE Committee, 25 October 2023, Record of Proceedings, paragraph 47.

<sup>441</sup> CYPE Committee, 25 October 2023, Record of Proceedings, paragraph 165.

<sup>442</sup> CYPE Committee, 25 October 2023, Record of Proceedings, paragraph 257.

<sup>443</sup> CYPE Committee, 25 October 2023, Record of Proceedings, paragraph 261.

<sup>444</sup> Children, Young People and Education Committee, Sparkle Focus Group session, 15 September 2023, paragraph 21.

<sup>445</sup> Children, Young People and Education Committee, Do Disabled Children and Young People have equal access to education and childcare? Engagement Findings, March 2023.

<sup>446</sup> Children, Young People and Education Committee, Do Disabled Children and Young People have equal access to education and childcare? Engagement Findings, March 2023.

<sup>447</sup> Children, Young People and Education Committee, Sparkle Focus Group session, 15 September 2023, paragraph 22.

prioritised for support. These parents were conscious that schools were having to make decisions that they felt they should not have to be making.<sup>448</sup>

**380.** When we raised these experiences with ADEW, they said that while schools are “facing financial pressures ... meeting the needs of children with additional learning needs ... isn’t optional—it is a statutory requirement...” These responsibilities “have to be forefront in terms of their decision making...” They said if families are being told that support cannot be provided because of financial restraints, this should be raised with the local authority, who “have a clear responsibility and a duty to work in partnership with the schools and the families to ensure that appropriate statutory provision is made.”<sup>449</sup>

**381.** While having sufficient funding is important, we heard from some schools it is not the only factor in delivering inclusive education. Another critical factor is about how the school is managed and the ethos set by senior leadership. We were told that if an inclusive ethos is delivered, children and young people will thrive.<sup>450</sup> ADEW also emphasised the importance of strong leadership, and creating “the right culture and environment” within schools.<sup>451</sup>

**382.** At one of the special schools we visited we were told that the funding differs to that of mainstream settings. However, funding remains an issue.<sup>452</sup>

**383.** The then Minister for Education and Welsh Language acknowledged the pressures school and local authorities budgets are under. He said that the Welsh Government has increased funding for local government who are directly responsible for funding schools by “very, very significant amounts”, but he accepted that both inflationary and cost of living pressures have “eroded” their value.<sup>453</sup>

**384.** He also said there was a “lack of understanding, a lack of clarity ... about how funding flows through the system”. He acknowledged the concerns about the variability across Wales. In order to address these concerns the Welsh Government is looking at school funding formulae across Wales “to see where we can bring consistency.” But he also highlighted that there will be variations because services

---

<sup>448</sup> [CYPE Committee, Visit to ASD Rainbows, 9 October 2023, paragraph 30](#)

<sup>449</sup> [CYPE Committee, 25 October 2023, Record of Proceedings, paragraph 36](#)

<sup>450</sup> [Children, Young People and Education Committee, School Note 1, 29 June 2023, paragraph 11](#)

<sup>451</sup> [CYPE Committee, 25 October 2023, Record of Proceedings, paragraph 37](#)

<sup>452</sup> [Children, Young People and Education Committee, School Note 3, 29 June 2023, paragraph 11](#)

<sup>453</sup> [CYPE Committee, 29 November 2023, Record of Proceedings, paragraph 49](#)

will be structured in different ways. This work will look to understand variation that is not “explained by that”.<sup>454</sup>

**385.** He talked about how budget decisions have been made in the context of the wider education reforms programme. He said the Welsh Government is committed to making the reforms work:

*“... then we want to make sure that every single learner, whatever their circumstances, gets the best start in life, and that is the lens we bring to the budget decisions that we take as a Government, even in these incredibly challenging times.”<sup>455</sup>*

### **Staff recruitment and retention**

---

**386.** The WLGA acknowledged issues of recruitment and retention “across the board”, but acknowledged there are particular issues in rural areas, and for Welsh-medium provision. They noted that there is now a ten year workforce plan for Welsh-medium education.<sup>456</sup>

**387.** A special school told us that staffing is one of the biggest issues they faced. They said that an average of 14 out of 60 staff members are absent on a daily basis, which they attributed to a rise of Covid-19 cases. Due to the level of support needed, low staffing levels can present health and safety risks which are not prevalent in a mainstream meeting. On occasion they have to partially close classrooms or stagger attendance. This is proving to be a focus for the headteacher at the expense of more strategic issues.<sup>457</sup>

### **Teaching Assistants**

**388.** The issues around recruitment and retention of teaching assistants was a clear theme across the information we gathered. One special school said all special schools struggle to recruit and retain staff. A key issue is the low pay compared to the level of responsibility, especially in a competitive job market, where there are jobs that are less challenging but pay more. They also said that some of the broader conditions associated with working in a school which made it more attractive are shrinking, as employers in other sectors are now more likely

---

<sup>454</sup> [CYPE Committee, 29 November 2023, Record of Proceedings, paragraphs 50-51.](#)

<sup>455</sup> [CYPE Committee, 29 November 2023, Record of Proceedings, paragraph 57.](#)

<sup>456</sup> [CYPE Committee, 25 October 2023, Record of Proceedings, paragraph 81.](#)

<sup>457</sup> [Children, Young People and Education Committee, School Note 4, 28 September 2023, paragraphs 32-38.](#)

to offer more flexible working options.<sup>458</sup> These issues were also highlighted by a special school in a different area in Wales.<sup>459</sup>

**389.** One of the issues highlighted was how a teaching assistant role differs in a special school compared to a mainstream school. This was raised in a number of the schools we visited. For example, in a special school teaching assistants will often have to provide medical support.<sup>460</sup> Another special school said the pay is the same as in mainstream schools but the nature and intensity of the work is very different, and could be argued is far more challenging:

*"1,200 is the take home pay for TA ... who is exposed to spitting, biting, pulling hairs, kicking, on a daily basis. They have to look after health needs ... feeding through feeding tubes, having to administer medication, as well as personal care, toileting, hoisting ... all of this responsibility and the government expects them to get a second job."<sup>461</sup>*

**390.** In more recent visits to schools as part of our on-going work on implementation of education reforms, we also heard how the role of teaching assistants in mainstream schools who are providing specialist ALN support, is also becoming a different role to a more traditional teaching assistant role. We heard that there is a need to fairly remunerate these staff.<sup>462</sup>

**391.** NASUWT said that some schools are taking on children and young people who may be "outside the capacity of the school" in particular those who need two or three support staff. Yet, the funding does not always follow for this additional support, which can result in children being unable to attend school.<sup>463</sup>

**392.** Parents at one school said that too often support for children with ALN is left to teaching assistants. They said that it is the teacher's responsibility to teach the

---

<sup>458</sup> [Children, Young People and Education Committee, School Note 2, 29 June 2023, paragraphs 24-25](#)

<sup>459</sup> [Children, Young People and Education Committee, School Note 4, 28 September 2023, paragraph 40](#)

<sup>460</sup> [Children, Young People and Education Committee, School Note 1, 29 June 2023, paragraph 11](#)

<sup>461</sup> [Children, Young People and Education Committee, School Note 4, 28 September 2023, paragraphs 40-43](#)

<sup>462</sup> [CYPE Committee, Implementation of education reforms: 3<sup>rd</sup> check-in, Summary of findings from school visits, Summer 2024](#)

<sup>463</sup> [CYPE Committee, 25 October 2023, Record of Proceedings, paragraph 278](#)

---

whole class, which includes understanding and planning for every child in that class, not just those who are neurotypical.<sup>464</sup>

**393.** We are aware that in times of financial constraints, teaching assistant posts are particularly vulnerable to cuts. The Royal College of Occupational Therapists raised concerns about the impact of these cuts, highlighting that teachers have to focus on teaching and pastoral care. Teaching assistants are critical, yet are being made redundant. There are “countless stories of how that affects children.” They advocated for the “stability of the support staff in schools, who almost are that parent figure in school with those kids, because the teachers can’t do so.”<sup>465</sup>

**394.** The British Psychological Society agreed, and said the most important factor on education and outcomes for children and young people is relationships.

*“When you've got a relationship, you've got that ability to engage with material. ... just even on a human basis, a human rights perspective as well, a child's rights perspective, we have to prioritise relationships for learning and well-being for learning, and our incredible support staff in schools that do that. We are also losing a lot of them, because they financially can't manage things at the moment, as well, which is a really significant issue, because they are doing some of the most important relational-and-the-rest work for our children and young people, and that extends to childcare as well.”<sup>466</sup>*

## School staff training and knowledge

**395.** We have heard from both families and education professionals that there is a need for more training for all staff. In particular there are concerns about the scope of initial teaching education (“ITE”) and that it does not cover issues around additional learning needs and disability in sufficient detail.

### Initial Teaching Training

---

**396.** Before gaining qualified teaching status (“QTS”) people must either complete a full time undergraduate teacher training course leading to QTS; or for those who already have a degree, complete a Postgraduate Certificate in Education (“PGCE”)

---

<sup>464</sup> Children, Young People and Education Committee, School Note 5, 4 December 2023, paragraph 39

<sup>465</sup> CYPE Committee, 16 November, 2023, Record of proceedings, paragraph 90

<sup>466</sup> CYPE Committee, 16 November, 2023, Record of proceedings, paragraph 91



with QTS. Both types of course are available in Initial Teacher Education partnerships across Wales. . There is currently no PGCE with a specific focus on additional learning needs / teaching in a special school.

**397.** The issues around ITE were raised repeatedly during our visits to schools, and discussions with families more generally. Staff, parents and governors at one school told us that as the number of children and young people with additional needs increase in mainstream settings there is a need for the education workforce to be upskilled.<sup>467</sup>

**398.** We heard from staff of the need to have routes into teaching that are focused on specialised settings. We heard that previously there was a PGCE in special education.<sup>468</sup> We were told that the lack of mandatory requirements in ITE around additional learning needs / teaching in a special setting meant that newly qualified teachers “usually need” additional training. They said that additional needs and inclusive education should be the “bread and butter” of teacher training. One teacher told us that their PGCE had done nothing in helping them moving into the special school setting.<sup>469</sup>

**399.** We were told that there is a cohort of students doing ITE who want to specialise in teaching in special schools but that there is no ITE currently recognised by the Education Workforce Council to support this.<sup>470</sup>

**400.** An academic said that a “bespoke programme” for those who wanted to work in specialised settings is “one step but not the only solution.” They said that ITE should “embed an inclusive approach to pedagogy as central to all aspects of training rather than viewing as a standalone element within programmes.” This would mean that there would be a “comprehensive and consistent approach for all learners.”<sup>471</sup>

**401.** In a school, staff said that it would be useful for all teachers to have training for lower level ALN, especially in the context of the ALN Act. They said teachers cannot have expertise in all areas, but a basic level of training would help teachers

---

<sup>467</sup> Children, Young People and Education Committee, School Note 1, 29 June 2023, paragraph 4.

<sup>468</sup> Children, Young People and Education Committee, School Note 1, 29 June 2023, paragraph 4.

<sup>469</sup> Children, Young People and Education Committee, School Note 2, 29 June 2023, paragraph 21.

<sup>470</sup> Children, Young People and Education Committee, School Note 1, 29 June 2023, paragraph 9.

<sup>471</sup> Written evidence, AEC 32, Dr Rhiannon Packer, Cardiff Metropolitan University.



understand how best to meet ALN needs within the classroom.<sup>472</sup> Parents called for ALN training to be a compulsory part of teaching training.<sup>473</sup>

**402.** A parent (who has also started a petition calling for compulsory ALN training for teachers and teaching assistants) said that ITE should go beyond an understanding of ALN, and should be “thorough training, involving both experience and specialised training led by ALN specialists and individuals with ALN themselves.”<sup>474</sup>

**403.** A parent, who is also an allied health professional, said that ITE does not cover child development or developmental milestones. This then makes it more challenging for teachers when teaching children and young people with additional needs, because they are unable to place these needs within the wider context of developmental milestones. They added that there is not currently the allied health professional resource to support broadening of ITE.<sup>475</sup> While the Royal College of Speech and Language Therapists said it would be “great” if ITE could include some information about speech, language and communication “especially about development and then needs and how to support those needs.”<sup>476</sup>

**404.** The All Wales Forum called for mandatory autism training within ITE. They said that this would help increase teacher confidence and children and young people’s experiences. They said that for some children “really small changes can make a huge difference” such as adjusting lighting, or allowing fidget toys. They said the Autism Education Trust would like to work with the Welsh Government to ensure this professional development offer is “available across the country”.<sup>477</sup>

**405.** Staff at one school were concerned about the refreshed to Criteria for the accreditation of initial teaching education programmes in Wales, which they felt implied that staff who only had training in a special school would not be equipped to teach in a mainstream setting.<sup>478</sup>

---

<sup>472</sup> [Children, Young People and Education Committee, School Note 5, 4 December 2023, paragraph 9](#)

<sup>473</sup> [Children, Young People and Education Committee, School Note 5, 4 December 2023, paragraph 38 and Children, Young People and Education Committee, Sparkle Focus Group session, 15 September 2023, paragraph 21](#)

<sup>474</sup> Written evidence, [AEC 72, Individual](#)

<sup>475</sup> Written evidence, [AEC 74, Individual](#)

<sup>476</sup> [CYPE Committee, 16 November 2023, Record of proceedings, paragraph 103](#)

<sup>477</sup> [CYPE Committee, 7 June 2023, Record of Proceedings, paragraphs 257-258](#)

<sup>478</sup> [Children, Young People and Education Committee, School Note 2, 29 June 2023, paragraph 22](#)

**406.** We also heard of the challenges teaching assistants can face in moving into teaching roles due to the structure of ITE. One school said they had numerous teaching assistants who would make excellent teachers, but that they would have to give up their current roles in order to undertake ITE.<sup>479</sup>

**407.** In another school, a staff member also wanted to develop her current qualifications into a formal teaching qualification, but said this would mean having to leave her current school or taking unpaid leave because teaching training placements cannot be wholly undertaken in a special school.<sup>480</sup>

### **Ongoing professional development and training**

---

**408.** ADEW said that the “biggest difference” that can be made to all children is the quality of teaching and learning, with all teachers “without exception, are good at all times for all children.” Therefore, workforce development is critical. They said that Welsh Government has emphasised the importance of professional learning.<sup>481</sup>

**409.** The top response (with almost a third of respondents) in Heledd Fychan MS’s survey when families were asked what they would prioritise for change, was training for all teachers and school staff.<sup>482</sup> While Estyn said that families have said that staff do not have the right skills, training or expertise “to meet the needs of their child without discriminating against them.”<sup>483</sup> Whizz Kidz said “all teachers and support staff should receive comprehensive disability awareness training” which would help ensure lessons and activities in schools are accessible and take account of children and young people’s needs.<sup>484</sup>

**410.** Swansea University Health Board said the varying levels of knowledge and experience within school staff can affect both the confidence and ability of staff “to support inclusivity with all activities.” They highlighted that this can be a particular issue for those with non-visible needs, and that these groups of children are “VERY often not understood and not supported.” Some of the groups of children they identified, included those with sensory processing difficulties, ASD and ADHD. They said this lack of expertise can then affect children’s participation

---

<sup>479</sup> [Children, Young People and Education Committee, School Note 2, 29 June 2023, paragraph 21](#)

<sup>480</sup> [Children, Young People and Education Committee, School Note 3, 29 June 2023, paragraph 3](#)

<sup>481</sup> [CYPE Committee, 25 October 2023, Record of Proceedings, paragraph 43](#)

<sup>482</sup> Written evidence, [AEC 78 Heledd Fychan MS, A Continuous Battle, Experiences of families of neuro divergent children and young people requiring Additional Learning Provision in South Wales Central](#)

<sup>483</sup> Written evidence, [AEC 48 Estyn](#)

<sup>484</sup> Written evidence, [AEC35 Whizz Kidz](#)

and may lead to disengagement from school because of the lack of the right support.<sup>485</sup>

**411.** Carers Trust Wales said that parents and carers also raised this: that those with more complex needs are more likely to get specialised support than those with “invisible disabilities or unclear diagnoses.” Additionally, they noted that for these children and young people they are often “erroneously labelled” as behaving badly, when it is a “direct result of unmet needs”.<sup>486</sup> Young people who shared their own school experiences with Plattform shared similar views, and called for staff to have training to improve their understanding.

**412.** Families spoke regularly of how a lack of understanding led to children being labelled as “naughty”, “violent” and “requiring extra supervision.” They said that this labelling often exacerbated issues, and in some cases had a negative impact on the child’s mental health.

*“They always say it’s like he’s naughty, but that upsets me because it’s not naughty, it’s because he’s autistic.”<sup>487</sup>*

**413.** Learning Disability Wales said that often support is put in place to “retrain behaviours that may be viewed as character or personality flaws when they are in fact characteristics of a child’s diagnosis.”<sup>488</sup>

**414.** We also heard that there can be barriers to children and young people attending school because staff in mainstream schools are insufficiently trained in self-care and toileting needs.<sup>489</sup>

**415.** The Royal College of Speech and Language Therapists talked about an accredited training programme for teaching assistants. They said there have been “some really, really, good examples of work in Gwent” where staff in mainstream settings have been trained in speech, language and communication needs.<sup>490</sup>

**416.** The Royal College of Nursing told us that there is a role for professionals to share skills and expertise with others. They cited an example of how education staff are being trained to manage medications, so that medication can be taken

---

<sup>485</sup> Written evidence, [AEC 24 Swansea Bay University Health Board](#)

<sup>486</sup> Written evidence, [AEC 56 Carers Trust Wales](#)

<sup>487</sup> [Children, Young People and Education Committee, Do Disabled Children and Young People have equal access to education and Childcare? Engagement Findings, March 2023](#)

<sup>488</sup> Written evidence, [AEC 06 Learning Disability Wales](#)

<sup>489</sup> [Children, Young People and Education Committee, Do Disabled Children and Young People have equal access to education and Childcare? Engagement Findings, March 2023](#)

<sup>490</sup> [CYPE Committee, 16 November, 2023, Record of proceedings, paragraph 78](#)

at a time that's convenient for the child, and administered by the staff who know them best, rather than them having to wait to see the nurse.<sup>491</sup> The Royal College of Occupational Therapists echoed these views saying that occupational therapists can support education staff because they "are best placed to manage lots of the problems, with training and consultancy" from healthcare professionals.<sup>492</sup>

**417.** Parents emphasised the importance of education professionals being able to adapt to the different ways different conditions or needs will present in individual children and young people. One parent said some staff will be presented "as experts on disability having met one child, but they don't realise that every child and disability is unique."<sup>493</sup>

**418.** Families also talked of schools not wanting their children in school because they are considered "naughty". They also talked about the impact of being constantly being given negative feedback about their child, when it's beyond the child's control.<sup>494</sup> A parent said that schools need to "understand that anxiety can manifest in violent behaviours" as well as having a "better understanding of trauma informed care".<sup>495</sup> SNAP Cymru said families often feel judged by schools:

*"And parents, unfortunately, perceive, and sadly in some cases they're not wrong, that judgments are made about their parenting ability or home life. Therefore, 'This is not a disability; it's a behaviour issue and a parenting issue.' Managing that situation for us takes enormous time and effort to support them, for families to rebuild relationships with schools, and it can be hugely time-consuming..."<sup>496</sup>*

**419.** This lack of knowledge and understanding was also raised by the families we spoke to.

*"I asked for a freedom of information request at her last SEN school to find out how many teachers are trained in PECS [Picture Exchange Communication System] - not just a PECS awareness course, but the PECS Pyramid Education*

---

<sup>491</sup> [CYPE Committee, 16 November 2023, Record of proceedings, paragraph 86](#)

<sup>492</sup> [CYPE Committee, 16 November 2023, Record of proceedings, paragraph 110](#)

<sup>493</sup> Written evidence, [AEC 66 Joining the Dots Parents and Carers](#)

<sup>494</sup> [CYPE Committee, Visit to ASD Rainbows, 9 October 2023, paragraph 35](#)

<sup>495</sup> Written evidence, [AEC 61 Individual](#)

<sup>496</sup> [CYPE Committee, 7 June 2023, Record of Proceedings, paragraph 282](#)

*qualification and the answer was zero – my daughter was being trained PECS by people that aren't trained themselves. I was astounded.”<sup>497</sup>*

**420.** Some families called for educational professionals to have the time and opportunities to explore their own unconscious biases on disability. They believed that unless this happened, school cultures would not change.<sup>498</sup> A parent said there was definitely unconscious biases that “because my child could not talk or walk ... [they] couldn't understand the work.” As a result their child left secondary school “with nothing except social skills.”<sup>499</sup> While other parents said that they “cannot wait for teachers to take up CPD or attend inset days when the impact of their non inclusive practices harms those who are the most disadvantaged.” They added:

*“What motivation do schools currently have to address their short comings? What support do they need? How do they self assess against the gold standard of inclusion? What frameworks do they need to work within that allows their own governance and Government policy to align with the Rights of the Child at the Centre of their focus?”<sup>500</sup>*

**421.** We heard of the need for greater understanding of specific conditions or needs. For example the National Autistic Society said that “research shows only 28% [of autistic children and young people] feel their teachers understand autism.”<sup>501</sup> While an autistic child we spoke to said:

*“Some teachers don't want to admit that they aren't fully informed or fully trained. [...] Teachers should be open to learning new things too. [...] If teachers refuse to educate themselves, which many teachers actually do, and then the students will follow by example and this means the whole*

---

<sup>497</sup> Children, Young People and Education Committee, [Do Disabled Children and Young People have equal access to education and Childcare? Engagement Findings, March 2023](#)

<sup>498</sup> Children, Young People and Education Committee, [Sparkle Focus Group session, 15 September 2023, paragraph 25](#)

<sup>499</sup> Written evidence, [AEC 66 Joining the Dots Parents and Carers](#)

<sup>500</sup> Written evidence, [AEC 52 National Neurodiversity Team](#)

<sup>501</sup> Written evidence, [AEC 05 Third Sector Additional Needs Alliance \(TSANA\)](#)

---

*school becomes a toxic environment and therefore isn't inclusive to all children.”<sup>502</sup>*

**422.** Stakeholders also raised the lack of understanding of newer conditions, such as long Covid, which is not well understood either by schools or medical staff.<sup>503</sup>

**423.** The then Minister for Education and Welsh Language talked about “strengthening requirements in the initial education, and also strengthening the offer and availability of provision in the early years after qualifying and throughout the career.” He also cited opportunities for specialism in particular areas such as disability or ALN through a Masters in Education. Although he accepted that more could always be done. He said the national neurodiversity team is currently looking at whether there is a need for an “extra programme for staff and for the workforce in general” building on what is already available.<sup>504</sup>

**424.** The Welsh Government cited the development of training resources to support the introduction of the ALN Act and Code. They said this was a “key part” of implementation to ensure that “teachers can develop the skills they need to meet the needs of learners with ALN so they can put in place differentiated teaching or other targeted interventions” to best support children and young people to learn effectively. As part of this, they have developed an “online national ALN professional learning pathway” which is available on Hwb and is aimed at teachers and “especially” ALNCos. They said they are committed to continuing to “review professional learning” as the implementation continues.<sup>505</sup>

**425.** The then Minister explained that the changing picture of children and young people’s needs means that additional learning needs provision now needed to be a more “central element” of teaching training. As a result, he said they are:

*“... strengthening the requirements from every initial education partnership to ensure an understanding of how to meet the demand of additional learning needs, but also to expand the provision of professional learning in the early years and throughout the whole learning period.”<sup>506</sup>*

---

<sup>502</sup> Children, Young People and Education Committee. Do Disabled Children and Young People have equal access to education and childcare? Engagement Findings, March 2023.

<sup>503</sup> CYPE Committee, Stakeholder event (virtual), 27 September 2023, paragraph 13.

<sup>504</sup> CYPE Committee, 29 November 2023, Record of Proceedings, paragraph 88.

<sup>505</sup> Written evidence, AEC 77 Welsh Government, paragraphs 6.1-6.2.

<sup>506</sup> CYPE Committee, 29 November 2023, Record of Proceedings, paragraph 81.



**426.** He also talked about the then forthcoming review of professional standards. The aim of this, he said, was to “identify the gaps in the understanding and skills of the workforce”. This would enable teachers to get the training they need. He said that one of the challenges has been finding out what training is available and identifying what best meets training needs. To address this there is also work looking at how to “provide assurances to people that this is what is suitable for the demand and to make it easier to find out where it is.”<sup>507</sup>

## School estates

**427.** The Welsh Government programme Sustainable Communities for Learning (previously known as 21<sup>st</sup> Century Schools and Education) is a long-standing programme of capital funding for schools and colleges to develop them as hubs for learning and reduce buildings in poor conditions.

**428.** We are aware of the work that has already been done in this space, in particular the Children’s Commissioner’s work in 2014 which looked at wheelchair accessibility in secondary schools. This report considered how local authorities implemented their duty under the Equality Act 2010 to plan for the accessibility of schools for disabled pupils.<sup>508</sup> This report was followed up in 2018, which found that there was an over-reliance on individual schools to make plans, and not enough being done by local authorities and Welsh Government.<sup>509</sup>

**429.** The current Children’s Commissioner said that their casework suggested that the effectiveness of local authorities implementing their accessibility duties continues to be “varied”<sup>510</sup> She also told us that progress has been slow and not quick enough.<sup>511</sup> Her office’s Head of Communications and Performance said that while statutory guidance was secured as a result of the earlier work, scrutiny of implementation of this would be “interesting”. They were also unconvinced that all accessibility strategies were published and accessible on local authority websites.<sup>512</sup> The EHRC said the 2018 report was concerning because it showed

---

<sup>507</sup> [CYPE Committee, 29 November 2023, Record of Proceedings, paragraph 82](#)

<sup>508</sup> [Children’s Commissioner for Wales, Full Lives: Equal Access? Spotlight report on wheelchair accessibility in secondary schools in Wales, November 2014](#)

<sup>509</sup> [Children’s Commissioner for Wales, Full Lives: Equal Access. A follow up report on wheelchair accessibility in schools in Wales, March 2018](#)

<sup>510</sup> Written evidence, [AEC 01 Children’s Commissioner for Wales](#)

<sup>511</sup> [CYPE Committee, 18 May 2023, Record of Proceedings, paragraph 39](#)

<sup>512</sup> [CYPE Committee, 18 May 2023, Record of Proceedings, paragraphs 41 and 43](#)



that the statutory duty for consultation with children and families on accessibility strategies and plans was not happening routinely.<sup>513</sup>

**430.** Disability Wales said that the accessibility of school estates was highlighted by a number of their members. Issues they were aware of included a child injuring their neck because the only space in the classroom for their wheelchair was at the front of the class. Other issues included lack of accessible signage, or support for deaf learners.<sup>514</sup> They also said that mitigations such as moving classes to other parts of the school estate should not be necessary, because schools should be “set up” so that “every single part of the built environment” is accessible. This should result in children and young people having the “education that they want, not the education that’s forced upon them.”<sup>515</sup> Guide Dogs Cymru said “there are some very practical solutions that wouldn’t necessarily cost a lot of money...”<sup>516</sup>

**431.** Whizz Kidz highlighted that all aspects of schools buildings, not just classrooms, but also playgrounds, bathrooms, sports and recreation facilities need to be fully accessible. They cited the experience of one young person who was timetabled mandatory classes in a upstairs classroom without a lift. When they raised this, the school said the class was not mandatory for them. The young person said this “limits my equal opportunity to education.”<sup>517</sup> While a parent of a child with cerebral palsy said most local authority schools are not wheelchair accessible, lacking facilities such as a changing bed.<sup>518</sup>

**432.** Whizz Kidz said that a lack of inclusive sporting facilities is leading 7,000 learners to report not doing frequent physical activity in school. They also said that less than 60% of schools have equipment to enable full participation.<sup>519</sup>

**433.** We also heard about how secondary schools in particular can be a challenging environment for some children and young people. A parent of autistic child said that as schools get bigger there is “no provision that helps pupils like [her] thrive.”<sup>520</sup> Another said their autistic child could not “tolerate” being in the school, meaning they missed “PE, assembly, school productions ... Sit outside the

---

<sup>513</sup> Written evidence, [AEC 02 Equality and Human Rights Commission](#)

<sup>514</sup> Written evidence, [AEC 09 Disability Wales](#)

<sup>515</sup> [CYPE Committee, 7 June 2023, Record of Proceedings, paragraph 10](#)

<sup>516</sup> [CYPE Committee, 7 June 2023, Record of Proceedings, paragraph 253](#)

<sup>517</sup> Written evidence, [AEC 35 Whizz Kidz](#)

<sup>518</sup> [Children, Young People and Education Committee, Do Disabled Children and Young People have equal access to education and Childcare? Engagement Findings, March 2023](#)

<sup>519</sup> Written evidence, [AEC 35 Whizz Kidz](#)

<sup>520</sup> Written evidence, [AEC 29 Individual](#)

hall in the library to eat her lunch.”<sup>521</sup> Other aspects of schooling that can cause difficulties include oversized classes, harsh lighting, busy display boards and crowded spaces.<sup>522</sup> This was also a theme in the responses to Heledd Fychan MS’s survey of families of neuro-divergent children and young people in South Wales Central.<sup>523</sup> The National Autistic Society said that these challenging environments can lead to school absence.<sup>524</sup>

**434.** We heard the experiences of one school which had a new building through the Sustainable Communities for Learning scheme. They are a mainstream school with a SRB. The SRB is already struggling in terms of space, because when the plans were first drawn up, the SRB was not included as part of the original design. When agreeing the SRB would be part of the school, they had to fit it into the space that was available. They said while this was not ideal they have made it work with the use of other spaces in the school.<sup>525</sup>

**435.** Acoustics in buildings were raised as a potential barrier to inclusive education. We were told that schools with good acoustics benefit everybody within the school. There were mixed views on how successful Sustainable Communities for Learning has been in improving acoustics.<sup>526</sup> NDCS Cymru said that large mainstream classrooms and open plan learning spaces are not acoustically accessible. They said as a result deaf children are often “missing out on hearing key teaching points, crucial instructions, safety information and are often unable to access incidental conversations.”<sup>527</sup>

**436.** The Royal College of Nursing raised concerns about a lack of hygiene rooms in mainstream settings:

*“... continence, that's a huge issue within schools, because an awful lot of mainstream schools don't have hygiene rooms that can support the child to be changed or if they need catheterising, or something. You need a specialist space to be able to do that, and that can be really detrimental to the child's*

---

<sup>521</sup> Written evidence, [AEC 33 Individual](#)

<sup>522</sup> [Children, Young People and Education Committee, Do Disabled Children and Young People have equal access to education and Childcare? Engagement Findings, March 2023](#)

<sup>523</sup> Written evidence, [AEC 78 Heledd Fychan MS, A Continuous Battle, Experiences of families of neuro divergent children and young people requiring Additional Learning Provision in South Wales Central](#)

<sup>524</sup> Written evidence, [AEC05 Third Sector Additional Needs Alliance \(TSANA\)](#)

<sup>525</sup> [Children, Young People and Education Committee, School Note 5, 4 December 2023, paragraph 2](#)

<sup>526</sup> [CYPE Committee, Stakeholder event \(virtual\), 27 September 2023, paragraph 6](#)

<sup>527</sup> Written evidence, [AEC 42 National Deaf Children's Society Cymru](#)

*best interests if they don't have that space where their changing needs can be met.”<sup>528</sup>*

**437.** The importance of including children, young people and their families in the design of schools is important. A parent told us that if “plans and designs aren’t co-produced, they are rarely fit for purpose.”<sup>529</sup>

**438.** The Welsh Government said the Sustainable Communities for Learning Programme has “played a major role” in improving school buildings across Wales. They said that to “support local authorities to deliver facilities for learners with additional learning needs, the Welsh Government funding rate increases from 65 percent to 75 percent of the total project costs.” They said they have also made available to local authorities an “additional £20 million of capital funding” which is aimed at creating and improving “inclusive spaces and facilities to help ensure all learners are taught in classrooms and spaces with the technologies and the facilities they need.”<sup>530</sup>

**439.** The then Minister for Education and Welsh Language recognised the “practical barriers” some children and young people face. He said this was one of the “key reasons” behind the Sustainable Communities for Learning Programme. In addition, he said older buildings which are not part of this programme can access “specific funding to local authorities” (the £20m highlighted in the preceding paragraph). He said it has been used for “adaptations, refurbishments and specialist classrooms.”<sup>531</sup>

**440.** In order to have a better understanding of the school estate, he told us, that the annual survey of local authorities now includes:

*“... an analysis of the accessibility requirements across the entire estate and that will feed then into choices that authorities can make and we can make in relation to the capital programme, to make those kinds of changes on a rolling basis.”<sup>532</sup>*

**441.** We questioned the then Minister about the evidence we had heard about some new buildings not meeting the needs of all children and young people. He said it would be a “disappointment” if “choices didn’t reflect the accessibility

---

<sup>528</sup> [CYPE Committee, 16 November 2023, Record of proceedings, paragraph 21](#)

<sup>529</sup> [Children, Young People and Education Committee, Do Disabled Children and Young People have equal access to education and childcare? Engagement Findings, March 2023](#)

<sup>530</sup> Written evidence, [AEC 77 Welsh Government](#), paragraph 1.10-1.11

<sup>531</sup> [CYPE Committee, 29 November 2023, Record of Proceedings, paragraphs 39-41](#)

<sup>532</sup> [CYPE Committee, 29 November 2023, Record of Proceedings, paragraph 42](#)

requirements". He said that it was good practice to ensure that in the design and planning of school buildings school leaders, staff and pupils are included.<sup>533</sup>

**442.** Since we finished taking evidence, the Cabinet Secretary for Education has announced an additional £20m for schools to improve facilities for ALN learners. This funding will "help with building and updating sensory areas, specialist equipment upgrades, specialist classrooms and outdoor spaces as well as improving the additional learning provision through the medium of Welsh."<sup>534</sup>

## Impact of the pandemic

**443.** While the lockdowns and school closures are now in the rear-view mirror, the impact of the pandemic is having a very long tail with children, young people, their families and schools. We heard of some of the issues faced both during the pandemic and subsequently after the school closures, and of the long term impacts.

**444.** The EHRC said that during the pandemic, children and young people "lost out" in terms of school provision that they were eligible for. Once schools were opened up, they also lost more school time, in particular for those who were shielding.<sup>535</sup> While Mudiad Meithrin said that professionals have noticed that there are a whole generation of children who have lost out because the pandemic happened during a "a key stage" in a child's development. These lost opportunities "vary and can be very profound."<sup>536</sup> Early Years Wales also highlighted these particular pandemic impacts, saying that the impact is in "speech, language and communication, behaviour and emotional and physical literacy..." They called for immediate action to help mitigate "a very difficult start for their first 1,000 days."<sup>537</sup>

**445.** The Third Sector Additional Needs Alliance shared the experience of parent:

*"The pandemic created a situation where my child went from being in a mainstream school to being isolated in a mainstream school. The staff were encouraging my child to have lunch and break times on their own in a 'special area' rather than being included with other students. I could*

---

<sup>533</sup> [CYPE Committee, 29 November 2023, Record of Proceedings, paragraph 44](#)

<sup>534</sup> [Welsh Government, Press release, More funding and consistency for children with additional learning needs, 8 May 2024](#)

<sup>535</sup> [CYPE Committee, 18 May 2023, Record of Proceedings, paragraphs 149 - 150](#)

<sup>536</sup> [CYPE Committee, 12 October 2023, Record of Proceedings, paragraph 12](#)

<sup>537</sup> [CYPE Committee, 12 October 2023, Record of Proceedings, paragraph 61](#)

*appreciate the caution, but it's ended up isolating them and also it's difficult to explain to a child why it would be better for them to interact with other children when they have the option to be in a room and access games etc."*<sup>538</sup>

**446.** The EHRC said that face to face tutoring to mitigate for the impact of the pandemic would be taken up if it was available. They believed it would address some of the concerns the UN Committee has about attainment and progress. They cautioned that it should “be done in a sensitive manner”. They were concerned that some children and young people were doubly disadvantaged during the pandemic, in particular digitally. They highlighted that children and young people are concerned at the education they have lost.<sup>539</sup>

**447.** The British Psychological Society said that the pandemic “exacerbated things that were already there.” They cited the research that has shown that those who found things harder during the pandemic, were already struggling pre-pandemic. They said it shows that those challenges were already there.<sup>540</sup>

## Learner transport

**448.** Learner transport is governed by the Learner Travel (Wales) Measure 2008. Additionally, the Welsh Government has published statutory guidance: Learner Travel Operational Guidance in 2014 and the All Wales Travel Behaviour Code in 2018.

**449.** Local authorities have legal duties in relation to learner travel, including requirements to assess the travel needs of learners who are under 19 in their area. They have to have regard to a range of factors including the needs of children and young people, age of children and young people, the nature of the route to and from their education provider. Local authorities must provide free learner travel from home to school if a child or young person is living either at, or further than specific distances from the nearest suitable school. Local authorities also have discretionary powers to provide free school transport to some learners who may not be otherwise eligible. This only applies to home to school transport.

**450.** The Children’s Commissioner said there was huge variability between local authorities on learner transport. They said that this was also a huge issue for non-disabled and neurotypical children and young people, but was a “particularly

---

<sup>538</sup> Written evidence, [AEC 05 Third Sector Additional Needs Alliance \(TSANA\)](#)

<sup>539</sup> [CYPE Committee, 18 May 2023, Record of Proceedings, paragraphs 151 and 153](#)

<sup>540</sup> [CYPE Committee, 16 November, 2023, Record of proceedings, paragraph 9](#)

difficult barrier” for children and young people within the scope of this inquiry. They highlighted that one of their most recent recommendations to the Welsh Government was a review of the Learner Travel Measure.<sup>541</sup> In March 2024 (nine months after our evidence session with the Children’s Commissioner) the Welsh Government did publish a report on Learner Travel in Wales (which we discuss below).<sup>542</sup>

**451.** At the specialised settings we visited, most of the learners accessed learner transport. We heard that some children and young people enjoy the independence this provides,<sup>543</sup> and often the chance to spend time with their friends.<sup>544</sup> Another school said that while parents may feel less confident about their children travelling independently, it can be very positive for children and young people, helping support independence.<sup>545</sup>

**452.** Some learners will inevitably have long journeys to and from school. We heard about one school with pupils travelling up to an hour each way,<sup>546</sup> while another in a more rural area reported journey times of up to 1.5 hours each way.<sup>547</sup> These long journey times can have an impact on children and young people. At one special school they were planning to trial a new system where at the start of the day they will have an activity to help with mental well-being, because children and young people are not always ready to learn after long journeys.<sup>548</sup>

**453.** Some families felt that it was unclear what learner travel their children were entitled to, and called for greater clarity.<sup>549</sup> Some stakeholders said that a child may be attending an out of catchment school because it is in the best interests of the child, but the local authority may refuse learner travel as they do not consider it to be the nearest suitable school. It was highlighted that in these instances it should not be classed as a parental preference because it’s about meeting the children’s specific needs.<sup>550</sup>

---

<sup>541</sup> [CYPE Committee, 18 May 2023, Record of Proceedings, paragraph 45](#)

<sup>542</sup> [Welsh Government, Learner Travel in Wales analysis and evaluation: recommendations report, 14 March 2024](#)

<sup>543</sup> [Children, Young People and Education Committee, School Note 3, 29 June 2023, paragraph 14](#)

<sup>544</sup> [Children, Young People and Education Committee, School Note 1, 29 June 2023, paragraph 18](#)

<sup>545</sup> [Children, Young People and Education Committee, School Note 2, 29 June 2023, paragraph 12](#)

<sup>546</sup> [Children, Young People and Education Committee, School Note 1, 29 June 2023, paragraph 19](#)

<sup>547</sup> [Children, Young People and Education Committee, School Note 4, 28 September 2023, paragraph 13](#)

<sup>548</sup> [Children, Young People and Education Committee, School Note 1, 29 June 2023, paragraph 20](#)

<sup>549</sup> [Children, Young People and Education Committee, Sparkle Focus Group session, 15 September 2023, paragraph 40](#)

<sup>550</sup> [CYPE Committee, Stakeholder event \(virtual\), 27 September 2023, paragraph 53](#)



**454.** Not all children and young people will be eligible for learner travel. We were told that sometimes local authorities tell parents that they have to sort it out themselves. This can be challenging, especially if families have to get other children to different places.<sup>551</sup>

**455.** We heard about some practical issues with learner transport. One school highlighted that quality of provision can be patchy, with some of it being poor. They said that drivers or escorts may have limited knowledge of supporting some groups of children and young people.<sup>552</sup> Other parents said there was a lack of training for drivers and escorts, and that this can cause “direct harm” to children and young people.<sup>553</sup> A parent described a transport company saying to them that they were “used to dealing with people that aren’t normal” and this meant they declined the transport.<sup>554</sup>

**456.** At another school, we were told that some transport escorts were told not to knock a family’s door if the child was not ready, resulting in children missing school.<sup>555</sup> A different school also said that taxis can be late.<sup>556</sup>

**457.** Also, there can be issues securing learner travel in the first instance due to the limited hours of work available, and the fact transport contracts for special schools are less attractive than similar contracts for mainstream schools.<sup>557</sup>

**458.** One impact of children and young people in special schools being more likely to use learner transport, can be the loss of the informal contact that families have during pick up and drop offs, and the development of a wider parental network. One special school told us that they are being more pro-active in developing these networks to mitigate for this. They said this was particularly important for these groups of parents, as they can often face additional challenges than parents of non-disabled and / or neurotypical children and young people. The school said the peer to peer support can be “transformative.”<sup>558</sup>

**459.** Issues with learner travel have been longstanding. As individual Members of the Senedd we are very familiar with them through our casework. We also

---

<sup>551</sup> [CYPE Committee, Stakeholder Event \(In-person\), 27 September 2023, paragraph 39](#)

<sup>552</sup> [Children, Young People and Education Committee, School Note 2, 29 June 2023, paragraph 15](#)

<sup>553</sup> [Written evidence, AEC 66 Joining the Dots Parents and Carers](#)

<sup>554</sup> [Children, Young People and Education Committee, Do Disabled Children and Young People have equal access to education and Childcare? Engagement Findings, March 2023](#)

<sup>555</sup> [Children, Young People and Education Committee, School Note 3, 29 June 2023, paragraph 15](#)

<sup>556</sup> [Children, Young People and Education Committee, School Note 4, 28 September 2023, paragraph 10](#)

<sup>557</sup> [Children, Young People and Education Committee, School Note 2, 29 June 2023, paragraph 15](#)

<sup>558</sup> [Children, Young People and Education Committee, School Note 2, 29 June 2023, paragraph 13](#)



considered the impact of learner travel during our previous work on pupil absence. In that report, we recommended that:

*“The Welsh Government should ensure that decisions on learner travel are driven by the individual and specific needs of children and young people. To support local authorities in taking this approach, the Welsh Government should ensure that local authorities have sufficient funding to ensure all children and young people have access to appropriate transport options to get them to school safely. The current review should look to prioritising a learner first solution; and should be radical in looking for innovative solutions.”<sup>559</sup>*

**460.** This recommendation was accepted in principle by the Welsh Government. In responding, the Welsh Government emphasised the then ongoing review of the Learner Travel Measure, as well as broader work such as encouraging more active travel.<sup>560</sup>

**461.** We were so concerned about the issues raised through the evidence gathering that we wrote to the then Deputy Minister for Climate Change towards the end of our evidence gathering. We summarised the evidence as well as outlining work in this space by others including the Children’s Commissioner for Wales, Children in Wales, and a number of petitions. We also highlighted decisions that were being made at that point in time as local authorities were setting budgets for the then coming financial year. While we accepted the financial pressures local authorities and the Welsh Government were under, we continued to believe a learner first approach should be taken and that “affordable and accessible learner travel is critical to children and young people being able to attend and flourish in school.”<sup>561</sup>

**462.** The then Minister for Climate Change, in response, said she sympathised with the concerns raised and recognised the “importance of this issue for parents, children and young people.” She highlighted the complexities of learner travel, and highlighted that the review was taking account of our work as well as that:

---

<sup>559</sup> [CYPE Committee, Pupil Absence, November 2022, recommendation three](#)

<sup>560</sup> [Welsh Government, Response to the recommendations from the CYPE Committee Report: Pupil Absence, January 2023](#)

<sup>561</sup> [Letter from CYPE Committee Chair to Deputy Minister for Climate Change, Learner Travel, 21 November 2023](#)

*“... transport needs of learners are complex, as are the networks, tools and resources required...”<sup>562</sup>*

**463.** She also said that “despite these challenges” there are “opportunities for innovative approaches”, which would be set out in the Learner Travel Recommendations Report, which was due to be published in January 2024. This report would set out “a modest pathway to develop a safe and sustainable learner travel offer that aligns with Welsh Government policies and aspirations reflecting legislative changes”.<sup>563</sup>

**464.** In relation to some of the specific issues we raised, such as transport to extra-curricular activities, she said that the 2022 review had indicated that even if the funding was available “the weakness in current networks and infrastructure make implementing and expansion of provision difficult.” Although their “aspirations to introduce a locally informed franchised bus network, complemented by community transport networks, does, we hope, provide opportunities to address some of these accessibility issues ... by maximising the resources available”.<sup>564</sup>

**465.** On the financial pressures faced by local authorities, she said that local authority provision is monitored closely through the Association of Transport Coordinating Officers. They have recently reviewed all local authority home to school transport. She said they have identified “some really excellent practices” including “the invest-to-save independent travel training provision in Cardiff and Monmouthshire Council reviewing their community transport provision and collaborating with bus operators to maximise the opportunities for children and young people to use public transport networks to access their places of learning.”<sup>565</sup>

**466.** The Learner Travel in Wales analysis and evaluation: recommendations report was published in March 2024. It found that due to the forthcoming reform of the bus industry and the financial pressures that there “should be no immediate amendment to the legislation which underpins Learner Travel in Wales.” It said both the increasing financial pressures combined with increasing costs means “any changes would require significant Welsh Government investment, that currently can not be afforded.” However it recommended that changes are made to a number of statutory guidance documents which support delivery of learner

---

<sup>562</sup> [Letter from Minister for Climate Change to CYPE Committee Chair, 21 December 2023](#)

<sup>563</sup> [Letter from Minister for Climate Change to CYPE Committee Chair, 21 December 2023](#)

<sup>564</sup> [Letter from Minister for Climate Change to CYPE Committee Chair, 21 December 2023](#)

<sup>565</sup> [Letter from Minister for Climate Change to CYPE Committee Chair, 21 December 2023](#)

travel, along with promotion of best practice, and exploring options to develop a match-funded grant programme to seed-fund independent travel training; and increasing active travel and public transport opportunities.<sup>566</sup>

### What changes do people want to see?

**467.** Georgia Miggins, the then Welsh Youth Parliament Member, called for more work to be done with children and families before they start at a school “so they call tell you their experiences, so the resources and support can be made available to them, so they can reach their goals.” She also advocated for the “Thrive” programme she accessed in school which is a “a counselling and well-being programme that’s tailored to the individual. It’s unique in the fact that they tailor it you and your needs and what you enjoy”.<sup>567</sup>

**468.** During our engagement with families, we heard of some of the changes they wanted to see:

*“Enhanced teacher training is crucial;*

*Collaboration between SEN schools and mainstream schools can improve communication skills among staff.*

*Increased support and funding for external agencies benefit parents, providing a sense of community.*

*Parents propose extending statutory leave for childcare (up to two weeks annually) for those with disabled children.*

*Improved school communication, especially for nonverbal children, is essential.*

*A centralised local authority coordinator could streamline support services for families.*

*All schools should integrate “quiet spaces” for universal accessibility.”<sup>568</sup>*

---

<sup>566</sup> [Welsh Government. Learner Travel in Wales. analysis and evaluation: recommendations report. 14 March 2024](#)

<sup>567</sup> [CYPE Committee. 7 June 2023. Record of Proceedings. paragraph 110](#)

<sup>568</sup> [Children, Young People and Education Committee. Do Disabled Children and Young People have equal access to education and Childcare? Engagement Findings. March 2023](#)

**469.** The Children’s Commissioner for Wales said the big ask for families was a “more imaginative revamp of education in Wales”. As part of this, they called for more teaching about disability within schools and that it should start at an earlier age.<sup>569</sup>

**470.** The Royal College of Occupational Therapists called for every school to have access to an occupational therapist. They said this would help “embed positive physical and mental health opportunities into children and young people’s daily routines.” They also cited good practice where some local authorities such as Neath Port Talbot have funded occupational therapists going into schools, which has helped improve staff understanding and knowledge.<sup>570</sup>

**471.** The Royal College of Speech and Language Therapists also shared existing good practice in which schools have service level agreements with health services so that speech and language therapists support “the whole school environment” not in doing individual assessments. In some places these have existed for over ten years and “they absolutely see the benefit”, saying it can prevent “a lot of children from getting to that statutory ALN level...”.<sup>571</sup>

**472.** Platform called for a “whole-systems approach and look at the influencing factors around them and chose those (and not expect the young people themselves to change.)”<sup>572</sup> While the British Psychological Society said there was a need to shift the focus of discussions:

*“There are still too many conversations around, ‘Oh, I’m not sure we’re going to be able to meet the needs because we haven’t got the resources and the support’, whereas what I think we should also be doing is shifting and changing language, even, because that can be helpful, to say, ‘Right, this is what we can do in our school’s environment’, whatever environment they’re in at the moment, ‘and this is where we need the support as well’. That change of conversation, even in places like this, here today, around what we need in order to move forward. But at the moment, we’re at risk of becoming stuck in terms of, ‘We just can’t meet the growing need’.”<sup>573</sup>*

---

<sup>569</sup> Written evidence, [AEC 01 Children’s Commissioner for Wales](#)

<sup>570</sup> Written evidence, [AEC 30 Royal College of Occupational Therapists](#)

<sup>571</sup> [CYPE Committee, 16 November, 2023, Record of proceedings, paragraph 104.](#)

<sup>572</sup> Written evidence, [AEC 39 Platform](#)

<sup>573</sup> [CYPE Committee, 16 November, 2023, Record of proceedings, paragraph 60.](#)

**473.** One of the issues raised has been effective sharing of good practice. The WLGA said there are a number of different forums where best practice can be shared, “especially working through consortia.”<sup>574</sup>

**474.** One school told us that sharing best practice across their own cluster was highly effectively, with a clear quality assurance process. However, they said that sharing best practice more widely has declined since the pandemic. In their own local authority, an ALN Transformation Lead Practitioner has been appointed to help share and disseminate good practice more widely.<sup>575</sup>

## **Our view**

**475.** What we have heard has been stark. We have heard of children, young people, families and schools struggling to ensure education is inclusive. The positive experiences have been far outweighed by unacceptable experiences. The impacts of this inequity we lay out in the following chapters, but we want to note here that they can have lifelong impacts not just on children and young people but also on their families.

**476.** The levels of discrimination, both direct and indirect, faced by children, young people and their families is apparent in almost all the experiences we have heard. There seems to be almost an acceptance that discrimination is the norm. It should not be.

**477.** Now clearly, some of this goes far wider than education and childcare, and is about wider society, cultural attitudes and norms. While shifting the dial on this will take a sustained effort by every part of society, it is not an unsurmountable mountain to climb. We are already seeing some changes, with more visibility, and awareness, although there is still a very long way to go. We must all play our part, and it should not just be left to disabled people to make these changes. Non-disabled and neurotypical people must also play their part, and be meaningful allies.

**478.** We think there is a need for more visible role models, not just in education but in wider society. Children and young people are not regularly seeing people like them, unlike their non-disabled and neurotypical peers. We heard from Disability Wales how when they go into schools, it may be the first time, children and young people have seen a disabled adult. Where we make recommendations

---

<sup>574</sup> [CYPE Committee, 25 October 2023, Record of Proceedings, paragraph 46](#)

<sup>575</sup> [Children, Young People and Education Committee, School Note 5, 4 December 2023, paragraph 20](#)

around training, we think that opportunities to include people with lived experience of these issues in developing and delivering of training on disability and neurodiversity is important.

**479.** We welcome the work of the Disability Task Force in this space, and look forward to seeing the publication of the Action Plan. We also believe that if recommendations Recommendation 11 and Recommendation 19 are fully implemented that will make a meaningful step towards reducing levels of direct and indirect discrimination in education.

**480.** While there is a clear statutory framework, the evidence we have heard is that implementation of this, through the development and use of accessibility strategies and plans is patchy. Both the work by the Children's Commissioner and the EHRC has shown issues. While we welcome that guidance for schools on accessibility plans has been strengthened, we think there are enough concerns to suggest that further work is needed in this space. The Welsh Government should look at this in more detail, with further consideration then given as to whether they need to issue directions to ensure local authorities and schools are discharging their duties.

**Recommendation 10.** The Welsh Government considers reviewing accessibility strategies and plans across Wales, with a view to issuing directions to any local authority or school who is failing to discharge their duties under the Equality Act 2010.

### **Special schools or mainstream schooling**

---

**481.** On the basic question as to whether Wales should move to a fully inclusive system as set out by the UNCRPD, we agree that that a fully inclusive education system is what we should be striving for, but we are very far away from that. This does not mean we do not believe the work should start on how we can move toward a fully inclusive system, but we acknowledge that is a huge piece of work that will take time. In the meantime, we need a laser like focus on what can be done to improve for children and young people now.

**482.** These two strands of work should be happening in tandem, and while we understand the pressures on Welsh Government, schools, local authorities, statutory services and non-statutory services, this is simply too important for a shrugging of the shoulders and a sense that it is all too difficult.

**483.** A strong argument for a fully inclusive system is that it helps build a greater understanding of difference during childhood. This would have significant longer term benefits, and help break down barriers in wider society.

**484.** As mainstream settings cannot currently deliver on fully inclusive provision, we agree with our Online Advisory Panel that there is a need for more specialist provision. In the current system, there is increasing pressure on the specialised settings. For some children, being in a specialised setting gives them the opportunity to thrive, as we heard powerfully from Georgia Miggins, and the children and young people we spoke to on our visits. We saw how these settings meet their needs which then allows them to achieve in ways that is not always currently happening in mainstream settings.

**485.** It is clear that, for lots of different reasons, too many mainstream settings are not meeting the needs of children and young people, who are being treated as square pegs in round holes, with no adjustments being made to enable them to fully participate in school life. In specialised settings we have seen lots of good practice of how children and young people are supported in ways that unlock their abilities and potential.

**486.** We have also seen the important role that Special Resource Bases and similar provision can offer. They can provide specialised support while still retaining the option of children, young people and their families to stay in mainstream provision, if that is the right choice for them.

**487.** It is clear that schools want to deliver accessible and inclusive provision, but the wider system does not support them well enough. We are very aware of the pressures schools are under, in terms of their finances, but also staffing, and the different things being asked of schools.

**488.** Mainstream settings need to be better supported and have the resources in order to better meet the needs of individual children and young people. We make recommendations throughout this report which we believe if fully delivered will help enable this to happen. It is so important that this happens because of the increasing number of children and young people who are in mainstream settings, when once they might have been in specialised settings.

**489.** Opportunities for children and young people in terms of extra-curricular activities are clearly restricted for a range of reasons. We have covered issues around wrap around childcare in the previous Chapter. But it is clear that this extends to other types of extra-curricular activities. This robs children and young



people of the wider enriching activities and opportunities for socialisation. This then can have an impact on physical and mental well-being.

**490.** We think there is a role for both the EHRC and the Welsh Government to ensure that schools and local authorities have the right expertise and tools to discharge their statutory duties, such as those set out in the Equality Act 2010, and the PSED, but also to go beyond compliance so they are exemplars of inclusive and accessible practice. School is such an important place where knowledge is learnt, and attitudes are formed which then continues into later life. If we get it right in schools, we have the opportunity to ensure that wider society becomes more inclusive and accessible.

**491.** We welcome the guidance published by the EHRC for schools on the PSED, but we believe this is just the starting point. We would like to see more advice and guidance developed to help schools understand the social model of disability so that they use this as their starting point in developing policies, ethos, curricula and all aspects of school life. We think the work of the Disability Rights Taskforce will be incredibly helpful in this work, and should directly inform the development of the advice and guidance.

**492.** We are very mindful that schools have a wide range of responsibilities, and have to deliver on a wide range of initiatives and priorities, but we believe this is critical and needs to be a key focus. Schools should not be just responding to need when it arises, but should be developing an inclusive approach at all times. The guidance should be very practical and helpful for schools to be able to adapt and implement in ways that takes account of each school's specific circumstances. The development of this guidance should be done in close conjunction with disability organisations and people with lived experience, with a particular focus on children and young people. It should be regularly reviewed.

**Recommendation 11.** The Welsh Government working with the EHRC should develop practical guidance for all schools on understanding the social model of disability and how to ensure this approach can be adopted across all aspects of school life. This guidance should be as practical as possible, and should be developed in conjunction with children, young people and their families, as well as disability organisations. The guidance should be regularly updated to take account of developments. Estyn should undertake regular monitoring and evaluation to see how schools are implementing this guidance, and the impacts it is having on the experiences of children and young people.

**493.** We have heard different potential models for staffing that can help support inclusive provision. Structures vary across Wales. For example, the use of a Family Liaison Officer as highlighted in Good Practice Example 4. We also know from our wider work, that posts such as Family Liaison Officers in mainstream settings can play a critical role in ensuring non-disabled and neurotypical children and young people can attend school regularly and get the most from the opportunities schools offer.

**494.** In our constituency work, we are also aware of other types of roles in local authorities that can help support children, young people and their families, and schools. But this varies from local authority to local authority; and from school to school. We are acutely aware that a critical element is the amount of funding available to both local authorities and schools. We think there is a need for further investigation into what types of structures and staffing can best support delivery of inclusive provision.

**Recommendation 12.** The Welsh Government should undertake a comprehensive review into how non-teaching staff both within schools and local authorities can best support inclusive provision across Wales. This should include identifying best practice examples from across Wales. Such work should also consider the funding implications of best practice, and how local authorities and schools can be best supported to deliver.

**495.** For some children and young people, EOTAS or other more flexible forms of schooling can be the right solution. Some members of our Online Advisory Group talked about their positive experiences of this. However, not everyone is aware of these as possible options. This links to some of the issues we highlight in Chapter 9.

### **Access to teaching and timetabling**

---

**496.** While the then Minister for Education and Welsh Language said that reduced timetables should be used in a very time limited way, this is clearly not what is happening in practice. It was plain from the evidence not just from children, young people and families, but also from educational and healthcare professionals that the use of reduced timetables is rife, and can be for long periods of time.

**497.** It is clear that in many cases reduced timetables are being used because of a lack of the right resources to support children and young people's needs, or because it is the easier option than putting adjustments in place to best support a

child or young person to thrive in their educational setting. This is simply unacceptable, children and young people are missing out on too much education which cannot be easily replaced.

**498.** We fully acknowledge that for many schools they either do not have the resources or the right support to understand how best to support children and young people. But the use of reduced timetables for these reasons is not right.

**499.** We know they can be a really useful tool for some children and young people. Their use should only be when it is in the best interests of the child or young person, not to cover gaps within a school. We welcome the news of more bespoke and distinct guidance, which was published in April 2024.<sup>576</sup>

**500.** It is important that we have a clearer view on the extent to which reduced timetables are being used inappropriately, and the factors that are causing them to be used in this way. The guidance is clear that they should not be used in these ways. There is an implementation gap between the guidance and practice. We think there is a need for better understanding about how wide this gap is. The inappropriate use of reduced timetables can have a big impact on children and young people, and their families. It is essential that a child centred approach is taken to the use of reduced timetables.

**Recommendation 13.** The Welsh Government commissions research into the use of reduced timetables, which includes the length of time children and young people are on them, the reasons for them being used, and the steps that are taken to return children and young people to a full timetable. This research should also review the mechanisms that are used when the guidance is not being followed, to ensure that reduced timetables are only used when appropriate, and that a child centred approach is taken when making decisions on their use.

### **Implementation of ALN Act and Code**

---

**501.** Alongside this report, we are also publishing our interim report on the implementation of education reforms. Much of the detail of the changes we believe are needed in terms of ALN reform are included in that report. In particular, we would want to highlight recommendations:

- 2 where we call for a review into how ALN provision is funded in mainstream schools;

---

<sup>576</sup> [Welsh Government. Exclusion from schools and pupil referral units. April 2024](#)

- 5,6 and 7 where we call for further clarity on the job description and pay and conditions for both teaching staff and non teaching support staff who support delivery of the ALN Act and Code. As well as an update on the recent Task and Finish Group work on teaching assistants pay and terms and conditions;

**502.** However, there are some issues which were so intrinsic to this work that we wish to make some observations here.

**503.** It is clear that there is a huge disconnect between what families are experiencing on the ground, and the broader picture as described by local authorities and the Welsh Government. We welcome the new Cabinet Secretary for Education's approach during her recent oral evidence session with us, and her acceptance that there are some significant challenges in the delivery of the ALN reforms. We hope that this work, along with our other work will help her identify what changes are needed.

**504.** There is too much inconsistency across Wales, that cannot simply be attributed to the need to respond to differing local needs. There is a postcode lottery in terms of support that children, young people and their families receive. This is not acceptable. There is an urgent need for these inconsistencies to be addressed.

**505.** One issue we also want to highlight, because it was particularly relevant to the scope of this inquiry, was the different requirements that are placed on local authorities compared to Health Boards. We are highlighting recommendation 4 from our interim report on implementation of education reforms which calls for a further exploration of the impact of the ALN Act and Code on collaboration between health and education.

## **Bullying**

---

**506.** It is clear that there are widespread incidents of disability related bullying happening across schools in Wales. Some of the statistics that we heard were shocking, along with the acceptance that it is almost the norm. Clearly, the work on improving awareness and understanding of disability will help to reduce the casual acceptance of disability related bullying, but that will take time.

**507.** We welcome the Welsh Government's work in this space, in particular the revised bullying guidance. But we share the Children's Commissioner's concerns that it is in the implementation of this guidance that there are concerns. Our Online Advisory Panel told us that often bullying goes unnoticed, and that

sometimes staff don't recognise when bullying is happening. It is important that all anti-bullying guidance or policies are robust, and ensure that everybody, children, young people and their families, and school staff are aware of the signs of bullying.

**508.** Our Online Advisory Panel suggested that pastoral care within schools could be supplemented by non-teaching staff such as youth workers. We recognise that there is a critical role to be played in terms of pastoral care that is not just delivered by teachers. We think there is space for exploring how best this type of pastoral care can be delivered within schools. We believe this is something that could be considered as part of the work of Recommendation 12.

### **Welsh medium provision**

---

**509.** We proudly live in a multilingual nation, with an education system that should be providing every child with the choice to pursue their education either through Welsh or English. But for far too many children and young people the system does not support them to do this. Too often we have heard of how families have had to change their household language in order to support their child going to a school that will support their needs. No family should have to do this.

**510.** While we explore the wider issue of choice in education and childcare later in the report, there are currently far too many families whose choice is restricted, because they cannot access Welsh medium education. We have heard of the wide range of reasons for this, including a lack of Welsh language staff (both in schools but also other key professionals such as speech and language therapists) and a lack of Welsh language resources.

**511.** There are significant recruitment and retention issues for teachers more broadly (which is likely to be an issue we will be looking at in more detail in the coming months) but this is particularly acute for Welsh medium staff, and even more so for staff who can support ALN. This is something that the Welsh Government accepts, and there is a specific element of their ten year recruitment plan to look at this. But there is currently a crisis in terms of recruitment and retention of Welsh medium education staff.

**512.** We welcome the creation of Adnodd, which will have a renewed focus on ensuring the creation of bilingual education resources. But we are concerned that steps need to be taken now, because for children and young people currently in education, their opportunities for a Welsh medium education are slowly slipping away from them.

## School resources

---

**513.** As a result of all our work, but in particular our scrutiny of the Welsh Government's draft budget over successive years, we are acutely aware of the pressures on school budgets. We know schools have to make incredibly difficult decisions, which can result in children and young people not getting the support they need. We were surprised, and frankly frustrated, at the evidence from local authority representatives which suggested that because schools had a statutory duty to provide ALN support that this would follow through to decisions on support for individual children. Because this is clearly not happening. This type of disconnect from what is happening on the ground is concerning.

**514.** We acknowledge that the Welsh Government has increased funding to local authorities with school funding being prioritised. But as the then Minister for Education and Welsh Language acknowledged these increases have been swallowed up by inflationary and cost of living pressures. School budgets are at the very best at a standstill, and in some places in reverse. Simply, there are insufficient resources for schools, and this is having a direct impact on their ability to deliver, in particular on inclusive provision.

**515.** Yet at the same time schools are being asked to do more and more, whilst also implementing two huge pieces of important education reform. We are concerned that the funding, even with the increases is simply not adequate, and this is being reflected on the support individual learners are receiving. Even simple, inexpensive adjustments are not being made, despite these saving money in the long run, as children and young people with the right support can then continue to thrive in education.

**516.** While we welcome the Welsh Government's funding review, concrete actions need to follow with pace, which will result in clearer and more accountable funding allocations, which everybody can access and understand.

**Recommendation 14.** In responding to the findings of the review of school funding, the Welsh Government should outline publicly how it will take forward any recommendations or actions arising from it, and set out a clear timeline for delivery of these actions. In particular, they should outline how improved consistency will help ensure children and young people get the support they need in schools.

**517.** While we acknowledge that there have been additional funds to help with the recovery from the pandemic. We note that the "pandemic babies" are now

starting to enter into early years education and school. Their very first days, weeks, months and years where spent in lockdowns, and schools are reporting the impact this has on social, emotional and physical development. It is essential that additional funds continue to be available so schools can help support the pandemic babies. For those children within the scope of our inquiry, these impacts may have been felt more significantly.

**518.** Throughout the inquiry, we have heard of the central role teaching assistants play in supporting children and young people to thrive and enjoy education. They are also integral to ensuring consistent inclusive provision. They are a critical part of the workforce, and should not be seen as “add ons”. We heard positive examples of how the right support can make real differences, such as the child who was able to enter for numerous GCSEs after his family had fought so hard for him to be in mainstream education (see paragraphs 239). We have also seen on our visits the dedication and enthusiasm of this important part of the education profession, yet these roles are often the first to be under threat when there are financial cuts needed within a school.

**519.** This results in ongoing uncertainty for children, young people and families. If they have the right support in place they are concerned that it might be taken away from them at a moment’s notice, and if they are trying to secure this type of support they are worried that they will never receive it.

**520.** There is also the important issue of continuity of care, as we were told, relationships are the number one factor in educational outcomes. This cannot be forgotten. Removing teaching assistants does not just impact on those children and young people receiving support from those specific members of staff, but also impacts on the wider classroom, as the teacher is then having to do more with less support.

**521.** We feel strongly that schools and local authorities need to have sufficient funding to maintain the teaching assistant workforce. This may mean that the Welsh Government should be providing extra funding. We know that the Welsh Government budget is incredibly tight, and they have limited options, but we believe very strongly that the role of teaching assistants are so critical to the delivery of a more inclusive education system, that this should be prioritised.

**522.** Our Online Advisory Group made some suggested areas for recommendations which we agree with. They called for universal provision for common conditions such as dyslexia provided to all schools. This would save schools money in the long run as they do not have to buy in additional support on



an annual basis. There are also savings that can be made by developing resources for across Wales. We support this and recommend that further work should be done by the Welsh Government to identify a range of common conditions for which this would be most useful, and for these resources and support to be developed and rolled out across Wales. Common conditions would be those such as dyslexia which are common across different school cohorts but may lead to additional barriers to accessing education, and where schools may currently have to buy in specialised provision to support these children and young people

**Recommendation 15.** The Welsh Government identifies the most common conditions, such as dyslexia, which would benefit from universal provision and support being developed and provided to all schools. This should be done in consultation with children, young people and their families, as well as education professionals, local authorities, and health professionals. Once this work has been done, the Welsh Government should provide a clear timeframe for roll out of this universal provision. This provision should be free for all schools.

**523.** The Online Advisory Panel also recommended that funding for additional support should be ring-fenced and guidance issued to direct schools on what it should be allocated. This is because children, young people and families are experiencing rationing of services because of a lack of funding. We understand that the Welsh Government position has been to move away from ring-fencing, and we are largely supportive of that. However, we are concerned that funding which should be going to support these groups of children and young people may be lost in other pressing priorities for schools and local authorities.

**Recommendation 16.** The Welsh Government should issue guidance clearly setting out the responsibilities and duties of local authorities and schools to ensure they are providing the necessary support so that all children and young people are able to access their right to an education. They should also consider whether ring-fencing would be an effective and appropriate way of ensuring that money that is intended to support these groups of children and young people is spent in that way.

### **School staff training and knowledge**

---

**524.** The importance of all staff in schools having the right levels of knowledge and awareness of the full range of different disabilities and needs is essential. We heard from children, young people and their families of the significant difference this can make, and of how without this, discrimination abounds.

**525.** We are also incredibly mindful of the pressures placed on school staff in a wide range of areas. They are having to develop expertise in areas that was not expected of them even a few years ago. This is against the backdrop of a challenging financial climate, increasing levels of needs and the long term impacts of the pandemic. We do not underestimate these challenges.

**526.** Clinical knowledge of some conditions and different types of needs is developing so fast, that it can be difficult to stay on the cutting edge of knowledge and information, and for this then to be incorporated into practice. This can be a particular challenge for schools and education staff.

**527.** ITE provision needs to have an improved focus on disability and additional learning needs. We note that the criteria for accreditation of ITE programmes from September 2024, includes:

*“Student teachers should understand the principles of person-centred practice, the Additional Learning Needs Code and Act, its purpose, ethos, and the responsibility of teaching practitioners and schools including the role of the Additional Learning Needs Coordinator (ALNCo).”<sup>577</sup>*

**528.** It also states that students should be familiar with the Equality Act 2010, the UNCRC and UNCRPD. While we welcome this, we believe it needs to go much further. There should be a greater focus in ITE on methods and approaches which will help build teachers’ confidence and ability in teaching children and young people. Our Online Advisory Panel also called for mandatory modules within ITE which focus on how to teach children and young people within the scope of the inquiry.

**Recommendation 17.** The Welsh Government should revise the criteria for ITE to strengthen the requirements around disability and additional learning needs. This should ensure that all teachers at the end of their ITE have a basic level of skills and understanding in issues around disability and ALN and have the confidence to be able to support all children and young people they teach. It should also ensure that ITE keeps up with the latest clinical knowledge so that newly qualified teachers have the most up to date information and knowledge to help inform their practice.

---

<sup>577</sup> [Welsh Government. Criteria for the accreditation of initial teaching education programmes in Wales. May 2023.](#)

**529.** We note the feedback we received from school staff about the challenges of teaching assistants being able to undertake ITE. In particular, we note the feedback of how they will not be able to specialise during teacher training in special settings, despite having no wish to work in mainstream settings. We are acutely aware that there are significant challenges in recruitment and retention of experienced staff in special schools, who are facing increasing capacity pressures. We think consideration of how this can be better supported may well help encourage more to move into teaching, while being able to continue to develop their existing skills and experience within a specialised setting.

**530.** We note that during the last refresh of the ITE criteria, the Welsh Government noted concerns about ITE programmes for the special school sector. The Welsh Government committed to “exploring these concerns and making recommendations on how best to address the issues identified.” This work would include exploring with the sector and experts what the workforce needs were and how current ITE supports this, as well as introducing some “temporary flexibility into the criteria for accreditation” of ITE.<sup>578</sup> It is unclear at the time of writing what the outcome of this work has been.

**Recommendation 18.** The Welsh Government provides an update on its work around ITE provision for the special school sector.

**531.** As we have set out earlier, we believe there is a need for stronger practical guidance for schools on the social model of disability. Closely linked to this, is the need for mandatory disability awareness training on the social model of disability for all school staff. This was also an recommendation area that our Online Advisory Panel suggested, and we support it. We believe this would be a critical step in ensuring that staff have the confidence in understanding basic issues around disability that could then inform practice within schools.

**532.** This is not just the responsibility of school leadership and teachers within a school, but should be mandatory for all school staff. As the report outlines throughout there are too many incidents where children and young people are not treated with the respect because of outdated attitudes. We are not criticising school staff, but we acknowledge that if they have not had the right training, they will not necessarily know how to respond to some situations. We believe this should be similar to DBS checks, where all staff have to have undertaken a basic level of disability training and awareness as a core requirement of their role. We

---

<sup>578</sup> [Welsh Government. Criteria for the accreditation of initial teacher education programmes in Wales. May 2023.](#)

think it is important that people with lived experience are involved both in the development of this training but also, where possible, in the delivery of the training.

**Recommendation 19.** The Welsh Government commissions the development of a mandatory training module for all school staff on disability awareness. This should cover the social model of disability, and equip all staff in a school with a basic level of awareness, as well as signposting them to other resources if they want to develop their skills and expertise. It should also be in line with the latest research and clinical knowledge, and is kept up to date to reflect any subsequent changes or developments.

**533.** While ensuring all staff have the same basic level of awareness is important, it is also important that training and support is available that meets the needs of specific schools and children and young people. Schools should have better access to specific training that enables them to better support individual needs. We are concerned that with school budgets so tight, there is not always the opportunity for such training opportunities to be funded.

### **School estates**

---

**534.** The Sustainable Community for Learning programme has clearly resulted in some fantastic new school buildings across Wales. Some of these schools have also really considered accessibility at the heart of planning and construction. But we are also aware that there are schools that have been built under this scheme that have areas that are inaccessible for some children and young people.

**535.** It is essential that in the design and development of these new buildings, that the user experience is central. This should not just take account of the needs of current children, young people and staff in a school but the needs of others who may come to the school in the future. To ensure this happens, we want to see guidance being issued to schools and local authorities to ensure that real and meaningful engagement is undertaken with children, young people and adults with lived experience to ensure that the physical estate can meet the needs of everybody. No new build school should be inaccessible to anyone. We believe this is a reasonable easy fix which could reap long term rewards, expanding the choice available to children, young people and their families and will make school estates more welcoming to all, and help support educational attainment.

**Recommendation 20.** The Welsh Government should issue guidance to schools and local authorities to ensure that either new buildings, or changes to current

school estates are based on the experiences and evidence of children, young people, families and staff with lived experience. This engagement should also ensure that future needs are considered so that buildings are fully accessible to all who may attend in the future.

## **Learner Travel**

---

**536.** Learner travel is an issue for non-disabled and neurotypical children and young people across Wales, but these challenges are even greater for children and young people within the scope of this inquiry. We have heard time and time again of their ability to fully engage in all that schools can offer restricted by learner travel. Additionally, there can be issues with the quality of the learner travel which is available.

**537.** Being able to get to and from school safely is absolutely critical to ensuring children and young people can access school. If this is not possible, everything else fails. We believe this issue needs to be viewed more holistically through the lens of the Well-being of Future Generations (Wales) Act 2015, which we do not believe is currently happening. There is too much silo working within the Welsh Government which is preventing the opportunities for finding innovative solutions that could unlock huge improvements, not just for children and young people but for their families.

**538.** If a child is unable to go to school, a parent or carer is unable to go to work, which can have long-term economic and mental well-being impacts. Impacts that may well have to be borne by the state. We will look at these impacts more in later chapters, but it is important to make these connections throughout the report.

**539.** While the Learner Travel review identified some innovative practice, we want to see more done to support local authorities to develop innovations which help solve some of the issues we have identified in the report (and which the Welsh Government accept are issues.) Also critical is the need for better mechanisms for sharing good practice across Wales.

**Recommendation 21.** The Welsh Government should develop further mechanisms to ensure there are greater opportunities to share and disseminate good and innovative learner travel practice. This could include an annual summit with the relevant Cabinet Secretary or Minister.

**540.** We are disappointed that the Learner Travel review was not more bold in terms of looking at more systematic change to the legislation underpinning

learner travel. As it is so critical to access to education, we think the Welsh Government should have seized the opportunity. We know all governments have to prioritise, and this is particularly the case in the current financial climate, but we believe this is an area that should be of the highest priority.

**541.** Transport has such broader and wider links to economic, physical and mental well-being across Wales, and has such a direct day to day impact on so many children, young people and their families across Wales. Having said this, we do welcome the review of the statutory guidance as the second best step. But having seen the review itself being delayed, we call on the Welsh Government to prioritise the update of this suite of statutory guidance. We are concerned about inconsistent application of current guidance by different local authorities. We are aware from our own case work of the different ways in which they may respond to different types of conditions. For example, we know that physical disabilities or conditions are not always taken properly into account when decisions are made.

**Recommendation 22.** The Welsh Government prioritises the review and publication of the suite of statutory learner travel guidance. In responding to this report, the Welsh Government should provide a clear timetable for the work reviewing this with a definitive date for publication, and when the revised guidance will come into force. They should also set out how they will ensure there is a consistent application of the guidance across Wales.

**542.** It is clear that there are significant challenges in increasing the options for accessible transport to schools, including, in particular a lack of accessible vehicles which can meet the increasing demand. Other issues highlighted including a lack of appropriately trained people, and the unattractiveness of the contracts, so few transport companies are willing or able to take on the contracts.

**543.** We think there needs to be more opportunities for transport companies to access training that helps them be more confident in taking on these types of learner travel contracts, as well as providing assurances to children, young people and their families that transport staff will be able to adequately support them. This could potentially be delivered as online training. We think the suggestions that there should be form of accreditation available is one that is worthy of more exploration.

**Recommendation 23.** The Welsh Government explores ways of ensuring there are appropriate training opportunities for transport companies and staff to build up confidence and skills in supporting children and young people. As part of this, consideration should be given to developing accreditation for staff.

## 6. What are the impacts on mental health, well-being and educational outcomes?

The lack of equal access to childcare and education is having serious and significant impacts on the mental health, well-being and educational outcomes of children and young people. These impacts ripple throughout the family, with significant impacts on a family's well-being and even household incomes.

### Impact on mental health and well-being

#### Children and young people

---

**544.** Early Years Wales said it can be difficult to “measure” the mental health and well-being impacts on “very young children” of unequal access. But they did say that a “lack of social interaction with their peers can have a negative impact later in life.”<sup>579</sup> While a parent who responded to Heledd Fychan MS’s survey said:

*“We had to watch our 4 year old in floods of tears because of how she was treated. We spent 10 weeks at home to build her confidence back up.”*<sup>580</sup>

**545.** The Children’s Commissioner said that all the evidence she has seen “shows that children with disabilities have poorer mental health ... much more likely to feel sad, were much less likely to say they felt happy and were less likely to say they felt safe.”<sup>581</sup>

**546.** Platform highlighted the importance of education to mental health and well-being. They said its impact becomes “more complex and interconnected when other factors such as disability and neurodiversity are considered.”<sup>582</sup> While

---

<sup>579</sup> Written evidence, [AEC 53 Early Years Wales](#)

<sup>580</sup> Written evidence, [AEC 78 Heledd Fychan MS, A Continuous Battle: Experiences of families of neuro divergent children and young people requiring Additional Learning Provision in South Wales Central](#)

<sup>581</sup> [CYPE Committee, 18 May 2023, Record of Proceedings, paragraphs 59-60](#)

<sup>582</sup> Written evidence, [AEC 39 Platform](#)



the Royal College of GPs said the discrimination children and young people face “can exacerbate existing mental ill-health and/or present new challenges.”<sup>583</sup>

**547.** Negative school experiences can contribute to a child’s anxiety and attachment issues. Children can feel left out, and socially isolated. This was raised by different stakeholders including Plattform.<sup>584</sup> This can be exacerbated by those who need clinical support having to wait a long time for support, even those in crisis:

*“He’s told school staff that he’s had suicidal thoughts and we’ve been put on a waiting list which we have been on for two years now”<sup>585</sup>*

**548.** Yet the impact on being in a school that does support a child’s needs properly can be significant on mental well-being, as this child told us:

*“In my old school, there was a lack of accommodation around my needs, I was crying every day, I was stuck in this endless loop of going to school, getting bullied, coming home, crying, sleeping and doing it all again. My schoolwork struggled because I had to focus on constantly defending myself. But in my new school, it’s a much more accommodating school and I have a lot more allies who now understand me. We even have some neurodivergent teachers. Having access to both ALN and well-being support has helped me massively. I tend to focus more on well-being and I go to their base twice every day.”<sup>586</sup>*

**549.** We have heard throughout our inquiry that children will often “mask” - actions or coping strategies that people use to conceal their thoughts, emotions, or challenges to blend in - when in childcare or education settings. The British Psychological Society said that “masking has serious consequences for a child’s development and attainment. ... causes a variety of issues that can impact on a child’s well-being ...”. They also highlighted that masking can “hide the true extent [of the challenges a child is facing]... and that some schools may refuse to

---

<sup>583</sup> Written evidence, [AEC 49, Royal College of Paediatrics and Child Health](#)

<sup>584</sup> Written evidence, [AEC 39, Plattform](#)

<sup>585</sup> [Children, Young People and Education Committee, Do Disabled Children and Young People have equal access to education and Childcare? Engagement Findings, March 2023](#)

<sup>586</sup> [Children, Young People and Education Committee, Do Disabled Children and Young People have equal access to education and Childcare? Engagement Findings, March 2023](#)

acknowledge there is a problem.” An issue that we have also highlighted in paragraphs 222 and 666.

**550.** Play Wales said that a lack of inclusive settings during school holidays leads to children and young people feeling isolated and “singled out”,<sup>587</sup> while UCAC said that a lack of opportunities can particularly affect “young people of secondary school age” who can be “frustrated that they cannot socialise like their peers.” They said this can lead to issues with social media.<sup>588</sup>

**551.** Exclusion from particular aspects of school life can impact on well-being. One parent described the stark impact on her child’s mental well-being when they were excluded from trips and events:

*“... which is discrimination and only telling him the day before or asking me to break the news is very unprofessional and needs to be managed better. All of this has resulted in my sons mental health being impacted and self harm and suicidal ideation which have worked so hard to improve.”<sup>589</sup>*

**552.** Learning Disability Wales said that low aspirations for these groups of children and young people can also have “a fundamental impact” on mental health. Children and young people have told them that they were never asked what they wanted to be when they grew up.<sup>590</sup>

**553.** We heard about the impact on particular groups of children and young people. Guide Dogs Cymru and RNIB Cymru highlighted that those with a vision impairment have “lower well-being and poorer mental health” than their peers.<sup>591</sup> The National Autistic Society highlighted research by Swansea University which found 77% of autistic children and young people who contributed to the study said school made them feel “anxious or worried” and 43% were unhappy in school.<sup>592</sup> Diabetes UK Cymru said that a survey of parents and carers of children with type 1 diabetes found that 50.73% of those who responded thought their “child’s anxiety and mental health around school had been negatively impacted by their diabetes.”<sup>593</sup>

---

<sup>587</sup> Written evidence, [AEC 37 Play Wales](#), paragraph 1.11

<sup>588</sup> Written evidence, [AEC 67 Undeb Cenedlaethol Athrawon Cymru](#)

<sup>589</sup> Written evidence, [AEC 22 Individual](#)

<sup>590</sup> [CYPE Committee, 7 June 2023, Record of Proceedings, paragraph 180](#)

<sup>591</sup> Written evidence, [AEC 05 Third Sector Additional Needs Alliance \(TSANA\)](#)

<sup>592</sup> Written evidence, [AEC 05 Third Sector Additional Needs Alliance \(TSANA\)](#)

<sup>593</sup> Written evidence, [AEC 68 Diabetes UK Cymru](#)

**554.** Parents raised concerns about a lack of mental health support. We were told that neurodivergent children and young people “are more likely to be absent from school or excluded from school limiting their ability to access school based mental health provision.” They called for a “sustainable model” for the third sector to help fill the gaps in support, especially in those areas where there is limited access to child and adolescent mental health services, and neurodiversity services.<sup>594</sup>

**555.** The whole system approach was supported by many, but there were calls for it to go further:

*“... a whole system approach where these learners have open access to mental health support but also that their needs as a family are being met so they do not travel down the mental health spectrum in the first place. It should be a mandatory requirement that the whole system supports families within schools ‘Team Around the Family’ to ensure the most vulnerable are protected and to [not] just provide support to those families who shout the loudest. We have to be more proactive in meeting needs earlier and review support on a graduated response and needs led basis.”<sup>595</sup>*

**556.** One family told us that despite conversations with the school and local authority, and their child receiving a diagnosis “there was no real accountability for the years [their child] was left without support and the emotional damage that he and our family suffered as a result.” They also asked why it was down to families to pursue complaints when there is “clear evidence” that a school has not complied with its legal duties. Although it was heartening to hear that things have since improved for this child and their family, who are now receiving the one-to-one support they needed, it should not have taken this long and caused this much damage.<sup>596</sup>

**557.** Numerous families talked of the traumatising effect school had on their children, and how this can have a long term impact:

---

<sup>594</sup> Written evidence, [AEC 52 National Neurodiversity Team](#)

<sup>595</sup> Written evidence, [AEC 52 National Neurodiversity Team](#)

<sup>596</sup> Written evidence, [AEC 63 Individual](#)

### **Case study 8**

*"... My child was one of the tiny demographic for whom not only was mainstream inaccessible, it was cruel and traumatizing. So traumatizing that it left child unable to even access the wonderful specialist teaching facilities that abound in our area. There is no mental health support whatsoever available for these traumatized kids who are now left dealing with secondary mental health conditions such as anxiety disorders and ptsd on top of the struggles created by their original disability."<sup>597</sup>*

**558.** Those long term impacts were also raised by others, including Disability Wales. They reminded us that the benefits of school extend beyond qualifications, and are also about socialisation, confidence and preparing for adult life.<sup>598</sup>

**559.** We also heard that a lack of appropriate support can lead to children and young people not gaining the confidence and skills to do more independently. RNIB Cymru said the lack of habilitation support means that children and young people with vision impairment do not have the opportunity to:

*"... develop the orientation, mobility and independent living skills that they need for both education and in young adulthood. The impact on social inclusion can be significant."<sup>599</sup>*

We look at the issue of habilitation support in more detail in Chapter 10.

### **Parents and carers**

---

**560.** The impacts are also significant on the mental well-being of parents and carers. As one parent told us, the lack of inclusive childcare and education provision has a:

*"... knock on effect on the mental well being and careers of everyone around the child including the child. ... There simply is no provision for the vast majority and any parent with a child*

---

<sup>597</sup> Written evidence, [AEC 66 Joining the Dots Parents and Carers](#)

<sup>598</sup> [CYPE Committee, 7 June 2023, Record of Proceedings, paragraph 60](#)

<sup>599</sup> Written evidence, [AEC 47 RNIB Cymru](#)

*with SEN will tell you the same – if they get 5 minutes to do so because they have no access to childcare either.”<sup>600</sup>*

**561.** We were told that Parents Voices in Wales have reported that “100% of the parents/carers have a negative impact to their mental health and well-being” because of the challenges in accessing support. Additionally, “76% report having to visit the GP for their mental health in 2019.”<sup>601</sup> While Early Years Wales said that that parents can feel “isolated and not heard...”.<sup>602</sup> Carers Trust said the impacts on parents and carers can be “significant and enduring...”.<sup>603</sup>

**562.** Sparkle said that a lack of time also reduces opportunities for families to “rest, to run errands or complete household tasks, and for their own social interaction.”<sup>604</sup> While SNAP Cymru said that the breakdown in relationships with schools can “cause enormous family issues. It doesn't only impact on family mental health and well-being; we've seen relationships break down as a result ...”.<sup>605</sup>

**563.** Another key impact on families was constantly having to fight for everything. The word fight was used in almost every conversation. Families talked about “lurching from one battle to another battle”, and that there is “a constant battle for every service.” The constant battling extends far beyond education and childcare, and relates to almost every aspect of their lives.<sup>606</sup> During our engagement interviews the extreme pressure placed on families was evident, as was their passion, determination and love for their children. While the families we spoke to may share similar experiences, the battles are unique to each family due to each child’s differences, placing the parents/carers in a position of fighting alone.<sup>607</sup>

**564.** A parent of a child with epilepsy told us:

*“From about 18 months old, I have had to fight for everything, even just to get her seen, and no one was listening.”<sup>608</sup>*

---

<sup>600</sup> Written evidence, [AEC 31 Individual](#)

<sup>601</sup> Written evidence, [AEC 52 National Neurodiversity Team](#)

<sup>602</sup> Written evidence, [AEC 53 Early Years Wales](#)

<sup>603</sup> Written evidence, [AEC 56 Carers Trust Wales](#)

<sup>604</sup> Written evidence, [AEC 36 Chair, Sparkle](#)

<sup>605</sup> [CYPE Committee, 7 June 2023, Record of Proceedings, paragraph 282](#)

<sup>606</sup> [Children, Young People and Education Committee, School Note 2, 29 June 2023, paragraphs 39](#)

<sup>607</sup> [Children, Young People and Education Committee, Do Disabled Children and Young People have equal access to education and Childcare? Engagement Findings, March 2023](#)

<sup>608</sup> [Children, Young People and Education Committee, Do Disabled Children and Young People have equal access to education and Childcare? Engagement Findings, March 2023](#)

**565.** One parent said after fighting all the time, they were “losing the will to fight” in the latest battle to secure funding for learner travel.<sup>609</sup> While a parent of a child with a genetic condition said the role of a parent of a child with ALN is an “army of one”.<sup>610</sup> Another parent powerfully said to us:

*“I did everything society wanted me to do, and everything was taken away. It’s not [their child’s fault], [they are] the apple of my eye. Everyone else is trying to screw us over.”<sup>611</sup>*

**566.** One parent told us:

### **Case Study 9**

*“I can only speak truly for myself, but I have been blamed as a parent for the situation with my children, I have been ignored, threatened and bullied by schools and the Local Authority. My children have been severely let down. I take anti-depressants, have complex PTSD and I too am autistic as well as having other health issues. I dare not disclose any of this to the school though, as I know we will not move forward in getting the support that my children need and it will totally be used against me.”<sup>612</sup>*

We look at the issue of local authority support in the next Chapter.

**567.** Disability Wales said the constant battling was “exhausting”. They said that education should not be an area where there was any need to fight.<sup>613</sup> Learning Disability Wales talked of the “huge trauma” and the “lifetime of work” it takes for parents and carers to support their children through education.<sup>614</sup>

**568.** The term “burnt out” was used repeatedly by families. One parent told us that the whole family was “severely burnt out and in crisis.”<sup>615</sup> Another said:

---

<sup>609</sup> Children, Young People and Education Committee, Sparkle Focus Group session, 15 September 2023, paragraph 62

<sup>610</sup> Children, Young People and Education Committee, Do Disabled Children and Young People have equal access to education and Childcare? Engagement Findings, March 2023

<sup>611</sup> Children, Young People and Education, Oakhill ASD Childcare focus group session, 15 September 2023, paragraph 46

<sup>612</sup> Written evidence, AEC 33 Individual

<sup>613</sup> CYPE Committee, 7 June 2023, Record of Proceedings, paragraph 61

<sup>614</sup> CYPE Committee, 7 June 2023, Record of Proceedings, paragraph 177

<sup>615</sup> Written evidence, AEC 61 Individual

*"I am now burnt out trying to fight the system.....Nobody listens to you.....it is one long, draining, exhausting, soul destroying fight and battle just trying to get your child the educational provision they need and deserve"*<sup>616</sup>

**569.** The Children's Commissioner told us a lack of accessible childcare can lead to a sense of isolation for the wider family.<sup>617</sup>

**570.** The Royal College of GPs said:

*"Having a disabled child within a family has a significant impact on all of the different individuals within the family, so it's not purely about the child on its own. The child not being able to access education then has an impact on every single person in that family. So, we've got the mum, perhaps, not being able to go to work because of the anxiety and the stress that's at home, and the impact that has on the dad. So, the whole family unit is impacted and that does put workforce pressures on us."*<sup>618</sup>

They added that they see cases like this in "every session".<sup>619</sup>

**571.** We heard repeatedly about these pressures this all puts on the family, and in particular the relationship of parents and carers. The risk of family breakdown was highlighted repeatedly to us. We were also told that four out of five marriages with children within the scope of the inquiry fail.<sup>620</sup> Those who raised this included Sparkle:

*"When you are pregnant you appreciate that a young child will need your attention, but the expectation is that this will reduce as they get older. At age 8 my son still requires my constant attention which is so draining for me and causes arguments with my husband. I find I walk on eggshells a lot."*

---

<sup>616</sup> Written evidence, [AEC 78 Heledd Fychan MS. A Continuous Battle. Experiences of families of neuro divergent children and young people requiring Additional Learning Provision in South Wales Central](#)

<sup>617</sup> [CYPE Committee. 18 May 2023. Record of Proceedings. paragraph 15](#)

<sup>618</sup> [CYPE Committee. 16 November 2023. Record of Proceedings. paragraph 188](#)

<sup>619</sup> [CYPE Committee. 16 November 2023. Record of Proceedings. paragraph 212](#)

<sup>620</sup> [Children, Young People and Education Committee. School Note 2. 29 June 2023. paragraph 41](#)



*When I have managed six meltdowns in one day, I do become snappy.”*

They also said that parents / carers describe themselves as “ships in the night’, always missing each other because one parent goes to work when the other gets home as they cannot work at the same time”.<sup>621</sup>

### **Case Study 10**

*“This meant his father had to give up work to care for him and this eventually helped contribute to the breakdown of our nuclear family as financial pressures were building. The rate of divorce in families with a child with disabilities is far higher than the average population because of the isolation from society and lack of support that other parents can access.”<sup>622</sup>*

**572.** Other families expressed concern about families who were unable to fight for support, because “we are really pushing and our kids are not getting anything.”<sup>623</sup> Others highlighted that some parents / carers may struggle to fight for support because of their own additional needs. There were calls for a programme of maintained support regardless of the ability of the family to fight.<sup>624</sup> We were told that there is a “heavier load” of navigating the complex system for parents who are not able-bodied or neurotypical.<sup>625</sup>

**573.** We heard of how the support of peers and support organisations can make all the difference in equipping families with the information and the ability to continue fighting. A number of parents said that the support they received from ASD Rainbows had been immeasurable.<sup>626</sup>

**574.** A family described being told their school would not support potty training, but with support from Snap Cymru, the school was advised this was a legal requirement. They were concerned that some families would have accepted the

---

<sup>621</sup> Written evidence, [AEC 36 Chair Sparkle](#)

<sup>622</sup> Written evidence, [AEC 31 Individual](#)

<sup>623</sup> [CYPE Committee Visit to ASD Rainbows 9 October 2023, paragraph 14](#)

<sup>624</sup> [CYPE Committee Stakeholder Event \(In-person\) 27 September 2023, paragraph 5](#)

<sup>625</sup> Written evidence, [AEC 52 National Neurodiversity Team](#)

<sup>626</sup> [CYPE Committee Visit to ASD Rainbows 9 October 2023, paragraph 14](#)

school's position and then they would have had to go to school and change their child when necessary.<sup>627</sup>

**575.** The stress all this constant battling places on families was clear and evident in the conversations we had. We were told of people attempting suicide; and of others having to take anti-depressants as a direct result of the stress and anxiety.<sup>628</sup>

**576.** We were also told that parents and carers can lose their own identity and sense of self in the constant battling. They also said that “slowly but surely you lose hope.”<sup>629</sup>

**577.** We also heard that relationships with wider family and friends can be affected, because of a lack of understanding or judgements being made. Sparkle reported that some parents “tend to mix only with families who also have children with additional needs.”<sup>630</sup>

## Impact on educational outcomes

**578.** Disability Wales shared the following statistics on education outcomes:

*“In Wales, from June 2020-2021, 37.9% of nondisabled people’s highest qualification was a degree or equivalent, compared to 21.5% of disabled people. In the most even statistics, 21.6% of non-disabled people’s highest qualification was a A-level or equivalent, compared to 20.7% of disabled people. 18.8% of non-disabled people’s highest qualification was GCSE grade C or above or equivalent, compared to 24% of disabled people. 9.4% of non-disabled people’s highest qualification was another form of higher education, compared to 7.3% of disabled people. 5.9% of non-disabled people had no qualifications, compared to the significantly higher 16.4% of disabled people.”<sup>631</sup>*

**579.** RNIB Cymru said that children and young people with a disability between 16 and 18 are “twice as likely” to be not in employment, education or training

---

<sup>627</sup> [CYPE Committee Visit to ASD Rainbows, 9 October 2023, paragraph 16](#)

<sup>628</sup> [Children, Young People and Education Committee, Sparkle Focus Group session, 15 September 2023, paragraphs 62-63](#)

<sup>629</sup> [CYPE Committee Visit to ASD Rainbows, 9 October 2023, paragraph 17](#)

<sup>630</sup> Written evidence, [AEC 36 Chair, Sparkle](#)

<sup>631</sup> Written evidence, [AEC 09 Disability Wales](#)

(“NEET”) than their non-disabled peers. This increases for the 19-24 age group, with four times more children and young people in this age group being NEET.<sup>632</sup>

**580.** They also highlighted the “consistent and significant attainment gap” for children and young people with visual impairments. They said that at GCSE this is demonstrated by a gap of 26% for children and young people with a vision impairment gaining the equivalent of 5 A\* to C grades at GCSE, including English / Welsh and maths. They called for this gap to be addressed.<sup>633</sup>

**581.** NDCS Cymru said there was an attainment gap of “up to 20 per cent” between deaf children and their hearing peers. They said that there was “no need for this gap to exist. As it is not a learning disability, they should be able to succeed on par with their hearing peers.”<sup>634</sup>

**582.** The impacts of this inequity can be lifelong, as Whizz Kidz highlighted, saying it affects employment prospects, income and social mobility.<sup>635</sup> Platform said it was “not surprising” that educational outcomes are affected.<sup>636</sup> Parents also highlighted concerns about the “school to prison pipeline ... 79% of young people who receive a custodial sentence had been identified with SEN.”<sup>637</sup>

**583.** Estyn also highlighted the link between well-being and educational outcomes.<sup>638</sup>

**584.** A parent shared their experiences in primary school, and how this is having a huge impact on their child’s ability to learn:

### **Case Study 11**

*“[The individual’s son] has complex processing issues amongst other things which has made attending main stream school extremely difficult. He is in year ... of primary has one to one support for 7.5 hours a week!!!! There have been horrendous behavioural issues in school to the point stays in school 20-30 mins unsupervised then has to be collected. The only way ... remains in school currently is if myself or my*

---

<sup>632</sup> Written evidence, [AEC 47 RNIB Cymru](#)

<sup>633</sup> Written evidence, [AEC 47 RNIB Cymru](#)

<sup>634</sup> [CYPE Committee, 7 June 2023, Record of Proceedings, paragraph 213](#)

<sup>635</sup> Written evidence, [AEC 35 Whizz Kidz](#)

<sup>636</sup> Written evidence, [AEC 39 Platform](#)

<sup>637</sup> Written evidence, [AEC 52 National Neurodiversity Team](#)

<sup>638</sup> Written evidence, [AEC 48 Estyn](#)

*... son go in with him, stay with him, supervise him, try to teach him and ultimately take responsibility for him*

*As it is he is segregated from his peers (literally isolated) not allowed to socialise, communicate or interact in the slightest. His educational progression in the last four years has been minimal the gap educationally between and his peers is ever widening. ... Upon investigation it appears there is very little (if any) educational provision for children with the complex brain damage my son (and other children) have. It's even harder to find out about any provision let alone access it! ...*

*This extremely poor understanding of teaching children with brain injury has created an extremely agitated, frustrated, unhappy, isolated young man who has lost all faith in the educational system and who is being penalised because his brain doesn't work the way other children's do!"<sup>639</sup>*

**585.** NDCS Cymru shared the view of parents who say they want their deaf children “to ‘thrive, not just simply cope.”<sup>640</sup>

**586.** One parent shared their daughter’s experiences and the impact it has had on all of the family:

### **Case Study 12**

*“The negative impact on mine and my daughters health and well-being has been huge. All useful information that is received or given arrives after it was needed. The process of fighting to have ALN acknowledged, recognised and met is exhausting, frustrating, stressful and unnecessary. It has taken 5 years for school to acknowledge that my daughter has ALN, just a few months before it is time for her to leave the school. They have wasted almost a third of her life by refusing to provide support which she obviously needed and persisting with the route which they chose to take. It took Local Authority involvement to force the school to look for ALN and the need for an IDP. It is too late for her to have support in school and she will have no*

---

<sup>639</sup> Written evidence, [AEC.12 Individual](#)

<sup>640</sup> Written evidence, [AEC.42 National Deaf Children's Society Cymru](#)

*qualifications from school. This is a pupil who, at one point, was forecast to get several GCSEs at A\*\*. She is leaving with nothing.”<sup>641</sup>*

**587.** Disability Wales called for changes in how the quality of education is evaluated. They said there is limited data on how children and young people:

*“... feel about the education they received, how did that person feel leaving school—did they feel prepared for adulthood? Did they feel that they got everything they could out of their school environment, even if they may not have as many qualifications as another person, and especially amongst disabled people? So, we would also like to see both of these figures around education outcomes change, but also that we expand what we see as an outcome of school or how we measure the quality of an education received.”<sup>642</sup>*

**588.** ASCL said that if children and young people are not in school that will have an impact on their outcomes.

## **Impact on parental employment and household incomes**

**589.** One of the biggest themes from all the families we spoke to, and the wider evidence we gathered, was the impact a lack of access to education and childcare has on the parents or carers ability to work. This was prevalent from the child’s birth up to the age of 16 and beyond. We heard from far too many parents and carers who had to stop working not because they wanted to, but because they had no choice. This has a huge impact on household incomes, on mental well-being, and comes at a significant cost to society (for example, we heard numerous examples of people who would be classed as key workers having to stop working).

**590.** Oxfam Cymru said that a lack of childcare is “one of the main reasons for women to be economically inactive.” They cited the differences in the proportions of women who are economically inactive because they are looking after family at 25.5% in comparison to only 6.8% of men. They shared UK wide statistics that show that “there are 492,000 children living in poverty in work-constrained families with a disabled child; 170,000 of those are in very deep poverty.”<sup>643</sup>

---

<sup>641</sup> Written evidence, [AEC.11.Individual](#)

<sup>642</sup> [CYPE Committee, 7 June 2023, Record of Proceedings, paragraph 66](#)

<sup>643</sup> Written evidence, [AEC.57.Oxfam.Cymru](#), paragraph 2.1.4 and 3.1

Disability Wales said that “about 34 per cent ... of disabled children in Wales ... live in poverty.”<sup>644</sup> Carers Trust Wales also acknowledged these higher rates of poverty and highlighted the wider impacts this can have including on children and young people’s mental health and well-being.<sup>645</sup>

**591.** We also heard that the expectations on parents and carers of these children and young people is different, with nurseries and schools expecting them to be available at any point with short notice.

*“It was as if the school didn’t think that I was employed. They expected me to look after my child when they overnight decided they couldn’t have him in the school.”<sup>646</sup>*

**592.** We were told that that these issues affect parental choice in terms of employment. The Sparkle report highlighted that parents “talk of finding jobs that fit around their family environments, rather than jobs they are qualified for or would enjoy”. They said that some of these restrictions are not faced by parents and carers of non-disabled and neurotypical children.<sup>647</sup>

**593.** SNAP Cymru said they knew of parents giving up work or being disciplined at work because of the number of times they’ve been called to go to school and pick up their child.<sup>648</sup> The Royal College of Nursing said it was important to build up skills within schools in order to undertake some medical tasks such as catheterisation so that parents and carers do not have to come into the school to do these tasks, which also singles out the child as being different.<sup>649</sup>

**594.** A stakeholder said that as an adult, you have statutory rights to be able to take time off for appointments, but there is a lack of similar rights for children or parents and carers for children and young people with needs.<sup>650</sup>

**595.** We heard that childcare needs to be reliable to support employment. Parents and carers raised concerns that playschemes, for example, are not set up for that type of reliability.<sup>651</sup> While Carers Trust Wales said that the lack of reliable childcare and education means parents and carers are worried about “need to

---

<sup>644</sup> [CYPE Committee, 7 June 2023, Record of Proceedings, paragraph 65](#)

<sup>645</sup> Written evidence, [AEC 56, Carers Trust Wales](#)

<sup>646</sup> [Children, Young People and Education Committee, Do Disabled Children and Young People have equal access to education and Childcare? Engagement Findings, March 2023](#)

<sup>647</sup> Written evidence, [AEC 36, Chair, Sparkle](#)

<sup>648</sup> [CYPE Committee, 7 June 2023, Record of Proceedings, paragraph 282](#)

<sup>649</sup> [CYPE Committee, 16 November, 2023, Record of proceedings, paragraph 92](#)

<sup>650</sup> [CYPE Committee, Stakeholder Event \(In-person\), 27 September 2023, paragraph 49](#)

<sup>651</sup> [CYPE Committee, Stakeholder Event \(In-person\), 27 September 2023, paragraphs 19](#)



always be available for their child making and keeping places for themselves impossible.”<sup>652</sup>

**596.** One parent we spoke to said that as well as losing out on current employment opportunities, it also limits future opportunities, saying that it “changes your future.”<sup>653</sup> Others highlighted that it had an impact on important things such as pensions. They highlighted that this would mean the state would have to support them for longer, and said if there had been inclusive childcare and education it would save the state money in the longer term.<sup>654</sup> While others who were able to work, have sometimes taken lower-level jobs or become self-employed in order to work around childcare and education.

*“I feel like I’m not allowed to have a career. A charity said to me “Have you thought about not working?” would they say that to my husband?”<sup>655</sup>*

**597.** Parents talked of having to stop working to look after their children, but that the wider system did not support families financially to do this. One parent told us that the need to work part-time was not understood or supported by the Department for Work and Pensions.<sup>656</sup>

**598.** Parents and carers also highlighted the mental well-being benefits of employment.<sup>657</sup>

**599.** Our previous Chair raised these issues with the then Minister for Economy during an oral statement on the Employability Plan. This was then followed up in correspondence, where we shared a summary of the relevant evidence from this inquiry and asked how the Employability Plan could seek to support parents and carers being able to secure and maintain employment.<sup>658</sup> In his response, the then Minister for Economy set out the different ways in which they were seeking to support parents and carers into employment.<sup>659</sup> Although we note much of the

---

<sup>652</sup> Written evidence, [AEC 56 Carers Trust Wales](#)

<sup>653</sup> [Children, Young People and Education Committee, School Note 2, 29 June 2023, paragraph 42](#)

<sup>654</sup> [Children, Young People and Education, Oakhill ASD Childcare focus group session, 15](#)

[September 2023, paragraphs 36-37](#)

<sup>655</sup> [Children, Young People and Education Committee, Do Disabled Children and Young People have equal access to education and Childcare? Engagement Findings, March 2023](#)

<sup>656</sup> [Children, Young People and Education, Oakhill ASD Childcare focus group session, 15](#)

[September 2023, paragraph 36](#)

<sup>657</sup> [Children, Young People and Education Committee, Sparkle Focus Group session, 15 September 2023, paragraph 66](#)

<sup>658</sup> [Letter from CYPE Committee Chair to Minister for Economy, Employability, 23 November 2023](#)

<sup>659</sup> [Letter from Minister for Economy to CYPE Committee, Chair, 10 January 2024](#)



response was focused on issues such as the Childcare Offer for Wales, the ASG, Flying Start, and the ALN Act and Code. All of which, as we detail in this report, are falling significantly short of delivering fully inclusive childcare and education options which support employment options.

## Impact on the wider family

**600.** We also heard about the impact on the wider family dynamic and well-being. A lack of inclusive childcare and education can limit the time parents and carers can spend with other children or their wider family.<sup>660</sup> We heard of the impact on non-disabled and / or neurotypical siblings who are often “missed out”. We also heard that these siblings often have to take on a caring role.<sup>661</sup> Sparkle said that:

*“Siblings may not understand why they do not receive the same level of attention, which can lead to difficult behaviours from this child, adding another layer of challenge for parents to manage.”<sup>662</sup>*

**601.** One parent said that because one of their children does not sleep, it affects the older siblings’ attendance as they cannot get them into school. This was compounded by the way the school then dealt with this. They called for more support for siblings.<sup>663</sup> A stakeholder told us that siblings are “always invisible in these conversations.”<sup>664</sup> Carers Trust Wales reported a parent saying “I’m the only one that can support my son ... that also means my other children bear the brunt of that”.<sup>665</sup>

**602.** Families talked of a wider poverty than just financial poverty, a poverty of quality of life. They said many families have no quality of life, and no respite or breaks. As children get older, this can be challenging with one parent telling us “it’s like having a baby, but they are very large!” We were told that their children may be identified as needing two-to-one or even three-to-one support, but families are expected to provide support in the house on their own. This is

---

<sup>660</sup> [Children, Young People and Education, Oakhill ASD Childcare focus group session, 15 September 2023, paragraph 17.](#)

<sup>661</sup> [Children, Young People and Education Committee, School Note 2, 29 June 2023, paragraph 41.](#)

<sup>662</sup> Written evidence, [AEC 36, Chair, Sparkle](#)

<sup>663</sup> [CYPE Committee, Visit to ASD Rainbows, 9 October 2023, paragraph 40.](#)

<sup>664</sup> [CYPE Committee, Stakeholder Event \(In-person\), 27 September 2023, paragraph 55.](#)

<sup>665</sup> Written evidence, [AEC 56, Carers Trust Wales](#)

particularly challenging for single parent families. More than once we were told that “families are being broken.”<sup>666</sup>

**603.** While respite was outside of the scope of the inquiry, it was raised. We were told that securing overnight respite can be particular difficult.<sup>667</sup> While a parent said that they could not access respite despite their child “literally screaming and trying to hurt himself twenty hours a day.”<sup>668</sup> Another parent with two children with a range of different conditions and needs also said they cannot access any respite and have been told “the waiting list is incredibly long.”<sup>669</sup>

## Our view

**604.** Children and young people need greater support across Wales. This has huge impacts on their physical and mental well-being, which can then feed into school based anxiety and avoidance, which further compounds educational inequities and affects educational outcomes. This is not their fault.

**605.** There is a real need for the whole system, Welsh Government, schools, local authorities and other key statutory service such as Health Boards to recognise this, and to understand the impact it is having. It is not OK to think that it is somebody else’s problem, or that it’s just too difficult to solve. They need to come together to solve these issues.

**606.** We hope this report plays a small part in shining a bright spotlight on these experiences, and that it acts as the much needed wake up call for public services across Wales. Enough is enough. We want to see clear action being taken as a matter of urgency. Every day we allow this to continue, children and young people are being failed, are losing out on education that cannot be easily replaced, and families are slowly being broken by a system that simple does not seem to care.

**607.** Aside from the basic humane response to these issues, it makes clear financial common sense to address them. If parents and carers cannot work, they lose out from contributing to their local economy and may be more reliant on state support. If children and young people do not get the education they deserve

---

<sup>666</sup> [Children, Young People and Education, Oakhill ASD Childcare focus group session, 15 September 2023, paragraphs 38-40](#)

<sup>667</sup> [Children, Young People and Education, Oakhill ASD Childcare focus group session, 15 September 2023, paragraph 33](#)

<sup>668</sup> Written evidence, [AEC 08, Individual](#)

<sup>669</sup> Written evidence, [AEC 34, Individual](#)

that can have a life-long impact on their employment and earning potential throughout their lives.

**608.** We are also very mindful of reports such as that of the Equality and Social Justice Committee which showed that there is an over-representation of young people with communications challenges in the criminal justice system. 60% of children and young people in the criminal justice system have speech, language or communication difficulties, compared with 10% for children and young people as a whole.<sup>670</sup>

**609.** We have been taken aback by the power and consistency of the experiences families shared. While their individual circumstances and experiences are different and unique, they all share one consistent message: that everything is a battle and a fight. This has huge impacts on mental well-being. We have been told shocking stories of where people have been pushed as result of the pressures.

**610.** We fear this is only the tip of the iceberg. We know that engaging with work like ours involves having the mental headspace to do it. For many families, they may have wanted to be involved but simply couldn't because it's just another thing to do on the end of an insurmountable daily list. Or they did not wish to go over traumatic and difficult experiences.

**611.** Respite can help mitigate some of the impacts on the wider family, as well as giving the child or young person the opportunity to have positive experiences outside of the home. It is important both for the child and their wider family's mental well-being. Yet it can be incredibly difficult for families to access this. While it was outside of the scope of this inquiry, we felt it was important to raise this as issue that merits further consideration.

**612.** We believe that if all the recommendations in our report are fully implemented, these would take some big steps in terms of addressing the lack of inclusive childcare and education which leads to these significant impacts on children, young people and their families.

---

<sup>670</sup> [Equality and Social Justice Committee, 60% - Giving them a voice. Speech, language and communication needs in the youth justice system. April 2023](#)

## 7. What are the barriers to providing inclusive provision?

There are a wide range of barriers to inclusive provision. While we have identified some of these throughout the report, issues such as support from local authorities, and other professionals are not currently working as well as they could.

### Support from local authorities

**614.** The British Psychological Society noted that support from both local authorities and schools will differ across Wales, but those that are more successful are “integrated with communities, third sector and health services.”<sup>671</sup> While Oxfam Cymru said that different approaches creates a “patchwork of services” that can cause inequalities between different local authorities. They called for an “unified approach” which would “standardize service delivery, reducing inequalities and ensuring that individuals receive consistent and fair access to services, regardless of where they live.”<sup>672</sup>

**615.** UCAC said:

*“... questions arise about the provision that is offered by the authorities, and great questions then arise in terms of consistency between authorities, and in terms of the authorities’ abilities, whether that be elective or not, to provide for all the needs and in terms of the expertise required.”<sup>673</sup>*

**616.** A lot of the families we spoke to directly both as part of our citizen engagement activity but also during visits, talked of a general lack of trust in the local authority. Families repeatedly described feeling gaslighted or being blamed. Heledd Fychan MS asked parents whether they felt they got “effective information

---

<sup>671</sup> Written evidence, [AEC 58 British Psychological Society](#)

<sup>672</sup> Written evidence, [AEC 57 Oxfam Cymru](#), paragraph 4.5

<sup>673</sup> [CYPE Committee, 25 October 2023, Record of Proceedings, paragraph 207](#)

and support” from both local authorities and schools. 74.3% said “not at all”, 23% said some of the time, and only 2.7% responded completely.<sup>674</sup>

**617.** Parents told us that they sometimes felt that their local authority was not always being truthful. Other issues which undermined relationships between local authorities and families included meetings being held without consideration for individual family’s feelings or with insufficient preparation time. This meant families felt caught off guard, pressured and sometimes intimidated into agreeing with professionals because of a lack of knowledge about alternative choices.<sup>675</sup> One parent said the biggest barrier their child faced in securing their education was the local authority. They were concerned that local authority staff were not sufficiently aware of disabilities.<sup>676</sup>

**618.** This was also a theme in the responses Heledd Fychan MS received, saying that all mentions of a local authority were in “a negative context”. One parent cited having to wait from Year 1 until Year 6 to get an “appropriate referral to neurodevelopmental services.”<sup>677</sup>

**619.** One parent described the system of accessing support to us as “You feel like you are playing a game but no one explains the rules to you.”<sup>678</sup> Another family said:

*“The hardest part of this journey without doubt has been the fight to get our son seen by professionals and the support he needs in school. We knew it was very likely our son would need a specialist provision and we applied for a statement which was rejected by the local authority. We then hired a legal advocate to help guide us through the statement process and our son was awarded a statement a few months later after a long and stressful process. We had to pay for independent professional reports to identify our sons needs as detailed*

---

<sup>674</sup> Written evidence, [AEC 78 Heledd Fychan MS. A Continuous Battle. Experiences of families of neuro divergent children and young people requiring Additional Learning Provision in South Wales Central](#)

<sup>675</sup> [Children, Young People and Education Committee. Do Disabled Children and Young People have equal access to education and Childcare? Engagement Findings. March 2023](#)

<sup>676</sup> [Children, Young People and Education Committee. Sparkle Focus Group session, 15 September 2023, paragraph 36](#)

<sup>677</sup> Written evidence, [AEC 78 Heledd Fychan MS. A Continuous Battle. Experiences of families of neuro divergent children and young people requiring Additional Learning Provision in South Wales Central](#)

<sup>678</sup> [Children, Young People and Education Committee. Do Disabled Children and Young People have equal access to education and Childcare? Engagement Findings. March 2023](#)

*speech and occupational therapy assessments were not carried out by the local authority as part of the statement process. It is without a doubt the most stressful experience I have been through and I ended up being very poorly as a result from it.”<sup>679</sup>*

**620.** A parent with multiple children with diverse needs expressed minimal trust in their local authority. They said their views were disregarded, and that professionals were not considering their child’s needs.<sup>680</sup> Other parents called for local authorities to be more open to feedback.<sup>681</sup> While one parent talked of “mysterious criteria” that are used, with no clear rationale on decisions that are made. There were also concerns that decisions are made without full assessments or detailed discussions with the child or young person or their family.<sup>682</sup> Others raised concerns about how far removed decision makers are from the child and the family, echoing the fact that the child’s voice is often not heard in decision making structures.<sup>683</sup>

**621.** A parent raised concerns that the route for diagnosis was through the school. Yet for reasons such as children and young people being absent or masking when in school, schools do not think there is an issue. They said it was “not unusual for schools to think the problem is with the parents and their ability to parent. Relationships between parents and schools are regularly fractured and very difficult to repair.”<sup>684</sup> For clarity, the ALN Act does not place a duty on health boards to consider requests either for information or support from schools, only from local authorities. While schools can put in requests to a Health Board, and the NHS says it does try to respond to these, the ALN Act itself does not provide any process for this. We look at the ALN Act and Code in Chapter 5.

**622.** The Children’s Commissioner said that it can be “very challenging” for families “who disagree with the professionals’ assessment of suitability of a school or provision.” Her office receives a “lot of casework” when there is a disagreement between families and local authorities. She said that there is insufficient support

---

<sup>679</sup> Written evidence, [AEC 65 Individual](#)

<sup>680</sup> [Children, Young People and Education Committee, Do Disabled Children and Young People have equal access to education and Childcare? Engagement Findings, March 2023](#)

<sup>681</sup> [Children, Young People and Education, Oakhill ASD Childcare focus group session, 15 September 2023, paragraph 34](#)

<sup>682</sup> [Children, Young People and Education, Oakhill ASD Childcare focus group session, 15 September 2023, paragraphs 32](#)

<sup>683</sup> [Children, Young People and Education Committee, Sparkle Focus Group session, 15 September 2023, paragraph 8](#)

<sup>684</sup> Written evidence, [AEC 52 National Neurodiversity Team](#)



for families in these instances.<sup>685</sup> While Disability Wales said that when a child was denied support, the family was not told about the appeal process.<sup>686</sup> SNAP Cymru also had concerns about children, young people and their families being aware of their rights.<sup>687</sup>

**623.** Other issues included concerns that decisions were being driven by financial factors rather than the needs of the child:

*"I kept thinking, I don't know whether you are saying this because you've got my daughter's best interest at heart or whether there's another agenda."<sup>688</sup>*

**624.** Some parents highlighted the sheer amount and complexity of paperwork that has to be constantly completed. We were told that the nature of the forms, often means having to talk about their children in very negative terms. One parent described how this "deficit approach has a high psychological impact on all involved."<sup>689</sup> Parents wanted to see a reduction in bureaucracy which would free up time to spend with their children. They also wanted to see improved coordination between services.<sup>690</sup>

**625.** At one special school, we were told that only 18% of their families have access to a social worker. They said this means they can lose out on additional support.<sup>691</sup> Talking to parents at the same school, we were told that an inclusive play scheme is available in their local authority, but that because referrals are usually made by social services, most parents are not aware of it, because they do not have a social worker.<sup>692</sup> At another school, parents said the headteacher had provided advice on issues such as social worker access and direct payments.<sup>693</sup>

**626.** We were told that families are falling apart because of a lack of support, one parent said it was the "luck of the draw" as to who got support. Another parent told us that even for those who do get social services support, it can be patchy,

---

<sup>685</sup> [CYPE Committee, 18 May 2023, Record of Proceedings, paragraph 75](#)

<sup>686</sup> [CYPE Committee, 7 June 2023, Record of Proceedings, paragraph 76](#)

<sup>687</sup> [CYPE Committee, 7 June 2023, Record of Proceedings, paragraph 222](#)

<sup>688</sup> [Children, Young People and Education Committee, Do Disabled Children and Young People have equal access to education and Childcare? Engagement Findings, March 2023](#)

<sup>689</sup> Written evidence, [AEC 79 Individual](#)

<sup>690</sup> [Children, Young People and Education, Oakhill ASD Childcare focus group session, 15 September 2023, paragraph 34](#)

<sup>691</sup> [Children, Young People and Education Committee, School Note 2, 29 June 2023, paragraph 17](#)

<sup>692</sup> [Children, Young People and Education Committee, School Note 2, 29 June 2023, paragraph 31](#)

<sup>693</sup> [Children, Young People and Education Committee, School Note 3, 29 June 2023, paragraph 13](#)



telling us that they were told by a social worker that they “were disabling their child” by claiming social work support was needed.<sup>694</sup>

**627.** We also heard that once support was in place there are no guarantees it will remain in place. One Mum described how support was increased following the sudden death of their husband, yet, within six months the local authority wanted to roll back. They spent 18 months fighting to retain the care package. Shortly after there had been agreement to retain the care package, they were told that the care package would be reviewed again.<sup>695</sup>

**628.** Issues with navigating the tribunal process were raised. A parent described this as the most stressful experience of their life.<sup>696</sup> Others highlighted that the amount of money being spent on tribunals by local authorities could be redirected and spent on support for children and young people. It was highlighted that 70% of tribunals are successful.<sup>697</sup>

**629.** ADEW said that the Educational Tribunal for Wales has highlighted an increase in disability discrimination cases. These relate to issues such as reduced timetables, and exclusions.<sup>698</sup>

**630.** One family described a local authority refusing to accept a private diagnosis which the family had got because of the long NHS waiting lists. The case went to tribunal, costing the family £17,000 which they financed through re-mortgaging their house. The tribunal was successful, but the family questioned why it had to go to tribunal in the first place. They said that the doctor who had done the private assessment, was the same doctor who would have done the NHS assessment.<sup>699</sup>

**631.** One parent described their own experience of securing “good access to education” which they were able to secure, but only after going through the tribunal process and having to “sort it out ourselves”:

---

<sup>694</sup> [Children, Young People and Education, Oakhill ASD Childcare focus group session, 15 September 2023, paragraph 31](#)

<sup>695</sup> [Written evidence, AEC 79 Individual](#)

<sup>696</sup> [Children, Young People and Education Committee, Do Disabled Children and Young People have equal access to education and Childcare? Engagement Findings, March 2023](#)

<sup>697</sup> [Children, Young People and Education Committee, Sparkle Focus Group session, 15 September 2023, paragraph 35 and 37](#)

<sup>698</sup> [CYPE Committee, 25 October 2023, Record of Proceedings, paragraph 102](#)

<sup>699</sup> [Children, Young People and Education Committee, Sparkle Focus Group session, 15 September 2023, paragraph 35 and 37](#)

*“... .. the approach from the LA was to have him well supported in nursery but did not place the equivalent support as he entered full time school - he had to fail first. We were caught in the middle of a bun fight between the school who felt the [sic] couldn't resource his needs and the LA who insisted that they should from their delegated budget. We withdrew him and after tribunal sourced our own education at home whilst keeping a close daily relationship with the school. It was hard hard work and stopped me from returning to work ... I've had to work hard to maintain relationships with the school and LA. It's been exhausting. We are now in the secondary phase of his education and the home programme was no longer sustainable and we opted for a specialist out of count [sic] setting, finally agreeing this with the LA after many many months. The current system is not resourced for children with complex ALN and ultimately we are displaced from our communities in order to get an accessible education.”<sup>700</sup>*

**632.** The challenges of trying to access this support whilst also supporting the family was raised:

*“The questions on educational assessment are very open and when you are dealing with the day-to-day stress of supporting two disabled children, particularly one with a life-threatening illness and another that can be very unpredictable you don't have the headspace to “blue sky” think about it. And you are threatened with “if it's not in this paper then it won't be addressed”<sup>701</sup>*

**633.** NEU also highlighted the challenges of navigating the tribunal system, while also coping with the additional pressures that come from supporting children and young people. They said it's “quite an adversarial system” which requires “extra effort and energy.”<sup>702</sup>

**634.** The then Minister for Education and Welsh Language said that when decisions are made, local authorities have to be “transparent” and communicate it

---

<sup>700</sup> Written evidence, [AEC 55 Swansea Parent Carer Forum](#)

<sup>701</sup> [Children, Young People and Education Committee, Do Disabled Children and Young People have equal access to education and Childcare? Engagement Findings, March 2023](#)

<sup>702</sup> [CYPE Committee, 25 October 2023, Record of Proceedings, paragraph 231](#)

in a “timely way” and include information on routes for appeal. He said recent research has show than this is happening inconsistently, and that there is a “lack of understanding” about the need for this to be done in a way that is “clear and accessible and timely.”<sup>703</sup>

## Wider support from other professions

**635.** Fair Treatment for the Women of Wales highlighted that some groups of children and young people will face particular barriers to accessing support, which can led to delayed access, as well as compounding trauma and further disability. They highlighted that groups particularly likely to face additional barriers were “girls and women who are black or of an ethnic minority background, are disabled, and have experience of socio-economic deprivation” along with those who “diagnosed as autistic or having ADHD”.<sup>704</sup>

**636.** We heard of the challenges of schools receiving support from outside bodies. Estyn highlighted this<sup>705</sup> and it was also raised during our visits to schools. A special school told us that they have no speech and language therapist, and occupational therapists rarely come. They said one of the challenges is a lack of specialists, and that this is the case for both Welsh and English speaking specialists. A particular challenge is the lack of trained sensory processing disorder specialists in their area, despite a rise in the number of children and young people with these types of disorders. They have had to buy-in this specialist support from England.<sup>706</sup> UCAC raised concerns about a lack of Welsh medium support in areas such as speech and language therapy, and educational psychology.<sup>707</sup>

**637.** Another school highlighted this, calling for more co-ordination between education and health. They wanted to be able to access therapeutic interventions more regularly, such as music and occupational therapy. They were unable to access Occupational Therapy through the local authority, so have funded an independent Occupational Therapist. They said that referrals rarely meet the Health Board’s criteria despite the level of complex needs.<sup>708</sup>

---

<sup>703</sup> [CYPE Committee, 29 November 2023, Record of Proceedings, paragraph 115](#)

<sup>704</sup> Written evidence, [AEC 50, Fair Treatment for the Women of Wales](#)

<sup>705</sup> Written evidence, [AEC 48, Estyn](#)

<sup>706</sup> [Children, Young People and Education Committee, School Note 4, 28 September 2023, paragraphs 46-49](#)

<sup>707</sup> [CYPE Committee, 25 October 2023, Record of Proceedings, paragraph 235](#)

<sup>708</sup> [Children, Young People and Education Committee, School Note 5, 4 December 2023, paragraph 15](#)

**638.** An allied health professional who is also a parent of a disabled child called for improved co-ordination too. They said improved co-ordination between “Occupational Therapists, Physiotherapists, Speech and Language Therapists and Psychologists within the school setting” would help improve education access.<sup>709</sup> While an academic also highlighted “disjointed” services.<sup>710</sup> But we also heard of good practice:

**Good practice example 5**

*“... in Neath Port Talbot ... they've got this fantastic consultancy service where OTs and other professionals are almost giving, like, supervision to teachers. So, a teacher might come and they might have got a child who is neurodiverse or has got sensory issues, and the OT and other professionals then will support the teacher, and the teacher in the school can support that.”<sup>711</sup>*

**Good practice example 6**

*“In the local authority that I work with, we have a multi-agency playgroup, where OTs, speech and language, educational psychologists and portage are all involved in getting to know families from a really young age—15 months and upwards—and the focus on that is providing support there on what's needed. And, often, families will say that they just want to share that with someone and for someone to reassure them along the way a lot of the time. So, even when there are some more complex needs, or support that might be required later on, a lot of the things that we do that are most helpful are around listening and having that reassuring role as well. I don't think there's enough emphasis placed on that level of support that they find so massively beneficial. And, then, obviously, that information, and that sharing of that communication, has already had a journey far before school for those children*

**Good practice example 7**

*“... The Communication Intervention Team (ComIT) is a long-established service within the Sensory and Communication Support*

---

<sup>709</sup> Written evidence, [AEC.74.Individual](#)

<sup>710</sup> Written evidence, [AEC.25.Amy.Griffiths](#)

<sup>711</sup> [CYPE Committee, 16 November, 2023, Record of proceedings, paragraph 57](#)

*Service set up for children with SLCN in the 5 local authorities in Gwent. ComIT aims to meet the additional needs of children and young people with a non-clinical diagnosis and primary need of Speech, Language and Communication when that need is severely impacting on the child's learning. ... team can work individually or with groups of children.*"<sup>712</sup>

### **Good practice example 8**

*"... Cardiff and Vale University Health Board have recently restarted their joint referral process with Cardiff Local Authority Speech, Language and Communication team. Under the new system, Cardiff mainstream schools will make a referral which will be jointly triaged by speech and language therapy and SLCN leads in the local authorities who will then decide which team is best placed to provide the support that is needed."*<sup>713</sup>

**639.** The British Psychological Society felt that with the right sort of collaboration and tailoring of services, some support and capacity could be freed up.

*"... We've got some children that are being referred for support across a number of different professionals, all at the same time, which takes up quite a lot of resources. It might not be that they need all of those people at the same time either. So, it's really trying to think around what is right at the right time.*

*And we've got wonderful things in Wales like the NEST framework, which really tries to embrace and to share that. I think one of the biggest barriers at the moment is, actually, our thinking around it when we're thinking more around what individual support means. If we, maybe, aren't feeling that systemic, shared support is the way to go, then that's going to impact on things as well. So, we all need to be working with the same vision and the same goals and collaborating in that way, rather than having separate goals as well."*<sup>714</sup>

---

<sup>712</sup> Written evidence, [AEC 45 Royal College of Speech and Language Therapists](#), paragraph 17

<sup>713</sup> Written evidence, [AEC 45 Royal College of Speech and Language Therapists](#), paragraph 17

<sup>714</sup> [CYPE Committee, 16 November, 2023, Record of proceedings, paragraphs 61-62](#)

**640.** However, a lack of coordination between services was raised repeatedly. This is compounded by differences in criteria amongst local authorities, schools, other statutory bodies and charities, alongside confusing funding streams. We were also told that families often feel passed from one organisation to another, which makes it difficult to understand who is responsible.<sup>715</sup> The British Psychological Society said that in order to improve access there is an urgent need for greater joining up between “education, health, communities, and social care”. This, they say, will mean that different services are sharing the same language, terminology and are seeing “things in the same light.”

*“Fragmentation between or within organisations weakens the opportunities to build capacity and creativity to support children and families.”<sup>716</sup>*

**641.** In terms of sharing information, the Royal College of Nursing said that within specialised settings, this works effectively, but it is more difficult in mainstream settings where there are more distant working relationships and fewer connections. Bridging this gap in these settings can be “more challenging.”<sup>717</sup>

**642.** The need for a ‘No Wrong Door’ approach has been highlighted by the Children’s Commissioner in two reports, one in 2020<sup>718</sup>, and a follow up report in 2022.<sup>719</sup>

**643.** We also heard that the timeframes between different support services are not aligned. One parent described how an educational psychologist needed to feed into the IDP, but that this assessment could not happen until the June before the child started school in the September. This meant the school had 45 days to create the IDP, but the “clock stopped at the summer holidays”. They said if they had not been working with the school for the previous year, their child would not have been able to start until the October. While they acknowledged that children’s development does change rapidly, they felt these types of alignments needed to be looked at.<sup>720</sup> While the Royal College of Speech and

---

<sup>715</sup> Children, Young People and Education Committee, Sparkle Focus Group session, 15 September 2023, paragraph 8

<sup>716</sup> Written evidence, AEC 58 British Psychological Society

<sup>717</sup> CYPE Committee, 16 November, 2023, Record of proceedings, paragraph 52

<sup>718</sup> Children’s Commissioner for Wales, No Wrong Door: bringing services together to meet children’s needs, June 2020

<sup>719</sup> Children’s Commissioner for Wales, Making Wales a No Wrong Door Nation – how are we doing? February 2022

<sup>720</sup> Children, Young People and Education Committee, Sparkle Focus Group session, 15 September 2023, paragraph 53



Language Therapists also raised similar concerns, saying any delays can lead to children, young people and their families finding out “extremely late” where they are going, which can “affect transition preparation.”<sup>721</sup>

**644.** The Royal College of Paediatrics and Child Health said that there are lots of bottlenecks in the system, compounded by lack of a “single access point” which “funnel to the right place”. They said this is something that they are trying to break down. They highlighted good practice in Aneurin Bevan Health Board where there is streamlining of physical and mental health services “with lots of different interfaces that prioritise need according to what the parent and the patient are able to engage with.” They also highlighted North Wales practice where there is an:

*“... in-reach teacher who might be based in a hospital who understands the relationships then with schools who would then identify what the problem is, be able to communicate the health needs then to the school in a way that it is possible to engage.”*

Although they acknowledged that model would likely work best where there is a lower density of population, rather than more urban settings.<sup>722</sup>

**645.** The Royal College of Speech and Language Therapists said their members were “concerned” that the increase in demand from special schools and specialist placements has not been met with an increase in the health time provision set aside to support these increases.<sup>723</sup>

**646.** While the British Psychological Society called for a review into the current number of educational psychologists trained and employed in Wales. They said there was a need for an increase in the numbers employed by local authorities “to enable a systemic change through our involvement and collaboration with many professionals, for a wide range of children.”<sup>724</sup> Carers Trust Wales highlighted a case where a child needed an educational psychologist assessment, but the school:

*“... had used up its total number of “slots” with the educational psychologist that year based on the service level agreement in*

---

<sup>721</sup> Written evidence, [AEC 45 Royal College of Speech and Language Therapists](#), paragraph 19

<sup>722</sup> [CYPE Committee, 16 November 2023, Record of Proceedings, paragraph 219](#)

<sup>723</sup> Written evidence, [AEC 45 Royal College of Speech and Language Therapists](#), paragraph 2

<sup>724</sup> Written evidence, [AEC 58 British Psychological Society](#)



*place. Other children with more significant or obvious needs had been prioritised. No budget was available for an additional number of consultations for the school with an educational psychologist.”<sup>725</sup>*

**647.** The Royal College of Nursing Wales highlighted that, in 2018, the Welsh Government recognised there was a shortage of learning disability nurses in special schools, while mainstream schools had a lack of access to such nurses. They also said this issue “persists in 2023” and called for “more school nursing posts should be filled by learning disability nurses.” They called for the Welsh Government to increase the numbers of learning disability nurses that are trained annually.<sup>726</sup>

**648.** Families told us that access to speech and language therapists and occupational therapists would help improve accessibility and education inclusion. We heard of a lack of specialists across Wales. A parent said to us:

*“I feel like the speech and language provision is lacking and education and health keep throwing it back and forth as to who is responsible for this”<sup>727</sup>*

The Royal College of Speech and Language Therapists said there have been consistent concerns made about workforce planning for speech and language therapists. They said “there are less SLTs per head of the population in Wales than any other part of the United Kingdom.” They called for “sustained increases in commissioning numbers”.<sup>728</sup>

**649.** The Royal College of Occupational Therapists shared the findings from a survey of 34 occupational therapists, which said that 59% felt they “were unable to provide the level and type of OT children need to help them access education ...”<sup>729</sup>

**650.** We were told by a number of stakeholders of the important role health visitors can play. The Royal College of Paediatrics and Child Health said:

---

<sup>725</sup> Written evidence, [AEC 56 Carers Trust Wales](#)

<sup>726</sup> Written evidence, [AEC 73 Royal College of Nursing Wales](#)

<sup>727</sup> [Children, Young People and Education Committee, Do Disabled Children and Young People have equal access to education and childcare? Engagement Findings, March 2023](#)

<sup>728</sup> Written evidence, [AEC 45 Royal College of Speech and Language Therapists](#), paragraph 16

<sup>729</sup> Written evidence, [AEC 30 Royal College of Occupational Therapists](#)

*“But it speaks also to the fact that if we had more health visitors, if we had better preschool support, then we would be starting to create those plans and that communication would naturally follow on. So, I think there's an opportunity there, for sure.”<sup>730</sup>*

**651.** We also heard numerous examples of families feeling that the support they were accessing was inadequate. Either because the interventions being provided were unsafe or did not fully meet the child’s needs, or because assessments were made, but then not followed through with the relevant referrals or equipment.<sup>731</sup>

**652.** Another critical issue is that children and young people have access to specialist equipment that can support them in childcare and education. There are concerns about the delays in them getting the right equipment or adaptations. Barriers can include lack of funding or resources; or complex administration, procurement or commissioning processes. We heard that when a child has specialist equipment in an early years setting, it will not automatically follow the child to a different setting or into school. The Royal College of Occupational Therapists said that some areas had:

*“... partnership agreements across health and education are in place for the purchase and recycling of equipment to help children and young people access nurseries and schools. This isn't consistent across Wales.”<sup>732</sup>*

**653.** Whizz Kidz highlighted that “many young wheelchair users” do not have NHS mobility equipment which meets their needs or supports independence. They said this was because of “strict and inflexible criteria”.<sup>733</sup>

**654.** The Welsh Government told us that they provided £2.6 million between 2022 and 2025 to train new educational psychologists. Those who go through this training “must spend the first two years of their career working for local authorities in Wales.”<sup>734</sup>

---

<sup>730</sup> [CYPE Committee, 16 November 2023, Record of Proceedings, paragraph 278](#)

<sup>731</sup> [Children, Young People and Education Committee, Do Disabled Children and Young People have equal access to education and Childcare? Engagement Findings, March 2023](#)

<sup>732</sup> Written evidence, [AEC 30 Royal College of Occupational Therapists](#)

<sup>733</sup> Written evidence, [AEC 35 Whizz Kidz](#)

<sup>734</sup> Written evidence, [AEC 77 Welsh Government](#), paragraph 6.3

## Waiting times for assessments and support

**655.** The waiting times for assessment, diagnosis and support were a recurring issue from everybody. We heard that there have been increases in demand on services in recent years. The British Psychological Society said that this was partly “because of the pandemic and/or due to the increasing needs of society and communities.” They were particularly alarmed by the “increase in the number of very young children ... with complex ‘challenging behaviour’.” They said that “schools aren’t equipped to deal with this rise.”<sup>735</sup>

**656.** The Royal College of Paediatrics and Child Health said:

*“... Obtaining a diagnosis can be a complex and time-consuming process which is often delayed. This is in part due to professional capacity, lack of resources and guidance and more recently the Covid-19 impact. Even getting onto a waiting list can prove challenging in itself. So what support and protection is provided for a child or young person in the interim.”<sup>736</sup>*

**657.** We were told that waiting times for initial neurodevelopmental assessments “regularly fail to hit the government-set wait target of 26 weeks.” These waits can be up to twenty four months.<sup>737</sup> While the Royal College of Paediatrics and Child Health said that waiting times for autism and ADHD assessments can range “between 47 weeks to 166 weeks across Wales.”<sup>738</sup>

**658.** Many families told us they had a long wait to get NHS support, and some had gone private to access support more quickly. However, this could be expensive, and is not open to all families. One family said they would have been in crisis if they had waited the 18 months for NHS treatment, while another described having to pay £650 for a dyslexia assessment which “took ages to be able to afford it.”<sup>739</sup> Another told us they had to take out loans to get treatment for their child for compacted ears which was causing “extreme pain”.<sup>740</sup>

---

<sup>735</sup> Written evidence, [AEC 58 British Psychological Society](#)

<sup>736</sup> Written evidence, [AEC 49 Royal College of Paediatrics and Child Health](#)

<sup>737</sup> Written evidence, [AEC 25 Amy Griffiths](#)

<sup>738</sup> Written evidence, [AEC 49 Royal College of Paediatrics and Child Health](#)

<sup>739</sup> [Children, Young People and Education Committee, Do Disabled Children and Young People have equal access to education and childcare? Engagement Findings, March 2023](#)

<sup>740</sup> Written evidence, [AEC 31 Individual](#)

**659.** Accessing private support also often meant accessing a range of different professional advice, which increases the cost. A parent told us that this would likely cost £6,000 in total in order to secure a diagnosis.<sup>741</sup>

**660.** Some parents felt that because they had a prenatal diagnosis, they might have had more ready access to support once the child was born, but access throughout a child's educational journey was not always a forgone conclusion.<sup>742</sup> While the British Psychological Society said that families can find that a "diagnosis is not the panacea they had hoped" because a diagnosis just confirms what they already know, and does not provide the "additional support" that is needed.<sup>743</sup>

**661.** One parent described the impact of waiting for assessments:

### **Case study 13**

*"... if we are being told that early intervention is crucial to our children, then why are we not getting it? 30-36 months wait to see Neuro Development, that's bad yes, but don't forget that getting that referral is also long and hard, doing all the Soggs, nursery nurse, talk and play etc, that's at least 9-12 months, all the time knowing you are years away from that diagnosis, that takes its toll. It's like a heavy bag that you carry around all the time, and in that bag there's a whole weight of worry, that your child isn't getting that vital correct, child centred support and early intervention that they need and should be getting at that point you are highlighting concern, not 4 years later."<sup>744</sup>*

**662.** The Children's Commissioner said that families feel "in limbo" while waiting for a diagnosis, and that there can be waits "from as young as six months having intervention, but having to wait until they're seven to have a piece of paper to confirm their condition."<sup>745</sup> While the EHRC said most of those waiting for assessments are in mainstream settings with needs not being met until that

---

<sup>741</sup> Children, Young People and Education Committee, Sparkle Focus Group session, 15 September 2023, paragraph 33

<sup>742</sup> Children, Young People and Education Committee, Do Disabled Children and Young People have equal access to education and childcare? Engagement Findings, March 2023

<sup>743</sup> Written evidence, AEC 58, British Psychological Society

<sup>744</sup> Written evidence, AEC 70, Individual

<sup>745</sup> CYPE Committee, 18 May 2023, Record of Proceedings, paragraphs 63- 65

assessment is done.<sup>746</sup> An issue raised by others, including the British Psychological Society.<sup>747</sup>

**663.** One family described how they are unable to access other healthcare support while waiting for an assessment:

**Case study 14**

*“Despite my g.p repeatedly writing to CAHMS asking them to take my daughter as she suffers with anxiety/depression (mostly due to her struggles navigating school) and her behaviour is very violent at home and threatens to hurt herself and saying she does not want to live anymore CAHMS will not accept her as she is on the waiting list for assessment. The g.p also wrote to CAHMS to request they prescribe my daughter melatonin as g.ps cannot prescribe it as she does not sleep well and it is affecting her school but this also got refused as she is on the waiting list for assessment.”<sup>748</sup>*

**664.** The Royal College of Paediatrics and Child Health said that it was “imperative” that when children and young people are waiting for assessments that “evidence based interventions and support are put in place.” This support should empower children and young people “towards autonomy, independence and agency ... ensuring the individual and their families and carers understand their options and how to navigate appropriate services.”<sup>749</sup>

**665.** The Royal College of Occupational Therapists said:

*“There's still this linear process within our services that say, 'You've got to go there and you've got to end up there', and when you get your assessment you get, 'No, it's needs based. It's what matters to the child; needs based.' And you can't wait to intervene with a child, you can't wait for them to be on a waiting list for a long time, so that needs-based approach is paramount.”<sup>750</sup>*

---

<sup>746</sup> [CYPE Committee, 18 May 2023, Record of Proceedings, paragraph 136](#)

<sup>747</sup> [Written evidence, AEC 58, British Psychological Society](#)

<sup>748</sup> [Written evidence, AEC 10, Individual](#)

<sup>749</sup> [Written evidence, AEC 49, Royal College of Paediatrics and Child Health](#)

<sup>750</sup> [CYPE Committee, 16 November, 2023, Record of proceedings, paragraph 126](#)

**666.** The British Psychological Society called for earlier advice and support to be available “without the need for a ‘referral’ or ‘label’”. They said mental health support had to be child and needs led, not diagnosis led, and tailored to the child’s individual needs.<sup>751</sup>

**667.** While some parents told us that schools made allowances or provided support before a diagnosis, we heard that without a formal diagnosis there was a limit to the support that could be offered. Although for most families a lack of diagnosis meant no support being provided. One parent said their child could not access one-to-one support pre diagnosis “despite there being an identified need.”<sup>752</sup>

**668.** This can also be complicated by the fact that sometimes the school needs to instigate the process for getting a diagnosis, and some parents said their children masked at school. Families were very aware of the impact these long delays were having on their children’s education:

*“Just waiting for the support that he now has to be in place has taken so long and he’s missed out on so much, he’s encountered some tough times and it’s made education negative for him. He talks about not waiting to be alive any more, and when you hear your ten-year-old son saying that it breaks your heart.”<sup>753</sup>*

**669.** Some of the waiting times we heard about were shocking. In Heledd Fychan MS’s survey, waiting times of between two and four years were cited.<sup>754</sup> One family told us their child will leave school before they get a diagnosis.<sup>755</sup> Another described a wait of seven years to get an ASD diagnosis, and three years for another child.<sup>756</sup> Another went private because the waiting time for speech and language therapy for their child who was not talking would be two years.<sup>757</sup>

---

<sup>751</sup> Written evidence, [AEC 58 British Psychological Society](#)

<sup>752</sup> Written evidence, [AEC 63 Individual](#)

<sup>753</sup> [Children, Young People and Education Committee, Do Disabled Children and Young People have equal access to education and Childcare? Engagement Findings, March 2023](#)

<sup>754</sup> Written evidence, [AEC 78 Heledd Fychan MS, A Continuous Battle, Experiences of families of neuro divergent children and young people requiring Additional Learning Provision in South Wales Central](#)

<sup>755</sup> [Children, Young People and Education Committee, Do Disabled Children and Young People have equal access to education and Childcare? Engagement Findings, March 2023](#)

<sup>756</sup> [Children, Young People and Education Committee, Sparkle Focus Group session, 15 September 2023, paragraph 55](#)

<sup>757</sup> Written evidence, [AEC 31 Individual](#)



**670.** The British Psychological Society called for more work to be done while families are waiting for diagnosis or support:

*“For those children and families waiting for an ALN diagnosis or support, communities should be set up to provide activities such as playgroups, to help build stronger networks and build a child’s confidence. There should be better signposting to existing support networks provided by community groups and local and national charities. We would also like to see best practice in early detection and intervention being adopted in schools and communities more widely across Wales, and to encourage multi-agency working and wider collaboration.”<sup>758</sup>*

**671.** Fair Treatment for the Women of Wales raised concerns about the “inequity” in terms of diagnosis for “neurodivergent girls, with diagnostic models and interventions based on the ‘typical’ male model.” This can result in delays in diagnosis and then in support being put in place. They said that they will often “experience misdiagnoses, often of mental health conditions / psychiatric disorders, resulting in inadequate care and deteriorating well-being.”<sup>759</sup>

**672.** The then Deputy Minister for Social Services said that support should not be dependent on a diagnosis. She said that she had a “neurodivergence ministerial advisory group, led by neurodivergent people, who are coming forward to help with a programme of how we can address this issue.” She accepted it was a growing issue, and that the shift had to be made away from diagnosis.<sup>760</sup>

## Our view

### Support from local authorities

---

**673.** It was incredibly disappointing to hear from so many families that they did not feel supported by local authorities. In fact, for many, they feel that the local authority was actually blocking support. Although when we reflect on the evidence we took from local authority representatives, we noted a surprising disconnect from the picture they described, compared to the experiences we have heard directly from families and other professionals.

---

<sup>758</sup> Written evidence, [AEC 58 British Psychological Society](#)

<sup>759</sup> Written evidence, [AEC 50 Fair Treatment for the Women of Wales](#)

<sup>760</sup> [CYPE Committee, 29 November 2023, Record of Proceedings, paragraph 111.](#)



**674.** The importance of listening and meaningfully engaging with children, young people and their families is essential in terms of ensuring a constructive relationship between them, the school and the local authority. We look at this issue in more detail in the next Chapter.

**675.** We believe that implementation of Recommendation 14, Recommendation 15 and Recommendation 16 will help address some of the issues we have raised in relation to support from local authorities.

### **Wider support from other professionals**

---

**676.** While funding and resources are clearly having an impact on how health professionals can support children and young people to access childcare and education, it is clearly not the only story. We heard clearly that there are opportunities to reduce the bureaucracy and improve systems to enable a more responsive and child centred system. There are already examples of good practice, and more needs to be done to ensure these are replicated more widely. We have also seen some progress in relation to implementing a No Wrong Door approach, as advocated by the Children's Commissioner, but we are still some way away from full implementation.

**Recommendation 24.** The Welsh Government undertakes further work to ensure a streamlining of services to deliver fully on a no wrong door approach across all public services, but with particular reference to the interaction between health and education services. This work should identify the barriers to effective coordination between services, as well as identifying best practice, and mechanisms for sharing this best practice.

**677.** The different timelines that different services work towards can create barriers to children and young people accessing inclusive provision. We have heard real-life examples of how this can delay support being put in place. Work needs to be done to minimise the impacts of these different approaches by different services. This will also link to the work we are calling for in Recommendation 24.

**Recommendation 25.** The Welsh Government must ensure that services align and adjust their timelines when working across different services and professions to ensure support is holistic and best supports access to childcare and education.

**678.** As we were told powerfully, we have more knowledge into a lot of conditions than ever, yet we are actually doing less than ever to support children and young people with them.

**679.** We have been told by various different allied health professions about capacity concerns, as the number of children and young people needing support continues to rise. In particular, we have heard about the numbers of people training to become healthcare professionals. It is clear that delivery of inclusive childcare and education provision is dependent on the professional expertise from these different groups of professionals. Insufficient workforce capacity can also affect waiting times (which we cover in the next section.) We think it is imperative that there is a more detailed understanding of the workforce needs and capacity to help support inclusive education.

**Recommendation 26.** The Welsh Government reviews the current numbers of key allied health professionals, identifies where there are current gaps, how these gaps will be addressed and the numbers needed to support future likely level of need, including the number of training places needed. This should then be supported by a clear delivery plan.

**680.** We are very interested in the good practice in Neath Port Talbot where the local authority has funded occupational therapists in schools and settings. (See paragraphs 470 and 638.) We also heard during our school visits of some of the particular challenges faced by some schools in accessing Occupational Therapy support<sup>761</sup>, yet this input can be invaluable to providing inclusive education. We think there is real merit in looking further at the good practice model and whether this would be something that could be rolled out across Wales.

**Recommendation 27.** The Welsh Government explores in more detail the good practice from Neath Port Talbot with schools able to access support from Occupational Therapists which is funded by the local authority, and considers whether it would benefit from piloting such approaches in other parts of Wales. Such a pilot should then be fully evaluated, and if successful, consideration should be given to rolling out this model across Wales.

**681.** We heard about the challenges that both childcare and education settings can face in accessing specialist equipment or adaptations (see paragraph 652). Yet, some local authorities have partnership agreements in place to help with the buying and recycling of equipment and adaptations, but it is not consistent across Wales. Ensuring that all local authorities have these partnership agreements in

---

<sup>761</sup> [Children, Young People and Education Committee, School Note 5, 4 December 2023, paragraph 15](#)

place would seem a sensible and reasonably straight forward way to try and ensure easier access to necessary equipment and adaptations.

**Recommendation 28.** The Welsh Government encourages all local authorities to enter into partnership agreements to support the buying and recycling of specialist equipment and adaptations which can support children and young people accessing childcare and education.

### **Waiting times for assessment and support**

---

**682.** We know the NHS is under immense pressure. Waiting times are long for a wide range of reasons across all sections of the NHS. While this was not a focus of our work, it is clear that waiting times for assessment and support are a critical barrier to children and young people being able to access childcare and education.

**683.** We know that the ALN reforms are supposed to be needs led, rather than diagnosis led. This was a message the then Minister for Education and Welsh Language reiterated to us, but it's clearly not happening in practice. So the combination of long waiting times and support not being put in place until there is a clear diagnosis is having a big impact. We think that some of the recommendations we have made in this report and in the Implementation of education reforms report may go some way to ensuring the intent of the reforms are being delivered.

**684.** We think the DECLO role is a critical role, and we are concerned that there is not currently a DECLO in every Health Board. In our implementation of education reforms interim report, we have made recommendation 3 which calls for the Welsh Government to ensure that every individual Health Board appoints a DECLO as soon as it is practicable to do so.

**685.** We believe more needs to be done to ensure that support is put in place while children and young people are waiting for support. This would then help mitigate the impact of the delays to a diagnosis.

## 8. Do children, young people and their families have access to the right information and are they listened to?

Information can be fragmented and difficult for children, young people and families to easily access. It can be difficult to navigate, and varies across Wales. Children, young people and families do not feel as if they are meaningfully listened to, when their views are sought.

**686.** Every local authority has a Family Information Service (“FIS”), which is a first point of contact for advice and information on local services for families and carers. This service is free and impartial, and can provide help, support and advice on a range of family issues, including childcare and help with costs, and education. They can also signpost families to other sources of information and support.

### Access to information

**687.** We were told that information was not readily available or pro-actively offered to families.<sup>762</sup> Parents told us that information can be quite inaccessible, and highlighted a number of services and support that has now ceased, including Special Needs Health Visitors.<sup>763</sup> When information is provided, it can often be out of date.<sup>764</sup> Another parent described being “bounced between services.”<sup>765</sup>

---

<sup>762</sup> Children, Young People and Education Committee, School Note 3, 29 June 2023, paragraph 12

<sup>763</sup> Children, Young People and Education Committee, School Note 5, 4 December 2023, paragraphs 39-40

<sup>764</sup> CYPE Committee, Stakeholder Event (In-person), 27 September 2023, paragraph 51

<sup>765</sup> Written evidence, AEC 78 Heledd Fychan MS, A Continuous Battle, Experiences of families of neuro divergent children and young people requiring Additional Learning Provision in South Wales Central

**688.** The Royal College of Nursing said that parents have said that communication is one of the “key things” they want from services, but that currently things can be “really confusing for parents.” This adds to the stresses parents and carers face.<sup>766</sup>

**689.** The British Psychological Society said that providing accessible and relevant information is reliant on all services working together:

*“... because there are instances, perhaps, where there are recruitment issues from even health visiting, and they might have not yet seen the family, and if they haven't accessed anything in the community—which is different in areas—then it's going to be a different amount of information. So, we've still got work to do around how we get to know families very early on, and not just from a specialist level, but how we get to know our communities and get out into the communities to understand and for people to be able to access that information freely available, really, rather than waiting for a certain point.”<sup>767</sup>*

**690.** These views were shared by the Royal College of GPs, who also noted that there have been changes “over the last 12 years”, in particular in relation to early years input and connections with health visitors. They also talked about the impact of fewer home visits by GPs. They said that increasing the numbers of health visitors and better communication with health visitors would help.<sup>768</sup>

**691.** Early Years Cymru highlighted the variation in local authority websites, and how easy it is to find information.

*“You could pick four or five different authorities, and just putting yourself in the place of a parent with a child and trying to find the information that you need, and you can count how many clicks it's going to take before you actually get to anything remotely like what you think you need, and it can be up to 10 clicks, which I think is excessive, to try and get to even the family information website. I don't think that putting in the right words necessarily, because they might put in 'childcare', but it won't*

---

<sup>766</sup> [CYPE Committee. 16 November. 2023. Record of proceedings. paragraph 82](#)

<sup>767</sup> [CYPE Committee. 16 November. 2023. Record of proceedings. paragraph 154](#)

<sup>768</sup> [CYPE Committee. 16 November. 2023. Record of Proceedings. paragraph 285](#)

*bring up 'family information service' if you put in 'childcare'. And that's across the board on all local authority websites.*"<sup>769</sup>

These problems can be compounded when families are dealing with “emerging needs” and are in early years settings without “a point of access as they would if their child is in school.”<sup>770</sup>

**692.** Mudiad Meithrin believed that the Early Years ALN Lead Officers should be ensuring families have the right information, because they are the people with “the strategic overview of the early years .... They are in a good place to advise families on the options that are available to them.” Although they said that in the first instance, families need to be aware that post exists and where to look, which can be “very challenging” in spite of both DEWIS and FIS.<sup>771</sup>

**693.** While parents in the Sparkle report said that FISs across Wales can be inconsistent and that it depends on the individual Council “as to how useful” the information is.<sup>772</sup> Heledd Fychan MS asked parent and carers whether their “child receives clear information about their options and about any additional provision for them? 59.3% said not at all, with only 8% responding completely, and 32.7% saying some of the time.”<sup>773</sup> The Royal College of Occupational Therapists also talked about the variations between different areas, with “lots of areas” where families not getting the right information, but there is also good practice which needs sharing.<sup>774</sup>

**694.** Information sources that are currently available are not always known to families. For example the DEWIS website, but we were told it needed to more widely advertised, including in “... schools, clinics, doctor’s surgeries ...”<sup>775</sup> While SNAP Cymru said that when families are given contact details, it may only be a single email address, or it’s a phone number that’s always an answerphone.” They said the “breadth of who you can contact and how you can contact them is quite challenging in different areas.” They also said they have examples where parents have felt that information has been withheld from them, such as “exclusion letters with literally a postal address on for a tribunal ... letters directing families to English

---

<sup>769</sup> [CYPE Committee, 12 October 2023, Record of Proceedings, paragraph 98](#)

<sup>770</sup> Written evidence, [AEC 53 Early Years Wales](#)

<sup>771</sup> [CYPE Committee, 12 October 2023, Record of Proceedings, paragraph 96](#)

<sup>772</sup> Written evidence, [AEC 36 Chair, Sparkle](#)

<sup>773</sup> Written evidence, [AEC 78 Heledd Fychan MS, A Continuous Battle, Experiences of families of neuro divergent children and young people requiring Additional Learning Provision in South Wales Central](#)

<sup>774</sup> [CYPE Committee, 16 November, 2023, Record of proceedings, paragraph 157](#)

<sup>775</sup> Written evidence, [AEC 36 Chair, Sparkle](#)

parent partnership organisations.”<sup>776</sup> Early Years Wales also said that there need to be greater awareness of the information available on the Care Inspectorate Wales website, which has inspection reports for all registered provision.<sup>777</sup>

**695.** PACEY Cymru said that the challenge in trying to have a single information point on childcare provision, is that the sector is quite fragmented, with a wide range of different funded provision. (An issue we look at in Chapter 4.) They said it’s challenging for professionals to understand, which means it’s even more difficult for those who without any background knowledge. They cited an example of a recent case:

*“I had a call, really interestingly, yesterday evening from a parent looking desperately for childcare. She is a single-parent nurse of twins who are two and a half, and an eight-year-old, so she needs something that is going to support her needs. She didn’t have awareness of CIW, didn’t have awareness of childcare offer, and was saying that she didn’t live in a Flying Start area but wasn’t aware of the expansion, and trying to work out where she potentially would drop in and out of support and funding in one phone call for one person was extremely complex. So, I can understand it’s very challenging trying to display that on a website, until we change the model of the programmes of delivery and the complexities of those, I think.”<sup>778</sup>*

**696.** We were also told that families can be overwhelmed by information coming from a range of different places, and on a wide range of topics, not just education and childcare, but also housing, benefits and health.<sup>779</sup> SNAP Cymru said the systems around education “can be really daunting”, and that it is difficult to “make sense of all the different panels and the timelines, the processes, the paperwork, and to know what to do if things don’t always work out the way they’d hope.”<sup>780</sup>

**697.** Information needs to be available in accessible format. NASUWT<sup>781</sup>; and NEU<sup>782</sup> highlighted that parents and carers may also have challenges accessing

---

<sup>776</sup> CYPE Committee, 7 June 2023, Record of Proceedings, paragraphs 310-311

<sup>777</sup> CYPE Committee, 12 October 2023, Record of Proceedings, paragraph 99

<sup>778</sup> CYPE Committee, 12 October 2023, Record of Proceedings, paragraph 101

<sup>779</sup> CYPE Committee, Stakeholder event (virtual), 27 September 2023, paragraph 25

<sup>780</sup> CYPE Committee, 7 June 2023, Record of Proceedings, paragraphs 313

<sup>781</sup> CYPE Committee, 25 October 2023, Record of Proceedings, paragraph 250

<sup>782</sup> CYPE Committee, 25 October 2023, Record of Proceedings, paragraph 252



information, if they are not non-disabled or neurotypical themselves. The Royal College of Speech and Language Therapists said that approaches to sharing information often do not take into account the different ways people “may best receive and interpret information” with information often provided in writing.<sup>783</sup> The Royal College of Paediatrics and Child Health said that in healthcare the information that is provided is “not necessarily designed for parents; it might suit other health professionals.”<sup>784</sup>

**698.** While Learning Disability Wales said there is “very little information” for parents who have a learning disability. They said it was “vitally important” that they have the right information so that they “have the chance to parent to their full potential, rather than being ignored in terms of messaging”. They said getting this right was “really important in terms of the child staying with their parent.”<sup>785</sup>

**699.** The importance of information being impartial and independence was also highlighted. The All Wales Forum said they were very concerned about a lack of “independent, impartial information that families really need in order to help empower than to go and talk to schools and resolve the issues that they’re having.”<sup>786</sup> SNAP Cymru said that independent and impartial information was important so that families can be “confident that the support and advice” they are getting is coming from “someone with a completely unbiased stance.” They accepted that this is a “big task for staff working in schools and LAs” to do.<sup>787</sup>

**700.** We heard that for many they have to navigate the complicated system on their own, doing their own research, and that there is a lack of “proactive offers of help to find the right information”. The Children’s Commissioner highlighted the important role that “fantastic voluntary support groups, which are parent-led, peer-led” can play. She said they play a “really important role in sharing and facilitating that information between parents.”<sup>788</sup> This chimed with what we heard directly from families.

**701.** A lack of information, especially on rights, can mean that families do not realise they are the subject of discrimination and may just accept it as “this is the

---

<sup>783</sup> Written evidence, [AEC 45 Royal College of Speech and Language Therapists](#), paragraph 19

<sup>784</sup> [CYPE Committee, 16 November 2023, Record of Proceedings, paragraph 281](#)

<sup>785</sup> [CYPE Committee, 7 June 2023, Record of Proceedings, paragraph 195](#)

<sup>786</sup> [CYPE Committee, 7 June 2023, Record of Proceedings, paragraph 243](#)

<sup>787</sup> [CYPE Committee, 7 June 2023, Record of Proceedings, paragraphs 313](#)

<sup>788</sup> [CYPE Committee, 18 May 2023, Record of Proceedings, paragraph 73](#)

way it is". Discrimination is often so widespread that it just "becomes the norm". While there are routes to addressing discrimination, it can be difficult to prove.<sup>789</sup>

**702.** SNAP Cymru said that in 2022/23 they had "nearly 6,000 cases, supporting families to resolve over 8,000 matters." Of these, 1,200 children, young people and families felt they had been affected by direct or indirect discrimination because of disability, ALN or neurodivergence.<sup>790</sup>

**703.** We heard that families felt there was a lack of basic communication from professionals, and they wanted a clearer understanding of the roles and available help. One parent called for a clear pathway that states who is responsible for what support and who is accountable for ensuring it is provided.<sup>791</sup> While another talked about the workload in trying to find support because of a lack of clear pathways. They said this work is often the "last thing you want to do" so you can miss out on support that might be helpful.<sup>792</sup> We were told repeatedly of families not being provided with information from statutory services, and having to find out either for themselves, or from families in similar situations.<sup>793</sup>

**704.** Families were surprised that even when they received a diagnosis, this did not unlock the information and support they expected.

*"After diagnosis, I thought a million things would come at me to offer help, unfortunately, because of our local authority I haven't been offered much at all."*<sup>794</sup>

**705.** Lots of the families we spoke to were concerned about how the lack of information or support could impact on those families who were unable to navigate the system due to the constant barriers, and a lack of accessible information:

*"Parents are out on a limb if they aren't well informed and not aware of all the things available. It's unfair if you don't know the*

---

<sup>789</sup> [CYPE Committee, Stakeholder event \(virtual\), 27 September 2023, paragraphs 27-28](#)

<sup>790</sup> [Written evidence, AEC 05 Third Sector Additional Needs Alliance \(TSANA\)](#)

<sup>791</sup> [Children, Young People and Education Committee, Sparkle Focus Group session, 15 September 2023, paragraph 52](#)

<sup>792</sup> [Written evidence, AEC 79, Individual](#)

<sup>793</sup> [Children, Young People and Education Committee, Do Disabled Children and Young People have equal access to education and Childcare? Engagement Findings, March 2023](#)

<sup>794</sup> [Children, Young People and Education Committee, Do Disabled Children and Young People have equal access to education and Childcare? Engagement Findings, March 2023](#)

*system. [...] I know where to look for information but for some parents, it's so daunting.*"<sup>795</sup>

**706.** While both SNAP Cymru<sup>796</sup> and PACEY Cymru shared concerns about what was happening for those families who do not receive adequate support, and just accept that support is not available and do not challenge it. PACEY Cymru believed understanding the extent of this and the impact that it is happening is important.<sup>797</sup>

**707.** The Royal College of Nursing said that the differences between different services and support can be confusing even for professionals, and that families “can get really quite frustrated by the differences and not understanding how each service works.”<sup>798</sup>

**708.** Early Years Wales said that the expectations of families can be “difficult to manage if they don't have all the correct information.”<sup>799</sup>

**709.** Families raised concerns about inadequate communication between themselves and the school. One said a lack of communication was “the norm in every school” their child had been in. In particular families were concerned about the lack of communication from schools on the experiences of non-verbal children. They said there was a need for more robust systems to share essential information, including healthcare details and bowel movements which children could not communicate. Also these families were concerned about the safety of their children:

*“My son was bitten and the school didn't even know about it. And this kind of stuff happens all the time.”*<sup>800</sup>

**710.** Estyn said that that collaboration between all parties is “beginning to create a more inclusive and informed environment, ensuring that parents of disabled and neurodivergent children receive appropriate information and support.” Although

---

<sup>795</sup> [Children, Young People and Education Committee. Do Disabled Children and Young People have equal access to education and Childcare? Engagement Findings. March 2023.](#)

<sup>796</sup> [CYPE Committee. 7 June 2023. Record of Proceedings, paragraphs 313.](#)

<sup>797</sup> [CYPE Committee. 12 October 2023. Record of Proceedings, paragraph 72.](#)

<sup>798</sup> [CYPE Committee. 16 November 2023. Record of proceedings, paragraph 63.](#)

<sup>799</sup> Written evidence, [AEC 53 Early Years Wales](#)

<sup>800</sup> [Children, Young People and Education Committee. Do Disabled Children and Young People have equal access to education and Childcare? Engagement Findings. March 2023.](#)

---

they noted that there are still “inconsistencies” in information on school and local authority websites.<sup>801</sup>

**711.** ADEW said there are “clear obligations on local authorities” to support families who don’t know how to access support or who “perhaps don’t have a voice”. They said Family Liaison Officers are “available to advise and guide parents.” They said there was a need to “ensure that the relationships with the community and voluntary groups and parent groups is strong ...”.<sup>802</sup>

**712.** The WLGA also highlighted the statutory obligations on local authorities to run the FIS. They said that local authority websites are “full of information for parents” on all services available from the local authority. They advised that parents and carers get in touch with the local authority, if they are struggling to navigate, as they are:

*“best placed to be able to know what provision is available and at what different stages for those families, having those conversations with the families to make the appropriate choices, because there are different services that local authorities can offer.”<sup>803</sup>*

**713.** Both ADEW and WLGA emphasised the role “Starting School” information booklets can play.<sup>804</sup>

**714.** When we explored the different ways in which information is shared and presented, WLGA said there was a need for “consistency” of approach, rather than local authorities taking a uniform approach across Wales. They also said that they “encourage and share the best practice” but that it goes beyond that and when a local authority faces challenges “discussing those with other professional colleagues ... It’s about problem solving ...”.<sup>805</sup>

**715.** The Welsh Government also highlighted the findings from the recent Estyn thematic review into implementation of the ALN reforms, saying that this had found:

---

<sup>801</sup> Written evidence, [AEC 48 Estyn](#)

<sup>802</sup> [CYPE Committee, 25 October 2023, Record of Proceedings, paragraph 41](#)

<sup>803</sup> [CYPE Committee, 25 October 2023, Record of Proceedings, paragraph 114](#)

<sup>804</sup> [CYPE Committee, 25 October 2023, Record of Proceedings, paragraph 123](#) and [CYPE Committee, 25 October 2023, Record of Proceedings, paragraph 125](#)

<sup>805</sup> [CYPE Committee, 25 October 2023, Record of Proceedings, paragraph 130](#)

*"... nearly all local authorities who participated in the review have uploaded relevant information on ALN reform to their websites. In addition, a range of information leaflets aimed at parents and carers, and children and young people have also been produced. Those that have been produced by clusters of schools, or regionally, help to ensure a consistent message across a region."*<sup>806</sup>

Although they also said that Estyn had "noted the quality and accessibility of information" on local authority and school websites was "too variable" and that "insights from Education Tribunal Wales and parents suggest greater transparency in decision making and accountability is required."<sup>807</sup>

**716.** The then Deputy Minister for Social Services said it was "crucial" that families had accessible information and know what is available. She cited the FIS in each local authority; as well as the "Choosing Childcare booklet" which is on the Dewis Cymru website. She said this "booklet aims to set out considerations for parents when choosing childcare, from the type of childcare that they want, and what is actually available in their area." She also highlighted the work of Families First which provides support to children and families. She said that in "many areas" Families First work with partners to "ensure there are no gaps in provision."<sup>808</sup>

**717.** The then Minister for Education and Welsh Language said that with the recent changes to the ALN system there was a need to "communicate clearly what the new entitlements are." He said it was to be expected that at the outset of such reforms, knowledge and awareness of entitlements would be lower, but that over time this would increase. He accepted that there was a need for "other creative ways of making sure we can reach families themselves."<sup>809</sup>

## **Listening to children, young people and their families**

**718.** We were told that families felt that they were not listened to, and that there were limited opportunities for families' voices to be heard. This was raised by a number of organisation including Carers Trust Wales,<sup>810</sup> and Disability Wales<sup>811</sup>. A parent of a child with two progressive genetic diseases told us:

---

<sup>806</sup> Written evidence, [AEC 77 Welsh Government](#), paragraph 4.6

<sup>807</sup> Written evidence, [AEC 77 Welsh Government](#), paragraphs 4.7

<sup>808</sup> [CYPE Committee, 29 November 2023, Record of Proceedings, paragraphs 32-33](#)

<sup>809</sup> [CYPE Committee, 29 November 2023, Record of Proceedings, paragraphs 116-117](#)

<sup>810</sup> Written evidence, [AEC 56 Carers Trust Wales](#)

<sup>811</sup> Written evidence, [AEC 09 Disability Wales](#)

*“As a parent, I feel like they (teaching staff) go out of their way to keep you at arm’s length because they think if you say something to them it’ll create work – there needs to be a mentality to be inquisitive and want to understand but I realise they are limited on their time.”<sup>812</sup>*

**719.** SNAP Cymru said:

*“... what we do know is when children and young and their parents and carers are acknowledged and believed in what they’re talking about, this is a far better way to meet needs within universal provision and beyond.”<sup>813</sup>*

**720.** Disability Wales shared their research where one respondent flagged concerns that it was only “ ... educated articulate, usually white, parents” who are listened to. They also shared experiences where a disabled parent was not properly informed when the school did not follow “appropriate SEN procedures”.<sup>814</sup>

**721.** Professor Jonty Rix said that conversations also need to be on-going to reflect that things change:

*“To make it work for this young person, what I need to be doing is having a conversation with the parents, with the teachers and with the teaching assistants, and then having an ongoing conversation with them about what it is that’s working and not working with that individual. ... The problem is that our assessment mechanisms for special educational needs and our systems for funding them don’t allow for those kinds of conversations; they allow for once-a-year evaluations, they allow for fixed kinds of reports that then become sacrosanct. And they don’t change from year to year. They’re like the continuum—they trap people. A lot of educational psychologists loathe the fact that they spend their lives going around writing*

---

<sup>812</sup> Children, Young People and Education Committee, [Do Disabled Children and Young People have equal access to education and Childcare? Engagement Findings, March 2023](#).

<sup>813</sup> CYPE Committee, [7 June 2023, Record of Proceedings, paragraph 219](#)

<sup>814</sup> Written evidence, [AEC 09 Disability Wales](#)



*reports. What they'd like to do is have conversations with people.*"<sup>815</sup>

**722.** While Carers Trust Wales said that “many parents” shared experiences where their child hit a crisis point before concerns “were taken seriously.” They said this runs counter to the Curriculum for Wales “where schools should draw on learner voice and respond to learners’ needs, experiences and input.” They said that families “are the experts on their children and they should be consulted on any decision regarding their child’s education.” Yet, for many it is a “challenging and sometimes frustrating process to navigate.”<sup>816</sup> The Royal College of Paediatrics and Child said parents can feel “embattled” because they don’t feel they are being listened to.<sup>817</sup>

**723.** The distress this is causing was particularly evident in one individual’s written consultation response:

*“I must fight to get heard in a meeting with other professionals to discuss what's best for my child. I must fight to do this?! How is that right? Shouldn't [he] be at the very centre of all decisions? Shouldn't his needs be guiding the support and direction of the provision? Shouldn't those who know best, his mother, his nursery, his speech therapist...shouldn't these people have a massive input into the planning of this? The answer is yes of course. But that isn't what's happening. Instead I'm fighting, putting in complaints, speaking to MPS, stressing, crying, praying that Early years change their decision. Knowing if they don't, that it will affect not only but myself. I will have to give up work to home school him as there would be no way id send my child to a place that will quite frankly torture him.”*<sup>818</sup>

**724.** While another parent said that the lack of information, and the constant battling for support has lead to an escalation of issues:

*“I’ve spent 3 years emailing school, LA and everybody in between trying to access appropriate and timely support ... been bounced back and forth...had to find out about available support myself via other parents and through support groups*

---

<sup>815</sup> [CYPE Committee, 12 October 2023, Record of Proceedings, paragraphs 161](#)

<sup>816</sup> Written evidence, [AEC 56 Carers Trust Wales](#)

<sup>817</sup> [CYPE Committee, 16 November 2023, Record of Proceedings, paragraph 220](#)

<sup>818</sup> Written evidence, [AEC 70 Individual](#)



*...had to contact agencies/departments myself begging for support. ... . 3 years in and the waiting for someone to coordinate response, fill in forms, email me back, etc. has caused more emotional damage to both me and my child. It really wasn't a massive deal in the beginning! A little bit of adjusting, listening, acting on the information I was giving. We wouldn't be in the massive mess we are in now. So a massive NO I have never received effective information or support from the LA or from school...until now that is!! ... I don't trust anyone anymore to do what they say."<sup>819</sup>*

**725.** UCAC acknowledges that children, young people and families do not feel that they are being listened to.<sup>820</sup>

**726.** The importance of centring children and young people's voices in decision making was emphasised by many. The National Neurodiversity Team shared views of parents and carers and this was a clear theme. One parent said:

*"It is vital that the voice of the learner is central to the coproduction of a plan to meet needs of those who need extra and for schools to view the whole child in their support provision."<sup>821</sup>*

**727.** Another parent said that while parents will advocate on their child's behalf, the child themselves is "rarely involved" in discussions.<sup>822</sup>

**728.** Stakeholders said there was often a view that the school knows best, and there is a lack of communication with families about how to support individual learners. This can be particularly true at the start of school. Some said that everybody's expertise is valued more than a parent's.<sup>823</sup> A view shared by Disability Wales, who said there are not lots of examples of co-production.<sup>824</sup> The All Wales Forum said co-production was a "gorgeous process, but it is a long process and it does take a lot of effort." They said often the families who get involved and fight for changes, are not always the families that are the beneficiaries of any positive changes.<sup>825</sup> Fair Treatment for the Women of Wales called for "investment in

---

<sup>819</sup> Written evidence, [AEC 66 Joining the Dots Parents and Carers](#)

<sup>820</sup> [CYPE Committee, 25 October 2023, Record of Proceedings, paragraph 235](#)

<sup>821</sup> Written evidence, [AEC 52 National Neurodiversity Team](#)

<sup>822</sup> Written evidence, [AEC 79 Individual](#)

<sup>823</sup> [CYPE Committee, Stakeholder event \(virtual\), 27 September 2023, paragraph 23](#)

<sup>824</sup> [CYPE Committee, 7 June 2023, Record of Proceedings, paragraph 22](#)

<sup>825</sup> [CYPE Committee, 7 June 2023, Record of Proceedings, paragraph 234](#)

engagement” with children, young people and their families to ensure there is “clearer identification of system and structures which can disadvantage and disable, and both a willingness and sufficient resource to address them.”<sup>826</sup>

**729.** There were concerns that, in particular, children and young people’s voices were not being listened to meaningfully. We were told that even when they are listened to, often their views are not acted upon. There was a frustration that people felt that no-one outside of the immediate family cared about their children or what would happen to them.<sup>827</sup> Young people as part of the Platform response called for decision making processes to be made “more inclusive”. They made a number of suggestions, including ensuring there were “alternative methods for families/parents who speak languages other than English” and for improved ways of keeping children and young people up to date so that they know what is happening and can be more actively involved in decision making.<sup>828</sup> While Fair Treatment for the Women of Wales said that children, young people and their families should be “confident” that barriers will be addressed by schools and local authorities in a “timely fashion and without making them feel like they – and their impairments – are the ‘problem’.”<sup>829</sup>

**730.** Disability Wales said for those parents and carers with limited English they may face additional barriers in being able to advocate for their child[ren].<sup>830</sup>

**731.** Although not all families feel as if they are not involved or listened too. The findings from the survey conducted by Heledd Fychan MS found a “mixed picture” with “many” parents saying they had “positive experiences” of school communication.

*“There’s no pressure. Our children’s voices and rights matter at his current school, it’s been amazing to see him progress.”<sup>831</sup>*

**732.** All Wales Forum also said that at recent events they have run on behalf of the Welsh Government, “about 67 per cent of parents and carers who attended reported their relationship with their school to be ‘good’ or ‘excellent’.” Although

---

<sup>826</sup> Written evidence, [AEC 50 Fair Treatment for the Women of Wales](#)

<sup>827</sup> [Children, Young People and Education, Oakhill ASD Childcare focus group session, 15 September 2023, paragraph 42](#)

<sup>828</sup> Written evidence, [AEC 39 Platform](#)

<sup>829</sup> Written evidence, [AEC 50 Fair Treatment for the Women of Wales](#)

<sup>830</sup> [CYPE Committee, 7 June 2023, Record of Proceedings, paragraph 89](#)

<sup>831</sup> Written evidence, [AEC 78 Heledd Fychan MS, A Continuous Battle, Experiences of families of neuro divergent children and young people requiring Additional Learning Provision in South Wales Central](#)

they added that in some instances, parents and carers have been “reluctant” to ask for reviews of IDPs when they know the school does not have enough resources, because they worry it may get the school into trouble, or affect their relationship with the school.<sup>832</sup>

**733.** The then Minister for Education and Welsh Language said that the social model of disability is important. As part of this, the Welsh Government is working with SNAP Cymru and listening directly from children, young people and families.

*“It's a two-way communication. That is, it's a way for us to ensure that children, carers and parents know their rights, and the point that you were making earlier about where the provision is and how you can find that. That's one element, but an important element is what we hear back in terms of the experiences of children and their families and how we can then use that to shape and align all the work that we're doing in terms of training.”<sup>833</sup>*

**734.** The Welsh Government highlighted that the ALN Act places a duty on those exercising functions under the Act to involve and support children, young people and their families. This, they say, gives effect to rights in both the UNCRC and UNCRPD. In 2022, they published guidance to support local authorities in discharging these duties, which covers “providing advice and information, resolving disagreements; case friends; and independent advocacy services.”<sup>834</sup>

## **Our view**

**735.** While we acknowledge that Family Information Services exist in every local authority, we have consistently heard how difficult it is for children, young people and families to get relevant, timely and accessible information about support, options and choices. Information rarely seems to be provided pro-actively, and for too many families feel they have to hunt for up to date information that is relevant to them. Too often, this information is simply not available anywhere.

**736.** While there are challenges about information for all ages, there is a particular issue with information about childcare, presumably because of the wide range of different types of provision. We think there is a clear need for more consideration to be given as to how information on childcare is shared with families. There may

---

<sup>832</sup> [CYPE Committee, 7 June 2023, Record of Proceedings, paragraph 241](#)

<sup>833</sup> [CYPE Committee, 29 November 2023, Record of Proceedings, paragraph 86](#)

<sup>834</sup> Written evidence, [AEC 77 Welsh Government](#), paragraphs 4.1 and 4.4

be particular challenges for families at these early stages, as they are coming to terms with any diagnosis or needs, as well as the general changes that follow the birth of all children.

**737.** Worryingly, we heard of families struggling to get information from local authorities directly, and being passed from pillar to post. We are particularly concerned that some families described being “blamed” for not looking in the right place for information. This can be a particular issue in terms of trying to find out information on childcare. While we heard that Health Visitors can play an important role in helping families navigate the complex systems, this is all too often dependent on the individual Health Visitor’s level of knowledge.

**738.** While there are requirements on local authorities on providing information, there is a lot of variety in how this information is made available. Just finding the Family Information Service on a local authority website can be very difficult, and that it is if you know that the Family Information Service exists in the first instance. While the information is often available, it is difficult to find, or to know if it is up to date. These high levels of variation between different local authorities makes it difficult for those who advise families to be familiar with the different approaches taken across Wales, which impacts on the support families can receive.

**739.** Often the information that is available is not accessible. Consideration needs to be given to ensure information is accessible for everybody, in particular taking into account the additional barriers faced by some particular groups of parents and carers, including those with their own additional learning needs or disabilities, or who do not have English or Welsh as a first language. Wales is a multilingual country, and we need to ensure that children, young people and their families can access information in the language of their choice. Also, sometimes families may not have a diagnosis, so they may not know who they can contact for support.

**740.** We heard of the need for clearer pathways to be available so that children, young people and their families could better understand where to go to get information and support. The picture can be very confusing, and there may be additional barriers as we have outlined in the preceding paragraphs. We support calls for clearer information about what support is available and how it can be accessed.

**Recommendation 29.** The Welsh Government ensures that all local authorities develop clear and widely available pathways setting out what support is available, and who is responsible for providing this support. Such pathways should be kept regularly updated so the information remains timely and relevant. These should

be easily available on local authority websites and should also be pro-actively made available to families when making initial contact with the local authority seeking support.

**741.** While we acknowledge that local authorities are autonomous bodies, and that how they present this information is up to them, to deliver in a way that meets the needs of their local communities, we think more needs to be done to improve the consistency of how information is presented across Wales. We think this would be best done by the Welsh Government issuing guidance setting out core principles for publishing and sharing information. At the heart of this guidance should be that information is provided pro-actively to families wherever possible, that the presentation of information is co-produced with families; and setting out the basic level of information that all local authorities should provide. These guidelines will benefit all families, not just those within the scope of our inquiry.

**742.** Information needs to be provided in a range of formats which can meet the needs of the widest number of families. It is not sufficient for a local authority to believe that putting information on their website is enough.

**Recommendation 30.** The Welsh Government issues guidance to local authorities setting out core principles for publication of information on childcare. This guidance should set out that information is co-produced with families, is easily and readily available, in multiple formats, is kept updated, and provides a basic level of consistency across Wales. The Welsh Government in drawing up this guidance should involve families from across Wales with relevant experiences to ensure the needs of families are at the heart of the guidance.

**743.** For older children, young people and their families there is a lack of accessible information about their rights in education. Our Online Advisory Panel also told us that families need to have trust in where they were getting their information from. They said there is a need for total independence in the information that is available.

**Recommendation 31.** The Welsh Government reviews the information currently available on rights in education, ensuring that it is widely available, accessible in a range of formats, and supports children, young people and their families to understand what their rights are, and how to seek redress if their rights are being breached.

**744.** In terms of children, young people and their families feeling listened to, we heard far too many examples of this not happening. In particular, we are concerned that for some children, young people and their families there is not an easy route to address disagreements with a school. While we know there are formal mediation mechanisms, we think there should be opportunities for families to access other support before going down more formal routes of redress. We are aware of good practice in some local authorities, such as Caerphilly, where a local authority official can provide this less formal mediation and can act as an impartial broker between a school and a family, often finding a solution that works for all. This is the type of post that we want considered as part the review we recommend into non-teaching staff in Recommendation 12.

## 9. Do children, young people and their families have choices in their childcare and education options?

There can be limited choice, often with children, young people and their families feeling as if they have no choice at all. This can be further compounded for Welsh medium provision, or in rural areas.

**745.** Families told us there was simply no choice. We were told that because of a lack of accessible and inclusive schools, children and young people often have to go to the school that most closely meets their needs, even if it is not the school they would have chosen.<sup>835</sup> This view was supported by organisations, including Estyn<sup>836</sup>; Early Years Wales<sup>837</sup>; NEU<sup>838</sup>; and Royal College of Paediatrics and Child Health.<sup>839</sup> UCAC said:

*"It's quite clear, I think, in each local area, that there is one school geared to support the children, whether that is planned or not. Things such as school estates come into the question, the specialism within the school and the specialism that they can access easily, the number of pupils. ... children have had to move schools in order to facilitate being part of a wider educational community. ... children having to move schools and having issues getting the service they provide. Again, it affects Welsh-medium education perhaps more so, in as much as provision for those who are deaf, provision for those who have various ADHD challenges, is not available in the Welsh-medium schools, and they have had to—. In spite of the fact that we're a bilingual country, the choice has been taken away from them. ... Well, there is an issue with the provision available in the*

---

<sup>835</sup> [Children, Young People and Education Committee, Sparkle Focus Group session, 15 September 2023, paragraph 20](#)

<sup>836</sup> [Written evidence, AEC 48, Estyn](#)

<sup>837</sup> [Written evidence, AEC 53, Early Years Wales](#)

<sup>838</sup> [CYPE Committee, 25 October 2023, Record of Proceedings, paragraph 296](#)

<sup>839</sup> [CYPE Committee, 16 November 2023, Record of Proceedings, paragraph 268](#)



*individual schools. So, it is a major concern for our members that pupils, children, aren't able to access their choice of education, boed hynny—be that—linguistically or choice of setting.”<sup>840</sup>*

**746.** Early Years Wales said that childcare choices are “often influenced by location and availability and the authority in which they live. Price, flexibility and suitable spaces for the times parents need if, for example, they are using childcare to go to work.”<sup>841</sup>

**747.** Learning Disability Wales believed that:

*“... with the right support children should be able to attend their local school, but we recognise that this is not achievable and safe for many disabled children until there has been mass reform in how we think about and provide education for all children in Wales.”<sup>842</sup>*

**748.** Disability Wales said children and young people have “quite limited options” both of the schools they can attend, and the courses they can take, based on whether their needs can be met.<sup>843</sup> They said it can be “very difficult to reliably get access, or get access to a school that’s going to meet your child’s needs where you are.”<sup>844</sup>

**749.** Learning Disability Wales said that parents will chose based on what is the best offer that is available. They cited a real life example:

*“... you could choose several primary schools and you could choose several secondary schools and most children and young people, if they want to continue with the mainstream, they're choosing one school in Merthyr Tydfil because it has a reputation amongst parents and children as being the best for supporting young people with a learning disability. But you have to do the work. ... that there isn't good information out*

---

<sup>840</sup> [CYPE Committee, 25 October 2023, Record of Proceedings, paragraph 291](#)

<sup>841</sup> Written evidence, [AEC 53 Early Years Wales](#)

<sup>842</sup> Written evidence, [AEC 06 Learning Disability Wales](#)

<sup>843</sup> [CYPE Committee, 7 June 2023, Record of Proceedings, paragraph 8](#)

<sup>844</sup> [CYPE Committee, 7 June 2023, Record of Proceedings, paragraph 82](#)

*there. We don't have good-quality information to determine where we can go.*<sup>845</sup>

**750.** We were told that there are even fewer options in the specialised sector. We were told that if you are offered a place in a specialised setting, you are not able to visit it before making a decision. A parent told us that in trying to make choices in the specialised sector, they do not have the same opportunities to visit different settings, as those who are looking at mainstream settings can do:

*“Those attending mainstream can visit a number of schools as they wish; they are not restricted access. Parents of those children can visit schools, draw comparisons [sic] between schools, make assessments on which ones best suit their child's needs and ultimately [sic] use these visits to inform their choices. Parents of disabled children have this choice removed. They are only allowed to visit facilities the panel has recommended. Parents of disabled children do not have parity.”*<sup>846</sup>

**751.** While the Royal College of Paediatrics and Child Health said that being able to visit a specialised setting can make a difference between children, young people and their families deciding whether to attend.<sup>847</sup>

**752.** The EHRC said they are aware anecdotally of families during the transition period between primary and secondary school being “discouraged from applying, because the school is all about standards, and I think that that’s something that is really concerning.”<sup>848</sup>

**753.** A lack of choice is not just limited to the school a child may wish to attend, but also the choices of courses they can take once in the school. Disability Wales shared the example of someone being told they were only able to take particular courses because they were disabled.<sup>849</sup>

**754.** A school council at a school visit highlighted that some of the learners at their school cannot take GCSEs even though some learners would be capable of taking them.<sup>850</sup> We heard similar views expressed by a parent of a child in a

---

<sup>845</sup> [CYPE Committee, 7 June 2023, Record of Proceedings, paragraph 155](#)

<sup>846</sup> Written evidence, [AEC 28 Individual](#)

<sup>847</sup> [CYPE Committee, 16 November, 2023, Record of proceedings, paragraph 159](#)

<sup>848</sup> [CYPE Committee, 18 May 2023, Record of Proceedings, paragraph 98](#)

<sup>849</sup> Written evidence, [AEC 09 Disability Wales](#)

<sup>850</sup> Written evidence, [AEC 18 School Council](#)

different school, who said that they felt their child's school did provide options for GCSE for the more able learners, but they said that "entry level gcse wasn't considered" saying they felt that "the academic targets" were set too low for some learners.<sup>851</sup> We have already shared earlier in this report, one family's experience of battling to be able to take GCSEs.

**755.** In terms of families knowing all their options, there was a particularly heart-rending experience of a family who learnt about a special school through word of mouth rather than the local authority. This school was a very good fit for their child who had a brain tumour, unfortunately the delays meant they could only attend for one year before they became too ill. The parent told of us of their regret stating that earlier knowledge of the other available options would have prompted them to explore potentially better alternatives for their child.<sup>852</sup>

**756.** As we have already highlighted in Chapter 5, there are significant issues with children, young people and their families being able to choose Welsh medium provision. UCAC said that the Welsh in Education Strategic Plans shows that there is not the "same level of choice" for families who wish to have a Welsh medium education. They asked:

*"In order to ensure the same level of choice through the medium of Welsh and English, shouldn't there be an 'absolute duty' to offer a bilingual provision, with Welsh and English treated on an equal basis? Article 30 of the United Nations Convention on the Rights of the Child, which states that children have the right to choose their language, should be taken into account."*<sup>853</sup>

Disability Wales also said they were aware of instances where a Welsh medium education was not available.<sup>854</sup>

**757.** The ASCL said that they felt that communication was good, regular and effective in terms of choices.

*"... a lot of time is spent with the young person actually ensuring that they negotiate, they make the best choices for them in*

---

<sup>851</sup> Written evidence, [AEC 20 Individual](#)

<sup>852</sup> [Children, Young People and Education Committee, Do Disabled Children and Young People have equal access to education and childcare? Engagement Findings, March 2023.](#)

<sup>853</sup> Written evidence, [AEC 67 Undeb Cenedlaethol Athrawon Cymru](#)

<sup>854</sup> [CYPE Committee, 7 June 2023, Record of Proceedings, paragraph 84](#)

*their education, and that the barriers to those choices are minimised. I think, again, the schools do their very best to accommodate all pupils and to accommodate those pupils who have specific needs. ...*<sup>855</sup>

**758.** The then Minister for Education and Welsh Language said that:

*"... it's completely inappropriate that a parent or carer would try to persuade somebody not to go to school. That's not suitable. We have to ensure, as a result of the reforms we have, that every school's accessible to the majority of pupils, certainly, whatever their needs might be. So, that is the basic principle behind all of these reforms."*<sup>856</sup>

## Our view

**759.** Children, young people and their families simply do not have the same choices as their able-bodied and neurotypical peers. Choice is often restricted to simply the provision that can most closely meet basic needs, as opposed to it being the provision that best fits the child's or family's needs. This limited choice can mean children and young people either going to provision that does not meet all their needs, or having to travel long distances to go to provision that does meet needs. We have touched on the impacts both of these have throughout the report.

**760.** Being able to access provision close to home has wide-ranging benefits, including being able to build friendships within the local community. This is unavailable to too many children, young people and families across Wales.

**761.** A very clear inequity in the choices available to children, young people and families, is that there are not always the same options to visit specialised settings before making a decision on a place. This is in stark contrast to mainstream settings, where children, young people and families can usually visit a number of options before making a decision. This is a very clear demonstration of this lack of choice.

**762.** As we outlined in Chapter 5, there are significant pressures on the specialised sector. These pressures are further reducing choices for children, young people

---

<sup>855</sup> [CYPE Committee, 25 October 2023, Record of Proceedings, paragraph 185](#)

<sup>856</sup> [CYPE Committee, 29 November 2023, Record of Proceedings, paragraph 71](#)

Do disabled children and young people have equal access to education and childcare?

---

and families. There is a clear need for provision to be expanded to ensure there is more choice across the education system.

## 10. What sort of provision is there for different types of disability?

**763.** In this Chapter we focus on some detailed evidence we have received about specific conditions. The omission of any particular types of conditions does not mean we do not view those as important, but just that we did not receive significant evidence about them as individual conditions.

### Autism

**764.** Diagnosis of autism can come later in a child's education life. The Royal College of GPs said that the "mean age" in the UK for a diagnosis is "12 for boys (year 7) and 14 for girls (year 9), ... Meaning that many children will have spent all of primary school without a diagnosis."<sup>857</sup>

**765.** The Royal College of Speech and Language Therapists said that:

*"With regards to Autism and Attention Deficit Hyperactivity Disorder (ADHD), in the absence of a learning disability, young people's 'behaviour' is often misunderstood and wrongly managed due to a lack of understanding of what is underlying the behaviour and how the young person is experiencing the world and their ability to communicate their experience to others. Our members report that parents may feel stigmatised and judged by other parents and teachers due to this lack of understanding."*<sup>858</sup>

**766.** The Royal College of GPs said that according to a National Autistic Society UK wide survey, 7 out of 10 autistic children and young people felt that their teachers "did not understand enough about autism."<sup>859</sup>

**767.** We were told there was a need for a wider awareness of autism, not just in schools but also in wider society. Parents told of how their children are excluded from wider social opportunities such as parties and sleepovers, despite being desperate to be included and accepted.<sup>860</sup>

---

<sup>857</sup> Written evidence, [AEC 76 Royal College of General Practitioners](#)

<sup>858</sup> Written evidence, [AEC 45 Royal College of Speech and Language Therapists](#), paragraph 8

<sup>859</sup> Written evidence, [AEC 76 Royal College of General Practitioners](#)

<sup>860</sup> [CYPE Committee, Visit to ASD Rainbows, 9 October 2023, paragraph 19](#)

## Sensory disabilities

**768.** The impact of a lack of support for children and young people with sensory impairments was at the heart of us deciding to do this work. At the outset, we were particularly concerned about the impact on deaf and blind and partially sighted children and young people.

### Deaf children and young people

---

**769.** Of the 2,239 deaf children in Wales, 81% attend mainstream schools, 10% attend special schools; 9% attend mainstream schools with resource provisions, 1% are home educated; and fewer than 1% attend special schools for deaf children (which are outside Wales). NDCS Cymru are concerned at the decline in provision, saying there has been a decline from 24 resource provisions in 2019 to 19 in 2023. They said this means there is “on average, ... one resource provision for every 122 deaf children.”<sup>861</sup>

**770.** NDCS Cymru told us:

*“The general service offer to deaf children across Wales varies and this is often related to different sizes of particular services and integration of the workforce. We would like to see a model in Wales where resourcing meets deaf children’s needs, rather than need being provided for based on the resourcing available. This includes access to early years education and childcare.”<sup>862</sup>*

**771.** We heard that there is currently no school for the deaf in Wales, there has also been a decline in specialist support units<sup>863</sup> and in the numbers of Teachers of the Deaf.<sup>864</sup> There were also concerns from NDCS Cymru<sup>865</sup> and Wales Council for Deaf People<sup>866</sup> that one-third of existing Teachers of the Deaf are due to retire in the next 10 years.

**772.** We were told that most deaf children and young people are educated in mainstream settings where there is often no specialised support for them.<sup>867</sup>

---

<sup>861</sup> Written evidence, [AEC 42 National Deaf Children’s Society Cymru](#)

<sup>862</sup> Written evidence, [AEC 23 National Deaf Children’s Society Cymru](#)

<sup>863</sup> [CYPE Committee Stakeholder event \(virtual\), 27 September 2023, paragraph 45](#)

<sup>864</sup> [CYPE Committee, 7 June 2023, Record of Proceedings, paragraph 213](#)

<sup>865</sup> Written evidence, [AEC 23 National Deaf Children’s Society Cymru](#)

<sup>866</sup> Written evidence, [AEC 16 Wales Council for Deaf People](#)

<sup>867</sup> [CYPE Committee Stakeholder event \(virtual\), 27 September 2023, paragraph 49](#)



NDCS said that deaf children's rights under the UNCRC were not being met, and that they are being "let down." There were concerns that in mainstream settings, there can be heavy reliance on specialist communication support staff, and that if these staff leave they are not replaced. Both of these situations can lead to children and young people feeling isolated and excluded.<sup>868</sup>

**773.** NDCS Cymru called for increases in the number of Teachers of the Deaf.<sup>869</sup> A call supported by Wales Council for Deaf People.<sup>870</sup>

**774.** NDCS Cymru also called on the Welsh Government to develop a Wales-wide Teacher of the Deaf workforce strategy. As part of this they wanted to see other actions taken to increase numbers, including bursary funding, and funding for Continuing Professional Development. They wanted to see an increase in the demand for Teachers of the Deaf. They are concerned that because of the low incidence but high needs nature of deafness that commissioners "do not fully understand what support deaf children may require." They called for commissioners and services to be incentivised to recruit Teachers of the Deaf. They also called upon Estyn to take a "specialist interest" in these issues "as a way of driving up demand".<sup>871</sup>

## **Blind and partially sighted children**

---

**775.** Guide Dogs Cymru said that one of the key issues was that children and young people who are blind or partially sighted are a "high-need but low-incidence" group. They said there are "approximately 1,663 children known to local authorities in Wales."<sup>872</sup>

**776.** RNIB Cymru told us that because of this needs are often "not well understood" within a school and staff will have "little or no experience".. They were concerned that there is not sufficient resourcing of specialist input from local authorities, which without this, children and young people "can be left behind". They told us:

*"Whilst there is evidence demonstrating how specialist education can improve outcomes for children and young people with vision impairment, there is also consistent evidence*

---

<sup>868</sup> Written evidence, [AEC 42 National Deaf Children's Society Cymru](#)

<sup>869</sup> [CYPE Committee, 7 June 2023, Record of Proceedings, paragraph 213](#)

<sup>870</sup> Written evidence, [AEC16 Wales Council for Deaf People](#)

<sup>871</sup> Written evidence, [AEC23 National Deaf Children's Society](#)

<sup>872</sup> [CYPE Committee, 7 June 2023, Record of Proceedings, paragraph 216](#)

*highlighting what can go wrong when denied access to the support they need.”<sup>873</sup>*

**777.** Both RNIB Cymru<sup>874</sup> and Guide Dogs Cymru emphasised the importance of habilitation specialists. Guide Dogs Cymru raised concerns about how many children and young people can access this specialist support. The percentage varies from “below 9 per cent to 48 per cent.” They said this was a “huge disparity” and also raised concerns about the waiting times which “vary from one week to 12 months.”<sup>875</sup> RNIB Cymru also had concerns about the variations in practice and “widespread geographical inequalities.”<sup>876</sup>

**778.** Guide Dogs Cymru shared an example of the “postcode lottery”, with a child in a local authority which did not have specialist support, and as a result was falling behind in their schoolwork.

*“If he lived 2 miles away, he would get support from the gold standard Sensory & Communication Support Service (SenCom) ... . To quote his mum “Why should he suffer because he is vision impaired and doesn’t live in the right local authority”.”<sup>877</sup>*

They called for the regional model such as SenCom to be more widely available, as this can help “alleviate the shortage of specialist providers in some local authorities.”<sup>878</sup>

**779.** Guide Dogs Cymru highlighted the “curriculum framework for children and young people with visual impairments” which they devised with a range of stakeholders. They called for this to be “endorsed by the Welsh Government” as well as referenced in ALN policies, and “embedded in local service commissioning and deliver frameworks, and, finally, followed by all educational settings supporting children and young people with visual impairment and their families, in partnership with eye specialists.”<sup>879</sup> RNIB Cymru also made the same call. They said the Framework would enable children, young people and their families to “unlock and navigate necessary support and education.”<sup>880</sup>

---

<sup>873</sup> Written evidence, [AEC 47 RNIB Cymru](#)

<sup>874</sup> Written evidence, [AEC 47 RNIB Cymru](#)

<sup>875</sup> [CYPE Committee, 7 June 2023, Record of Proceedings, paragraphs 251 - 252](#)

<sup>876</sup> Written evidence, [AEC 47 RNIB Cymru](#)

<sup>877</sup> Written evidence, [AEC 62 Guide Dogs Cymru](#)

<sup>878</sup> Written evidence, [AEC 62 Guide Dogs Cymru](#)

<sup>879</sup> [CYPE Committee, 7 June 2023, Record of Proceedings, paragraph 263](#)

<sup>880</sup> Written evidence, [AEC 47 RNIB Cymru](#)

## Diabetes

**780.** Diabetes is “one of the most common chronic childhood illness in the UK.” It affects 1 in 250 children, with type 1 diabetes, the most common form in childhood.<sup>881</sup> Diabetes UK Cymru said there are around 1,400 children and young people in Wales with Type 1 diabetes. They also said there is “no uniform way someone living with diabetes will be”, which means schools have to respond to the individual needs of each child.<sup>882</sup>

**781.** Diabetes UK Cymru highlighted some specific issues to diabetes which can impede equal access to education. These included school meals, often families do not receive information in advance about the calorie and carbohydrate content of meals, which is critical to management of diabetes. They said this means that often children and young people “tend to be sent with packed lunches, which undermines schemes such as free school meals.”<sup>883</sup>

**782.** Cardiff University shared their research which has looked at the inter-relationship between Type 1 diabetes and children’s education achievement. This research has shown that “many children with diabetes are experiencing discrimination because of their disability, which then impacts upon their attendance, school experience and future prospects.”<sup>884</sup>

**783.** For those children and young people who have the “greatest challenges in maintaining the blood sugars within the optimum range, we also see significantly worse attainment, attendance and significantly reduced likelihood of proceeding to higher education.”<sup>885</sup> Their research has shown some shocking incidents faced by children and young people, including:

*“I had a supply teacher for one lesson, and I really need the toilet. I asked them. I said it’s on my medical card that I’m allowed to go to the toilet because I’ve got diabetes, but she didn’t believe that I had diabetes. I showed them my Libre (Glucose Monitoring System), and I showed them my card and they checked the school system, and they still didn’t believe me.” (Young person 16)*

---

<sup>881</sup> Written evidence, [AEC 44 WISERD, Cardiff University](#)

<sup>882</sup> Written evidence, [AEC 68 Diabetes UK Cymru](#)

<sup>883</sup> Written evidence, [AEC 68 Diabetes UK Cymru](#)

<sup>884</sup> Written evidence, [AEC 44 WISERD, Cardiff University](#)

<sup>885</sup> Written evidence, [AEC 44 WISERD, Cardiff University](#)

*“High blood sugars can make me thirsty sometimes, and I just finished my water bottle, and I said can I go and get a drink of water? And the teacher said, ‘No you are not allowed.’ So, I showed my medical card and she said that you can’t use your medical card for excuses. You’re just using it in the wrong way.” (Young person, 16)*

*“I had a PE teacher who shamed me for drinking full sugar coke when I was hypo. They said that’s the reason I have diabetes, when I was actually treating my hypo.” (Young person, 16)”<sup>886</sup>*

**784.** They highlighted that a lack of awareness or training of teachers has “a significant impact upon how children are able to manage their medical needs while at school.” For example when children and young people have needed to leave a classroom in order to manage their diabetes, “many children said that this was met with hostility, or that they were disciplined for asking to leave.” This “adversarial” approach, may lead to children and young people not asking for help, or being embarrassed about doing so. As a result children and young people feel frustrated and unsupported.<sup>887</sup>

**785.** As a result of their research, Cardiff University called for a number of changes:

*“ Schools, local authorities, and health services should work together to support both the child’s health needs and their education needs, particularly for children who were already struggling with their education prior to a diagnosis of diabetes, to avoid the double disadvantage of reduced health and education outcomes as the young person enters the transition to adulthood.*

*· Paediatric diabetes teams should be resourced to provide training and support to schools to ensure that school staff have the skills and confidence they need to support children.*

*· Local authorities should support schools which do not have a sufficient ‘Medical Conditions Policy’ to make this available and ensure they are updated annually.*

---

<sup>886</sup> Written evidence, [AEC 44 WISERD, Cardiff University](#)

<sup>887</sup> Written evidence, [AEC 44 WISERD, Cardiff University](#)

· *Estyn should evaluate how effectively schools and educational settings are implementing the statutory guidance as part of their inspection process.*

· *Schools need to ensure that there are sufficient numbers of fully trained staff to support children to manage their diabetes, including for periods of staff illness and school trips.*

· *Local authorities should support schools to ensure that every child with diabetes has an individual healthcare plan, which details exactly what their needs are and who will help them.* · *Schools must ensure that every child with diabetes is fully supported to manage their condition in public or private spaces within the school, depending on their wishes.”<sup>888</sup>*

**786.** They also called for the Welsh Government Diabetes Delivery Plan 2016-2020 to be fully implemented at a local level “with training and policies in place to reflect the needs” of children and young people with diabetes. The Delivery Plan has specific actions in relation to education, including ensuring staff are trained to support children and young people, and that children and young people are properly supported so they can access all aspects of education.<sup>889</sup>

**787.** Diabetes UK Cymru said they wanted to see “clear, financed and adequate support”. They also wanted to see children and young people with diabetes not excluded from any aspect of school life. They called for every child and young person with diabetes to have an individual healthcare plan, but that all school staff should know what to do in an emergency, with some staff specifically trained in diabetes.<sup>890</sup>

## Our view

**788.** While many of the issues we have considered as part of this work have been universal and the same regardless of the different types of conditions or need, there have been some specific issues. While we believe delivery of the full suite of recommendations we are making would do much to improve access and outcomes for all children and young people, there are some areas which we think need to be targeted. We would reiterate the importance of training and

---

<sup>888</sup> Written evidence, [AEC 44 WISERD, Cardiff University](#)

<sup>889</sup> Written evidence, [AEC 44 WISERD, Cardiff University](#)

<sup>890</sup> Written evidence, [AEC 68 Diabetes UK Cymru](#)

awareness for all education staff, with the capacity and resources for them to access additional, focused training when necessary

**789.** We share concerns about a lack of specialist teachers and other support staff that can support deaf, hard of hearing, blind or visually impaired children and young people. Numbers of specialist teachers are declining rapidly, with a 20% decline of Teachers of the Deaf over the past 10 years, while 12 local authorities have no qualified teacher of the visually impaired. This patchy provision means there is a postcode lottery for children and young people to access education which meets their needs. We are concerned that there is not sufficient focus on ensuring we have enough sufficiently trained staff to fill these gaps.

**Recommendation 32.** The Welsh Government sets out a clear delivery plan for addressing gaps in specialist teaching posts, for Teachers of the Deaf, and Teachers of the Visually Impaired, to ensure that all children and young people can access this support when needed. This delivery plan should have clear targets, deliverables and timeframes so it can be monitored and scrutinised.

## Annex 1: List of engagement activities

The Committee undertook engagement activities. A summary of the findings of the activities can be viewed on the [Committee's website](#)

### School Visits

Date	
<b>29 June 2023</b>	Ysgol Heol Goffa, Llanelli Ysgol Bryn Derw, Newport Ysgol Hafod Lon Parc Busnes Eryri, Penrhyndeudraeth Special School
<b>4 December 2023</b>	Monmouth Comprehensive School, Specialist Resource Base

### Other engagement activities

Date	
<b>3 May 2023</b>	<b>Meeting with Welsh Youth Parliament Members</b> Ella Kenny, Swansea East Georgia Miggins, South West Wales Ellis Peares, Cardiff Central Fatmanur Aksoy, Newport East Tegan Davies, Torfaen
<b>15 September 2023</b>	Sparkle, Serennu Centre – focus group Oakhill ASD Childcare - focus group
<b>09 October 2023</b>	Visit to ASD Rainbows, Mountain Ash
<b>May - September 2023</b>	The Citizen Engagement Team undertook 40 engagement sessions with parents, carers and occasionally children.
<b>November 2023 - October 2024</b>	An online advisory group was also set-up to discuss the evidence received. It will meet five times over the course of the inquiry to feed into the inquiry.



## Annex 2: List of attendees at the stakeholder event

The Committee held a stakeholder roundtable event. A summary of the findings of the event can be viewed on the [Committee's website](#).

Date	Organisation
<b>27 September 2023</b>	Long Covid Kids National Deaf Children's Society Mencap BATOD Guide Dogs Cymru SNAP Cymru Welsh Local Government Association Fragile X Society Sparkle Wales Dyslexia

## Annex 3: List of oral evidence sessions.

The following witnesses provided oral evidence to the committee on the dates noted below. Transcripts of all oral evidence sessions can be viewed on the [Committee's website](#).

Date	Name and Organisation
18 May 2023	<p><b>Rocio Cifuentes, Children's Commissioner for Wales</b>  <b>Sara Jermin, Head of Communications and Performance,</b>                      Office of the Children's Commissioner for Wales</p> <p><b>Ruth Coombs, Head of Wales,</b>                      Equality and Human Rights Commission in Wales</p>
7 June 2023	<p><b>Kat Watkins, UNCRDP Development Officer,</b>                      Disability Wales</p> <p><b>Megan Thomas, Policy and Research Officer,</b>                      Disability Wales</p> <p><b>Zoe Richards, Chief Executive Officer,</b>                      Learning Disability Wales</p> <p><b>Adele Rose Morgan, Inclusive education campaigner,</b>                      Learning Disability Wales</p> <p><b>Georgia Miggins,</b>                      Welsh Youth Parliament Member</p> <p><b>Karen McFarlane, Policy Officer, Poverty and Vulnerable Children, Children in Wales and Chair of TSANA,</b>                      Third Sector Additional Needs Alliance</p> <p><b>Francesca Wright, Assistant Chief Officer,</b>                      Snap Cymru</p> <p><b>Cath Lewis, Policy and Campaigns Manager,</b>                      Guide Dogs Cymru</p> <p><b>Chris Haines, External Affairs Manager,</b>                      National Autistic Society</p> <p><b>George Baldwin, Policy and Campaigns Officer for Wales,</b>                      National Deaf Children's Society</p> <p><b>Gwen Anslow,</b>                      All Wales Forum</p>

Date	Name and Organisation
12 October 2023	<p><b>Dr Gwenllian Lansdown Davies, Chief Executive,</b> Mudiad Meithrin</p> <p><b>Claire Protheroe, Head of Contracts and Projects,</b> Professional Association, Childcare and Early Years Cymru</p> <p><b>Sarah Coates, National Operations Manager (Wales),</b> National Day Nurseries Association Cymru</p> <p><b>Andrea Wright, Lead Manager,</b> Early Years Wales</p> <p><b>Jane O'Toole, Chief Executive Officer,</b> Clybiau Plant Cymru</p> <p><b>Professor Jonathan Rix, Professor of Participation and Learning Support,</b> The Open University</p>
25 October 2023	<p><b>Sharon Davies, Head of Education,</b> Welsh Local Government Association</p> <p><b>Catherine Davies, ALN Policy Officer,</b> Welsh Local Government Association</p> <p><b>Gaynor Davies, Director of Education for Rhondda Cynon Taf County Borough Council,</b> Association of Directors of Education in Wales</p> <p><b>Liz Jones, Inclusion Lead for the Vale of Glamorgan Council,</b> Association of Directors of Education in Wales</p> <p><b>Catherine Falcus, Policy and Leadership Specialist,</b> Association of School and College Leaders Cymru</p> <p><b>Mike O'Neill, NEU Organising Forum member and NEU representative for Merthyr,</b> National Education Union</p> <p><b>Ioan Rhys Jones, General Secretary,</b> Undeb Cenedlaethol Athrawon Cymru</p> <p><b>Urtha Felda, Policy and Casework Official,</b> National Association of Schoolmasters Union of Women Teachers</p>
16 November 2023	<p><b>David Davies, Professional Practice Lead for Wales,</b> Royal College of Occupational Therapists</p> <p><b>Pippa Cotterill, Head of Wales Office,</b> Royal College of Speech and Language Therapists</p> <p><b>Leanne Evans, School Nurse,</b> Royal College of Nursing Wales</p> <p><b>Dr Abigail Wright, Senior Specialist Early Years Educational Psychologist and British Psychological Society Education</b></p>

<b>Date</b>	<b>Name and Organisation</b>
	<p><b>Psychology Lead for Wales</b> British Psychological Society</p> <p><b>Dr Nick Wilkinson,</b> Royal College of Paediatrics and Child Health Officer for Wales</p> <p><b>Dr Claire Campbell,</b> Royal College of General Practitioners</p>

## Annex 4: List of written evidence

The following people and organisations provided written evidence to the Committee. All Consultation responses and additional written information can be viewed on the Committee's website.

<b>Reference</b>	<b>Organisation</b>
<b>AEC 01</b>	Children's Commissioner for Wales
<b>AEC 02</b>	Equality and Human Rights Commission for Wales
<b>AEC 03</b>	Individual
<b>AEC 04</b>	Individual
<b>AEC 05</b>	Third Sector Additional Needs Alliance
<b>AEC 06</b>	Learning Disability Wales
<b>AEC 07</b>	Individual
<b>AEC 08</b>	Individual
<b>AEC 09</b>	Disabled Wales
<b>AEC 10</b>	Individual
<b>AEC 11</b>	Individual
<b>AEC 12</b>	Individual
<b>AEC 13</b>	Not for publication
<b>AEC 14</b>	Individual
<b>AEC 15</b>	Individual
<b>AEC 16</b>	Wales Council for Deaf People
<b>AEC 17</b>	Lecturer in Psychology, Swansea University
<b>AEC 18</b>	School Council
<b>AEC 19</b>	Individual
<b>AEC 20</b>	Individual
<b>AEC 21</b>	Individual

<b>Reference</b>	<b>Organisation</b>
<b>AEC 22</b>	Individual
<b>AEC 23</b>	National Deaf Children's Society Cymru
<b>AEC 24</b>	Occupational Therapy, Swansea Bay University Health Board
<b>AEC 25</b>	Amy Griffiths
<b>AEC 26</b>	Not for publication
<b>AEC 27</b>	Not for publication
<b>AEC 28</b>	Individual
<b>AEC 29</b>	Individual
<b>AEC 30</b>	Royal College of Occupational Therapists
<b>AEC 31</b>	Individual
<b>AEC 32</b>	Dr Rhiannon Packer, Cardiff Metropolitan University
<b>AEC 33</b>	Individual
<b>AEC 34</b>	Individual
<b>AEC 35</b>	Whizz Kidz
<b>AEC 36</b>	Janet Kelly, Chair of Board of Trustees, Sparkle
<b>AEC 37</b>	Play Wales
<b>AEC 38</b>	Natspec
<b>AEC 39</b>	Platform
<b>AEC 40</b>	Professional Association for Childcare and Early Years Cymru
<b>AEC 41</b>	Awaiting authorisation to publish
<b>AEC 42</b>	National Deaf Children's Society Cymru
<b>AEC 43</b>	Clybiau Plant Cymru Kid's Clubs
<b>AEC 44</b>	WISERD, Cardiff University
<b>AEC 45</b>	Royal College of Speech and Language Therapists
<b>AEC 46</b>	Music and Arts organisations
<b>AEC 47</b>	RNIB Cymru
<b>AEC 48</b>	Estyn
<b>AEC 49</b>	Royal College of Paediatrics and Child Health (Wales)
<b>AEC 50</b>	Fair Treatment for Women of Wales

<b>Reference</b>	<b>Organisation</b>
<b>AEC 51</b>	Mudiad Meithrin
<b>AEC 52</b>	National ND Team
<b>AEC 53</b>	Early Years Wales
<b>AEC 54</b>	National Day Nurseries Association
<b>AEC 55</b>	Swansea Parent Carer Forum
<b>AEC 56</b>	Carers Trust Wales
<b>AEC 57</b>	Oxfam Cymru
<b>AEC 58</b>	British Psychological Society
<b>AEC 59</b>	Auditory Verbal UK
<b>AEC 60</b>	Individual
<b>AEC 61</b>	Individual
<b>AEC 62</b>	Guide Dogs Cymru
<b>AEC 63</b>	Individual
<b>AEC 64</b>	Not for publication
<b>AEC 65</b>	Individual
<b>AEC 66</b>	Joining the Dots Parents and Carers
<b>AEC 67</b>	Undeb Cenedlaethol Athrawon Cymru
<b>AEC 68</b>	Diabetes UK Cymru
<b>AEC 69</b>	Joint Trade Union
<b>AEC 70</b>	Individual
<b>AEC 71</b>	National Education Union Cymru
<b>AEC 72</b>	Individual
<b>AEC 73</b>	Royal College of Nursing Wales
<b>AEC 74</b>	Individual
<b>AEC 75</b>	Individual
<b>AEC 76</b>	Royal College of General Practitioners
<b>AEC 77</b>	Welsh Government
<b>AEC 78</b>	Heledd Fychan MS "A continuous battle: Experiences of families of neuro-divergent children and young people"



Reference	Organisation
	requiring Additional Learning Provision in South Wales Central”
<b>AEC 79</b>	Individual

### Additional Information

Title	Date
Third Sector Additional Needs Alliance	16 June 2023
Joint response from Childrens Commissioner for Wales and Welsh Language Commissioner	19 June 2023
Equality and Human Rights Commission in Wales	20 June 2023
Disability Wales	27 June 2013
Welsh Language Commissioner	26 July 2023
National Education Union	25 October 2023
Royal College of Speech and Language Therapists, the Royal College of Occupational Therapists and the British Psychological Society	24 November 2023
Guide Dogs Cymru	17 January 2024