

Number: WG38025



Llywodraeth Cymru
Welsh Government

Welsh Government
Consultation – summary of response

Draft Additional Learning Needs Code

Proposed subordinate legislation under the Additional Learning Needs
and Education Tribunal (Wales) Act 2018

Date of issue: June 2019

Mae'r ddogfen yma hefyd ar gael yn Gymraeg.
This document is also available in Welsh.

Draft Additional Learning Needs Code

Audience	Maintained schools, further education institutions, local authorities, local health boards, early years settings, third sector organisations and anyone else with an interest in additional learning needs.
Overview	This consultation sought the views on the Welsh Government's draft Additional Learning Needs (ALN) Code under the Additional Learning Needs and Education Tribunal (Wales) Act 2018 and proposed related regulations.
Action required	No further action is required
Further information	Enquiries about this document should be directed to: Additional Learning Needs Transformation Team Support for Learners Division Education Directorate Welsh Government Cathays Park Cardiff Wales CF10 3NQ Tel: 03000 253 650 e-mail: SENReforms@gov.wales



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Additional copies	This document can be accessed from the Welsh Government's website at https://gov.wales/draft-additional-learning-needs-code
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Related documents *Draft Additional Learning Needs Code for Wales (2018)*
Consultation document - Draft Additional Learning Needs Code for Wales (2018)
Consultation document for Children and Young People (2018)
Consultation document: easy read (2018)
Consultation on draft Additional Learning Needs Code – Summary of feedback from engagement events with children, young people and parents (2019)
Consultation on draft Additional Learning Needs Code – Summary of feedback from regional stakeholder events (2019)

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Ministerial Foreword

I am pleased to publish this report on the consultation on the draft Additional Learning Needs (ALN) Code and proposed subordinate legislation to be made under the Additional Learning Needs and Education Tribunal (Wales) Act 2018.

The ALN Transformation Programme is an essential part of Our National Mission for Education in Wales, and our ambition to create a fully inclusive education system where all learners are inspired, motivated and supported to reach their potential. We can only achieve this by working collaboratively with our partners and stakeholders.

I am, therefore, delighted with the number of responses we received to the consultation and the level of participation from an extensive range of stakeholders at the regional events and engagement workshops for children, young people and parents.

I am grateful to all who contributed to this consultation. The views expressed will be integral to developing and refining the ALN Code and regulations. Your valuable participation in this consultation will help ensure we create a Code which enables those working with learners with ALN to fully understand and embrace their roles and responsibilities in delivering the transformed system and improving educational outcomes for some of our most disadvantaged children and young people.

A handwritten signature in black ink, appearing to read 'Kirsty Williams'.

Kirsty Williams AM
Minister for Education

Introduction

The Additional Learning Needs and Education Tribunal (Wales) Act 2018 ('the Act') attained Royal Assent in January 2018. It provides a new statutory framework for supporting children and young people with additional learning needs ('ALN'). The Act, Code and regulations made under it will replace existing legislation surrounding special educational needs (SEN) and the assessment of children and young people with learning difficulties and/or disabilities (LDD) in post-16 education and training.

The Act specifies that Welsh Ministers must¹ issue a Code on ALN ('the ALN Code'). This may² include statutory guidance on the exercise of functions under Part 2 of the Act and any other matter connected with identifying and meeting ALN. In addition, it may³ and in some cases must⁴ include requirements on local authorities and governing bodies of schools and further education institutions (FEIs) in respect of specific decisions and duties under the Act.

A consultation on the draft ALN Code was held between 10 December 2018 and 22 March 2019, as per the requirement on Welsh Ministers to do so before issuing or revising it⁵.

Methodology

The consultation document⁶ asked 65 questions which covered the following five themes:

1. The draft ALN Code;
2. Draft Education Tribunal for Wales regulations;
3. Draft ALN Co-ordinator regulations;
4. Looked after children; and
5. Impact of proposals.

Alongside the main consultation document, the Welsh Government published a version of the consultation for children and young people⁷ and an easy read version⁸ which both asked fifteen questions on aspects of the draft Code and proposed regulations. The responses to these questions have been included in this report as sub-headings under each of the equivalent questions from the main consultation document.

¹ Section 4(1) of the Act

² Section 4(2) of the Act

³ Section 4(5) of the Act

⁴ Section 4(6) of the Act

⁵ Section 5(1) of the Act

⁶ [Draft Additional Learning Needs Code consultation document](#)

⁷ [A consultation for children and young people on the draft Additional Learning Needs Code](#)

⁸ [Draft Additional Learning Needs Code consultation document: Easy Read](#)

Summary

As the draft ALN Code and proposed regulations cover a huge range of different topics, the responses to the consultation were necessarily very wide ranging, with a huge variation in opinion and very different focuses. This report summarises the responses to each question in turn. Annex A provides a breakdown of the general outcome in relation to each of the yes/no questions asked in the consultation document.

Overall, 34 of the 60 questions that included 'yes', 'no' and 'not sure' options had a majority of the respondents answering positively. Of the other 26, none had an absolute majority against the proposal but nevertheless included significant number of negative or 'not sure' responses. On the basis of those 26 questions, the negativity or uncertainty was greatest in relation to matters relating to:

- the definition and identification of ALN, timescales within which duties must be performed, the roles of the Additional Learning Needs Co-ordinator ('ALNCo'), the Designated Educational Clinical Lead Officer ('DECLO') and Looked After Children in Education Co-ordinator;
- arrangements for disagreement resolution, advocacy services and appeals;
- the delegation of duties to pupil referral units;
- individual development plan ('IDP') templates;
- the provision of IDPs for young people not attending an education setting; and
- the ALN system as it will apply to detained persons.

It is worth noting that the comments received from respondents tended to come from those who were opposed to particular aspects of the many policies set out in the draft ALN Code, or who were unsure about aspects of those policies. This was true even in relation to those matters where the majority of respondents responded positively to the relevant question. The comments also included a great number of suggested technical amendments to the ALN Code.

Responses

In total, 644 people responded to the main consultation. 309 of those responses were submitted via the consultation response form and the remainder were free text submissions.

273 of the free text responses were identical, and were submitted as part of a campaign coordinated by the National Deaf Children's Society (NDCS) Cymru. For the purposes of the analysis of numbers of responses throughout the report, these have been treated as a single response. A summary of the issues raised by these respondents has been included in this report under question 46 which asked for any other comments on the Code.

In addition, 16 children and young people responses and 15 easy read responses were received. Responses have been published in full alongside this report. Annex B provides a list of respondents.

Most of the 65 questions asked for a 'yes', 'no' or 'don't know' response as well as supporting comments. The number of responses shown in the tables in this document reflects those who completed the form, and the supporting text presents an analysis of all responses received (including submissions not using the form). As identified within the tables, not all respondents provided either a tick box answer or commented on every question. During the consultation period, stakeholders were encouraged to respond to any of those questions they had a view on rather than feeling they had to respond to all questions.

In addition, some responses received were collaborative responses, representing the views of multiple individuals and organisations but have been counted as a single response, for example, a class of pupils or a local authority department.

Stakeholder events

As part of the public consultation, the Welsh Government organised two half-day consultation events in each of the four regional education consortia areas in Wales on the following dates:

- Newport - 12 February 2019
- Llanelli - 13 February 2019
- Cardiff - 19 February 2019
- Llandudno - 21 February 2019

In total these were attended by approximately 800 attendees. Each event was structured in the same way and split into three parts; an initial presentation by the Welsh Government on the draft Code, a plenary workshop to discuss and answer consultation questions on the timescales proposed in the draft Code and break-out workshops. The Welsh Government presentations in Llandudno were live-streamed online for those unable to attend any of the eight events.

The break-out workshops at the regional events focussed on five themes: the ALNCo role; the Early Years ALN Lead Officer role; local authority decisions about post-16 specialist placements; advice, information and disagreement resolution; and health and the role of the DECLO. All of the workshops at each of the consultation events were facilitated by an independent company; a report providing analysis of the feedback at those workshops has been published alongside this summary of responses⁹.

In addition to the regional events, the Welsh Government also commissioned a series of engagement sessions with children, young people and parents during the consultation period which were attended by 228 participants. A report of these engagement sessions has also been published alongside this summary of responses¹⁰.

⁹ See *Consultation on draft Additional Learning Needs Code – Summary of feedback from regional stakeholder events*

¹⁰ See *Consultation on Draft Additional Learning Needs Code – Summary of feedback from engagement events with children, young people and parents*

These reports are referred to throughout this document in order to compare the views of attendees at the regional events and engagement sessions with the written responses to the consultation.

Welsh Government response

The Welsh Government is grateful to all those who have taken the time and effort to respond to this consultation or contributed their views during the regional consultation events and engagement workshops for children, young people and parents.

A huge number of comments have been received covering nearly every aspect of the draft ALN Code and proposed regulations. The Welsh Government is carefully considering what changes to make in the light of respondents' comments. These changes, and the reasons for them, will be explained in the explanatory memoranda that will accompany the ALN Code and regulations when they are laid before the National Assembly.

However a number of issues have been raised in the consultation responses that it would be helpful to take this opportunity to address.

Respondents expressed concern about various terms that appear in the draft ALN Code. Some of these terms are drawn directly from the Act and cannot be amended by the ALN Code. There were also calls for guidance on the meaning of particular terms. In considering those points further, we will be mindful of whether further elaboration would add value or whether it might risk an inadvertent narrowing or widening of the term's meaning.

In particular, some respondents questioned various aspects of the wording of the definitions of ALN and additional learning provision ('ALP'). These definitions are set out in the Act and cannot be changed by the ALN Code. The wording of the definitions of ALN and ALP used in the Act, which is repeated in the draft ALN Code, is deliberately similar to that currently used in relation to the definitions of SEN and special educational provision ('SEP'), with which many professionals will already be familiar.

Respondents also questioned other elements of the system laid down in the Act. For example, some disagreed with the principle of local authorities being responsible for preparing and maintaining IDPs for all looked after children. Others called for the creation of new requirements for which the Act makes no provision, such as making it compulsory for parties to engage in disagreement resolution before they are able to make an appeal, or requiring NHS bodies to comply with a Tribunal order. The ALN Code and regulations must align with the Act and cannot require any person to do something for which the Act provides no power.

Likewise, there were frequent calls to convert many of the "shoulds" included in the draft ALN Code to "musts". For something to be a mandatory requirement (a "must"), the Act needs to give the power for the ALN Code or regulations to specify it as such. The range of things about which the Act gives powers to make mandatory requirements is limited by the Act. Even where the Act does provide such a power, there is a question of whether a mandatory requirement or statutory guidance (a "should") is more appropriate. An important consideration is whether there could be occasions when non-compliance would be justified and if so, whether these would be

better dealt with by having specific exceptions to a mandatory requirement or by allowing the person to justify non-compliance on a case-by-case basis.

Some respondents also expressed concern about the language style used in the draft ALN Code. As the ALN Code will impose mandatory requirements which amount to subordinate legislation, the language used must be suitably clear and precise. This is important so that those who must comply with the requirements can understand what is required and so that the requirement can be enforced. Similarly, the guidance in the Code needs to be suitably clear and precise so that those who must have regard to it can understand what it is they are to do unless they have a justification for not doing it. It is also important to note that the ALN Code is primarily intended to be read and used by professionals working in the public authorities that have functions under Part 2 of the Act, as listed in Chapter 1 of the draft ALN Code. The draft ALN Code has not been written so as to be accessible to the wider public as that is not the ALN Code's intended audience. It is however intended that guidance on the new ALN system specifically aimed at children, young people and parents will be published by the Welsh Government in due course, to ensure they are aware of their rights and entitlements under the new system. This will be part of a wider programme of awareness-raising in advance of the ALN system commencing.

Some respondents were concerned that the draft ALN Code says little about mental capacity in relation to young people and parents. As noted in the consultation document, it is intended that this issue is addressed in regulations made under section 83 of the Act once the Welsh Government has had the opportunity to consider an important decision by the Supreme Court that is currently pending, as well as any relevant changes to the Mental Capacity Act 2005 which have been made by the Mental Capacity Act (Amendment) Act 2019.

Some respondents raised issues about transport provision for post-16 learners with learning difficulties or disabilities. As mentioned in the consultation document, the Welsh Government intends to consult on revisions to the Learner Travel Statutory Provision and Operational Guidance 2014.

Some respondents suggested that the ALN Code needs to include guidance on other relevant legislation or on matters set out elsewhere in statutory guidance. The Act is clear that the guidance the Code may contain is about the exercise of functions under Part 2 of the Act and about any other matter connected with identifying and meeting ALN. Generally, therefore, it is not appropriate for the ALN Code to provide guidance about other matters, although where appropriate, references are made to other areas of law and guidance.

Many respondents considered that the implementation of the new ALN system would have a considerable financial impact. The financial implications of the Act were included in the Regulatory Impact Assessment (RIA) which accompanied the Bill. In particular, the RIA was subject to intense scrutiny by the National Assembly's Finance Committee, including a delayed vote on the financial resolution motion whilst further independent analysis was undertaken. This analysis was considered by the National Assembly before it passed the financial resolution in relation to this matter.

In recognition of the costs of moving from the current legislative framework to the new ALN system, implementation grant funding is being provided on a regional basis, co-ordinated by Regional ALN Transformation Leads, to roll-out regional, multi-agency training and professional development on the new legislative framework and its implications for all those involved in supporting learners with ALN. The training will target key practitioners with specific roles in the new system (including the ALNCo and DECLO roles) to ensure the effective implementation of the new ALN system.

A number of respondents requested that the Welsh Government consider developing an electronic system to support the IDP process. Work is already underway in this area and we are currently undertaking an initial scoping exercise to establish both the feasibility and appropriateness of developing a Wales-wide online system.

Finally, respondents also raised concerns about the capacity of the specialist workforce, including educational psychologists, to deliver elements of the new system described in the draft ALN Code. Work is already being undertaken to improve the capacity of the specialist workforce (for example, by funding post-graduate training for educational psychologists and sensory support services). These concerns will also be taken into account when considering what changes to make to the Code.

Next steps

The responses to the consultation have raised a huge number of issues that now require detailed consideration to determine what changes to make to the Code and regulations. Once this consideration is complete, it is intended that the Welsh Government will lay a revised draft of the ALN Code before the National Assembly for its approval later in 2019. At the same time, it is intended that various regulations (some in draft form) to be made under the Act will be laid, including those consulted on as part of this consultation. The laying of the ALN Code and regulations will be accompanied by the publication of the relevant explanatory memoranda and impact assessments.

Subject to the National Assembly's approval of the ALN Code, it is expected to be issued before the end of 2019 with the new ALN system implemented over a period of three years beginning in September 2020.

Summary of responses to Part 1: The draft ALN Code

Question 1 – Is the explanation in paragraphs 1.10 – 1.16 of the draft ALN Code of the use and meaning of the different terms ‘must’, ‘must not’, ‘may’, ‘should’ and ‘should not’ clear?			Response Percent	Response Total
1	Yes		70.87%	163
2	No		20.87%	48
3	Not sure		8.26%	19
			answered	230
			skipped	79

Overall, the majority of the 230 respondents who answered either ‘yes’, ‘no’ or ‘not sure’ to this question agreed that the explanation in paragraphs 1.10 - 1.16 of the draft ALN Code of the use and meaning of the different terms ‘must’, ‘must not’, ‘may’, ‘should’ and ‘should not’ is clear. 133 respondents provided a supporting comment, many of whom felt that the explanation and meaning of the different terms are clearly defined, helpful and appropriate.

Whilst the general consensus was that the use and meaning of ‘must’ and ‘must not’ are clear, many respondents expressed concerns that the distinction between the terms ‘should’ and ‘must’ is not clear and suggested that this could have implications for the practical application of the Code.

Some respondents felt that the inclusion of ‘should’/ ‘should not’ was appropriate but proposed that there should be greater use of ‘must’ across the Code. Others felt if ‘should’/ ‘should not’ has to be used then a clearer explanation of what this means in practice would be helpful, and some requested examples be provided in order to ensure consistency and clarity for all parties. Others felt that the terms whilst clear were not consistently or clearly applied.

Many respondents felt that the terms ‘should’ and ‘should not’ are too subjective, ambiguous and open to interpretation by different authorities and professionals. Many who raised this issue expressed concerns about what constitutes an ‘exceptional circumstance’ (as referenced in paragraph 1.13 of the draft ALN Code). A number of respondents were clearly unsure of the legal meaning of the term ‘may’ and its use in the Code.

Question 2 – Do you agree with the general approach to the timescales for compliance with duties (that is, to act promptly and in any event within a fixed period), as explained in paragraphs 1.31 – 1.32 of the draft ALN Code?

			Response Percent	Response Total
1	Yes		58.88%	126
2	No		21.03%	45
3	Not sure		20.09%	43
			answered	214
			skipped	95

214 people answered either ‘yes’, ‘no’ or ‘not sure’ to this question. A majority of these agreed with the draft Code’s general approach to timescales. 156 respondents provided comments. Even amongst those who disagreed, the most common reason for doing so given in the comments was an objection to the fixed periods set out elsewhere in the draft Code rather an objection in principle to the general approach. Some respondents expressed concern about the meaning and interpretation of the term ‘promptly’ and a few questioned whether a focus on meeting timescales would result in a reduction in the quality of decision making. This question was discussed during the Welsh Government’s regional consultation events and very similar points were raised by attendees¹¹.

Question 3 – Is the general exception which applies in the case of timescales, as described in paragraphs 1.33 – 1.35 of the draft ALN Code, appropriate?

			Response Percent	Response Total
1	Yes		56.25%	117
2	No		20.67%	43
3	Not sure		23.08%	48
			answered	208
			skipped	101

208 people answered either ‘yes’, ‘no’ or ‘not sure’ to this question. A majority of these agreed that the proposed general exception is appropriate. 116 respondents provided comments. Of these, some were concerned that the terms ‘impractical’ and ‘circumstances beyond its control’ are insufficiently explained.

¹¹ See *Consultation on draft Additional Learning Needs Code – Summary of feedback from regional stakeholder events*

There was a concern amongst some that the wording of the exception might allow it to be used too freely and queried how this might be monitored and decision makers held accountable when claiming that the exception applies. Others were concerned that the examples given are too child focussed and that the exception needed to take greater account of matters such as staff absence, school holiday periods and delays in the receipt of specialist advice. A number of respondents considered that it would be inappropriate to issue an IDP before all the relevant information had been received and therefore questioned the further explanation of the term ‘impractical’ provided in the draft Code.

This question was also discussed during the Welsh Government regional consultation events and again, very similar points were made¹².

Question 4 – Is the structure of the draft ALN Code and the separation of the chapters appropriate, clear and easy to follow?				
			Response Percent	Response Total
1	Yes		67.44%	145
2	No		25.58%	55
3	Not sure		6.98%	15
			answered	215
			skipped	94

215 people answered either ‘yes’, ‘no’ or ‘not sure’ to this question. A majority of these agreed that the structure of the draft ALN Code and the separation of the chapters is appropriate, clear and easy to follow. However, of the 130 respondents who provided comments, some felt that the draft ALN Code is too long or has too many chapters, and that the chapters are repetitive or even contradictory. There were concerns that there is too much cross referral between chapters or that when read in isolation, the chapters could be misleading.

Some respondents questioned the whether current order of the chapters is clear and logical, with calls for certain chapters to be moved. A number of respondents, for example, thought that Chapter 7 (the Definition of ALN and ALP) or Chapter 24 (the role of ALNCOs) should be at or near the beginning of the Code. Others suggested restructuring the Code entirely so that it is more closely based on the age of the learner (a number of further education providers felt that all young people should dealt with under the same chapters, irrespective of the setting they attended, on the basis that their needs were different to those of children) or the specific needs of different groups of readers (for example, teaching staff, governors, local authority officers). A number of respondents (including the National Assembly’s Children, Young People and Education Committee) considered that an index would be useful. Some local authority respondents thought that a specific chapter on looked after children should be included.

¹² See *Consultation on draft Additional Learning Needs Code – Summary of feedback from regional stakeholder events*

Although not necessarily relevant to the question, a minority of respondents answered this question by suggesting that the language used in the Code was inaccessibly complicated, technical or legal. Some suggested that to improve accessibility, separate supporting guidance should be published.

Question 5 – Is the draft ALN Code’s focus on describing and explaining the functions and processes appropriate?				
			Response Percent	Response Total
1	Yes		62.07%	126
2	No		22.17%	45
3	Not sure		15.76%	32
			answered	203
			skipped	106

Overall, the majority of the 203 respondents who answered either ‘yes’, ‘no’ or ‘not sure’ to this question agreed that the Code’s focus on describing and explaining the functions and processes is appropriate. 110 respondents provided a supporting comment. The majority of respondents who answered ‘yes’ did not provide a supporting comment whereas a significant majority of those who answered ‘no’ did provide a written supporting comment.

Many respondents commented positively that the Code’s focus and level of detail is appropriate and clearly identifies the required process and duties. Some commented that it is easy to understand, useful and accessible for relevant persons.

However many respondents were critical of the Code. Some commented that the focus was appropriate but felt it is inaccessible and difficult to follow. Others felt the Code needs more detail including practical advice and case studies to help clarify and explain duties and processes. Some respondents felt that the Code is not precise enough and open to interpretation and needs to be clearer, more consistent and more prescriptive.

Some respondents called for separate good practice guidance such as case studies and examples to be published to support the Code. Others called for a suite of shorter, simpler summary documents aimed at non-professional/service users including learners, parents and carers. There were a number of other common suggestions including calls for greater use of tables, checklists and flow charts to makes processes clear.

Question 6 – Do you agree with the proposal to use regulations to delegate functions from a local authority to a Management Committee of a PRU?

			Response Percent	Response Total
1	Yes		39.24%	62
2	No		18.99%	30
3	Not sure		41.77%	66
			answered	158
			skipped	151

158 respondents answered 'yes', 'no' or 'not sure' to this question and 72 provided supporting comments.

The majority of respondents who answered this question were generally in favour of the proposals to introduce regulations for local authorities to delegate the same functions to the Management Committee of a PRU, which the 2018 Act places on maintained school governing bodies in relation to the ALN system, were appropriate. However, respondents heavily caveated their responses in support of these proposals with the need for PRU Management Committees to be provided with the necessary support, funding and training to fulfil these new functions.

A few respondents raised concerns with the principle of the proposals. This included comments that PRUs could be seen as special schools rather than as a short term measure with a view to reintegrating pupils back into their mainstream school.

Some of the other common themes raised by respondents in response to this question related to whether PRU Management Committees held the necessary expertise to carry out the proposed functions and the potential that local authorities could abdicate their overall responsibility and accountability for providing support to learners who attend PRUs because functions have been delegated to the Management Committee.

Question 7 – Are the principles set out in Chapter 2 of the draft ALN Code the right ones?

			Response Percent	Response Total
1	Yes		77.72%	157
2	No		6.44%	13
3	Not sure		15.84%	32
			answered	202
			skipped	107

Overall, the majority of the 202 respondents who answered either 'yes', 'no' or 'not sure' to this question agreed that the principles set out in Chapter 2 of the draft ALN Code are the right ones. In addition, a large majority of the 130 respondents who provided a supporting comment agreed with this statement.

Many of the comments related to how each of the five principles will help to deliver the policy aims of the new ALN system and how this will improve outcomes for children and young people, and each were welcomed by respondents. However a number of respondents suggested additional or alternative principles for the Code including safeguarding, prevention, partnership and pupil voice. Whilst not advocated as a specific principle some respondents felt that the views and opinions of professionals must also be seen as valid and important and taken into account during ALN/IDP meetings especially where the wishes of the child may not be in the best interests of the child.

Many of the respondents discussed the integration of PCP in the Code. Whilst there was broad support that the five principles reinforce and facilitate a person-centred approach to planning and delivering additional learning provision, some respondents stated that they would welcome a stronger focus on this as a key principle of the Code. Some felt that delivering a system that embodies and realises these principles in practice will be a challenge and in some cases not achievable as a result.

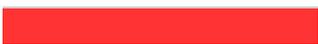
Some respondents expressed particular concerns for the implications of delivering these principles for health services. Others felt that the rights-based approach for instance is likely to take additional time and require additional capacity and resources to ensure that the principle is followed through into effective practice.

Many respondents felt the Code should more strongly reinforce the principles throughout the individual chapters.

Children and young people’s consultation: Question 1 – Do you think these principles are the right ones?; Easy read consultation: Question 1 – Do you think the ways we want people to work are right?

The majority of responses to the consultation document for children and young people and the easy read consultation agreed that the principles are the right ones.

Furthermore all of the children, young people and parents at the children and young people’s workshops¹³ agreed that these are the right ideas. The children and young people commented about how important it is to be involved and how it will help them to learn, the importance of being included when plans changes and about needing help and support as quick as possible.

Question 8 – Is the explanation of the duties relating to involving and supporting children, their parents and young people provided in Chapter 3 of the draft ALN Code appropriate?			Response Percent	Response Total
1	Yes		70.73%	145
2	No		18.05%	37
3	Not sure		11.22%	23
			answered	205
			skipped	104

For this question 205 people provided a ‘yes’, ‘no’ or ‘not sure’ response and 110 people provided supporting comments.

The majority of respondents agreed that the explanation of the duties relating to involving children, their parents and young people is appropriate. However, although in support of the explanation of these duties in the draft Code, some people commented that the chapter was too long and in contrast, others felt more guidance could have been included around person-centred practice and communication types.

Many respondents who answered ‘no’ to the question felt that the chapter needs to provide more information on ensuring young people and parents have access to impartial advice and guidance.

¹³ See *Consultation on Draft Additional Learning Needs Code – Summary of feedback from engagement events with children, young people and parents*

Question 9 – Is Chapter 4 of the draft ALN Code clear about what is expected of local authorities and NHS bodies when discharging their duties to have due regard to the United Nations Convention on the Rights of the Child (UNCRC) and United Nations Convention on the Rights of Persons with Disabilities (UNCRPD)?

			Response Percent	Response Total
1	Yes		63.93%	117
2	No		16.39%	30
3	Not sure		19.67%	36
			answered	183
			skipped	126

183 respondents provided a ‘yes’, ‘no’ or ‘not sure’ response to question 9 and 101 respondents provided supporting comments. Some of those who provided comments in support of a ‘yes’ response expressed that the guidance in Chapter 4 is helpful and provides clarity about what is expected of local authorities and NHS bodies. However, a few commented on the need for training, including on the UN Conventions, to ensure the effective delivery of these duties and compliance with the guidance in the Code.

Of those who provided comments to support a ‘no’ or ‘not sure’ response to question 9, around half felt that the structure of the chapter is confusing or the guidance is vague, complex or “wordy”. Some respondents expressed concern in relation to post 16 learners who require specialist provision, decisions will be guided by the availability of funding rather than having due regard to the UNCRPD.

Some suggested that more specific detail is needed about how these duties should be discharged in practice, and about other aspects of the guidance in the chapter. A few respondents suggested that a lack of clarity in Chapter 4 could lead to variation in the application of the duties. A few respondents suggested that this chapter should include references to other legislation regarding disability and accessibility, including the Equality Act 2010.

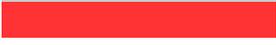
Question 10 – Is the guidance provided in Chapter 5 of the draft ALN Code in relation to the duties to keep ALP under review appropriate?

			Response Percent	Response Total
1	Yes		65.78%	123
2	No		13.90%	26
3	Not sure		20.32%	38
			answered	187
			skipped	122

187 respondents provided a 'yes', 'no' or 'not sure' response to question 10 and 125 respondents provided supporting comments. A few of those who provided comments expressed that the guidance is clear. Others raised operational concerns or requested clarity about how keeping ALP under review would work in practice including, for example, associated timescales, specific roles and how reviews would link with school improvement agendas.

Some respondents suggested amendments to or clarification of terminology used in the chapter, including the use of 'must' and 'should'. Others suggested amendments to or clarification of specific aspects of the guidance, such as the guidance around conducting a review and actions following the outcome of a review.

Question 11 – Is the guidance provided in Chapter 6 of the draft ALN Code in relation to making arrangements to provide advice and information about ALN and the ALN system appropriate?

			Response Percent	Response Total
1	Yes		61.81%	123
2	No		22.61%	45
3	Not sure		15.08%	30
4	blank		0.50%	1
			answered	199
			skipped	110

198 respondents answered ‘yes’, ‘no’ or ‘not sure’ to this question and 135 provided supporting comments. The majority of respondents who answered this question were in favour of the principles of Chapter 6 in providing advice and information about ALN and the ALN system in an impartial manner. However, respondents raised concerns about whether a local authority would be able to provide impartial advice and information as they could have a vested interest in the outcome of such cases.

Many respondents felt that there was a risk that if advice and information about ALN and the ALN system were not provided at a national level across Wales it could create inconsistencies in the support that is provided to children, young people and their families. This reflects similar comments made by many that attended the Advice and information, disagreement resolution and independent advocacy workshops at the Welsh Government regional consultation events¹⁴.

A few respondents felt that those who provide advice and information services must hold an externally audited quality assurance mark to give confidence to children, young people and their families are that they are receiving factual, clear and accurate advice and information.

¹⁴ See *Consultation on draft Additional Learning Needs Code – Summary of feedback from regional stakeholder events*

Question 12 – Is this explanation of the definition of ALN provided in paragraphs 7.4 – 7.32 of the draft ALN Code clear?

			Response Percent	Response Total
1	Yes		40.28%	85
2	No		44.08%	93
3	Not sure		15.17%	32
4	blank		0.47%	1
			answered	211
			skipped	98

211 people answered either ‘yes’, ‘no’ or ‘not sure’ to this question. Opinion was evenly split on whether on the explanation of the definition of ALN provided was clear.

163 respondents provided comments. Of these, many felt that the phrase “significantly greater difficulty in learning” is vague and not sufficiently explained. As a result, it was argued that the phrase would be open to interpretation leading to inconsistency in the way that is applied and potential disagreement between children, their parents or young people and the relevant responsible body or between schools and local authorities. Some respondents called for the inclusion of additional criteria against which decisions about ALN might be made.

There were also calls for more clarity on the difference between differentiated teaching/universal learning provision and additional learning provision and for the inclusion of guidance on a “graduated response”. Other called for the links to equalities legislation and healthcare needs guidance to be made clear. Some respondents expressed concern about the definition of ALN in the case of children under compulsory school age and other about the definition of ALP in the case of those aged under 3 years.

The Children’s Commissioner suggested that the content of this chapter should be integrated in to chapters 8-12, arguing that the process of identification was a part of the duties set out in those chapters and needed to be considered in the light of the timescales which those chapters prescribe. Estyn advised that the considerations in Chapter 7 could not be read “in isolation to the procedural requirements placed on governing bodies and other relevant bodies by the rest of the Code. Therefore, greater read-across between Chapter 7 and Chapters 8 to 12 is needed”. The Children, Young People and Education Committee considered that the chapter needed more emphasis on the link between ALN and healthcare needs.

Question 13 – Does Chapter 7 of the draft ALN Code provide a clear and comprehensive explanation of the evidence on which decisions about ALN and ALP should be based, the sources from which this evidence might be collated, and the way in which it should be considered?

			Response Percent	Response Total
1	Yes		40.00%	80
2	No		40.50%	81
3	Not sure		19.00%	38
4	blank		0.50%	1
			answered	200
			skipped	109

200 people answered either 'yes', 'no' or 'not sure' to this question. Opinion was again evenly split.

Comments were received from 159 respondents. Of those who answered 'no' to the question, many again thought the explanation was unclear and likely to lead to subjective and inconsistent decision making with calls for greater clarity and evidence which was more quantifiably based.

The various lists included in this chapter (relating to the difficulties a child or young person may be experiencing, the things that might give rise to concerns, the various parties who might input into the process of identification, and the advice and specialist services that might be of use) were criticised by some as either being too detailed or too general. The wording of individual elements of these lists was questioned, and various suggestions were made for potential additions. Some thought that some or all of the lists should be removed leaving such matters to be determined by professionals whilst others thought that it should made clearer that they were not intended to be exhaustive.

There were calls for more clarity as to the role of bodies other than school, FEIs and local authorities in the identification of ALN. Some raised concerns that some children and young people currently identified as having SEN might not meet the criteria for having ALN.

Question 14 – Is the guidance on the role, experience and expertise of the Early Years ALNLO set out in paragraphs 8.40 – 8.47 of the draft ALN Code appropriate for achieving the objectives (that the role is strategic and such officers have the appropriate experience and expertise to meet the expectations of the role)?

			Response Percent	Response Total
1	Yes		51.53%	84
2	No		18.40%	30
3	Not sure		30.06%	49
			answered	163
			skipped	146

163 respondents provided a ‘yes’, ‘no’ or ‘not sure’ response to question 14 and 99 respondents provided supporting comments. Although the responses to this question suggest that generally there is support for the role and the guidance set out in paragraphs 8.40-8.47, some respondents felt that the role appears to be too large for one person to fulfil. Others expressed that the guidance does not indicate that this is a fully strategic role as it sets out operational aspects of the role. A few suggested that the Code should clarify what operational support is available to support the ALNLO. A few respondents stated that the Code should set mandatory expertise, experience, training or qualifications for the role. Similar issues were raised by those who attended the Welsh Government consultation events¹⁵.

¹⁵ See *Consultation on draft Additional Learning Needs Code – Summary of feedback from regional stakeholder events*

Question 15 – Is the structure and content of Chapters 8 to 12 of the draft ALN Code clear?

			Response Percent	Response Total
1	Yes		56.32%	98
2	No		25.29%	44
3	Not sure		18.39%	32
			answered	174
			skipped	135

174 people answered either ‘yes’, ‘no’ or ‘not sure’ to this question. A majority of these agreed that the structure and content of Chapters 8 to 12 was clear. 114 respondents provided comments in support of their responses.

Some stated that whilst they felt the structure of the chapters is clear, aspects of the content are less so, including the language used. They included suggestions that more clarity was required on how these chapters applied in the case of certain learners (for example, looked after children, those educated otherwise than at school or electively home educated) and that more information was needed in Chapter 8 about ALN and ALP in the case of pre-school children. There were also suggestions that certain terms warranted further explanation (for example, ‘brought to the attention of’, ‘low incidence’, ‘reasonable steps’, ‘material change’). There were also calls for more information on who is responsible for taking decisions, what happens in the case of dual registration and on how an IDP is finalised.

Some respondents felt that in order to prevent geographical inconsistencies and disagreements arising, greater clarity was required in relation to when IDPs should be maintained by a local authority rather than by a school or FE. Some were also concerned that the requirements and expectations around the involvement of educational psychologists in the process may not be manageable.

A small number of respondents thought that the current structure of Chapters 8 to 12 is incoherent or suggested a different division, in particular one in which duties owed to young people are dealt with together rather than separated out on the basis of the setting attended by the young person.

Respondents who commented generally liked the flowcharts that are included in the draft Code but there were calls for more of these to be included.

Question 16 – Are the timescales for decisions by schools, FEIs and local authorities on ALN and preparing an IDP as set out in Chapters 8-12 appropriate?

			Response Percent	Response Total
1	Yes		33.33%	64
2	No		37.50%	72
3	Not sure		28.65%	55
4	blank		0.52%	1
			answered	192
			skipped	117

192 people answered either ‘yes’, ‘no’ or ‘not sure’ to this question. Respondents were fairly evenly divided about whether or not the timescales set out in Chapters 8 to 12 are appropriate.

160 respondents provided comments on this question. Some respondents, especially parents, felt that the timescales are too long - particularly the 12 weeks proposed for local authorities. They did not think that it was appropriate for a child or young person to wait that long for a statutory plan and provision to be put in place.

Other respondents, usually those who are school, FEI or local authority based, were concerned that the timescales are too short, either generally or in relation to specific circumstances. Those that felt they are generally too short, sometimes considered that the timescales will not provide sufficient time to undertake all the necessary steps in making a decision and preparing an IDP. Others considered that a perceived absence of sufficient resource and capacity, especially the capacity of ALNCoS, would make compliance with the timescales impossible. In relation to specific circumstances, respondents frequently suggested that where external or specialist input was considered necessary, delays in the receipt of this input would mean that timescales could not be met. This was particularly the case where input was sought from the health service (which has its own, different timescales). Some local authority respondents suggested that the timescale for local authority decisions should take into account school/FEI holiday periods.

Respondents suggested that the timescales be set out in flowcharts or in some other diagrammatical way.

Children and young people’s and easy read consultation: Question 4 - *What do you think about how long schools, colleges and local authorities will have to make plans?*

Respondents to the children and young people’s and easy read consultation documents were asked ‘what do you think about how long schools, colleges and local authorities will have to make plans?’ There was a mixed response to this question from children and young people with some thinking the timescales were too long with others thinking they were about right. Respondents to the easy read

consultation were also divided with some thinking the timescales were about right but others suggesting they were not long enough to enable a full picture of the child or young person to be established.

These views were echoed by the children, young people and parents who participated in engagement events during the consultation period¹⁶.

Question 17 – Are the proposed requirements and guidance in paragraphs 12.22 – 12.51 of the draft ALN Code on when it is necessary for a local authority to maintain an IDP for a young person not at a school or FEI in Wales appropriate?			Response Percent	Response Total
1	Yes		39.62%	63
2	No		25.16%	40
3	Not sure		35.22%	56
			answered	159
			skipped	150

For this question, 159 responded either ‘yes’, ‘no’ or ‘don’t know’. 66 provided supporting comments.

There was a mixed response to question 17 with varied opinions on whether the requirements and guidance in the draft ALN Code regarding when it is necessary for a local authority to maintain an IDP for a young person not at school or an FEI in Wales were appropriate. Many of those who answered ‘no’ or ‘not sure’ suggested clarification of terminology, such as ‘reasonable needs’, was needed in the Code to enable local authorities to make informed decisions. This reflects similar comments made by some attendees at the Welsh Government regional consultation events¹⁷. However, a few who answered ‘yes’ commented that this section of the chapter was clear and/or appropriate.

Many of the respondents had a view on the reference to a ‘reasonable period of time’ for a young person to undertake a course. This matter was also strongly debated in the regional consultation events¹⁸. Some who commented on this point challenged whether two academic years reflects the general position of provision delivered by mainstream FEIs. Others added that some learners with complex ALN will require a longer period of time to complete a course.

¹⁶ See *Consultation on Draft Additional Learning Needs Code – Summary of feedback from engagement events with children, young people and parents*

¹⁷ See report on the Draft Additional Learning Needs Code for Wales Consultation Regional Events for further information

¹⁸ See report on the Draft Additional Learning Needs Code for Wales Consultation Regional Events for further information

There were also suggestions that those making decisions on when it is necessary to maintain an IDP in these circumstances should be appropriately trained and have the knowledge to make informed decisions.

Question 18 – Are the elements of the mandatory content of an IDP which are required by the ALN Code, appropriate?				
			Response Percent	Response Total
1	Yes		59.79%	116
2	No		20.10%	39
3	Not sure		20.10%	39
			answered	194
			skipped	115

For this question 194 people provided a ‘yes’, ‘no’ or ‘not sure’ response and 107 people provided supporting comments. Over half of respondents to this question agreed that the elements of the mandatory content of an IDP are appropriate. Of these, a small number suggested Welsh Government produce guidance and templates to aid practitioners in completing an IDP for learners with different needs. Others felt that whilst all the mandatory content is necessary, it will be important to give practitioners an appropriate amount of time to prepare and review IDPs. Amongst the respondents who did not agree were calls to include a section for the IDP start date and amend section 1A.4 on gender, the Children’s Commissioner for Wales noted that “gender should be the gender with which children and young people identify”. Others felt that the mandatory content was too long and not required for all learners, for example those with less complex needs. There were also concerns raised about section 1A.12 on capacity issues and the appropriateness of those preparing IDPs being expected to judge parental capacity.

A fifth of all those who commented thought that the IDP was not person-centred enough, with requests to have the one page profile upfront rather than at section 1C. These responses were supported by children and young people at the engagement events, when asked if they had any ideas about what else should be included in the plan, they often suggested things that they like/ dislike or are important to them¹⁹.

Children and young people’s and easy read consultation: Question 2 – Do you like our other ideas about what the plan must say? and Question 3 – Do you have any ideas about what else you think it should say?

16 responses to the consultation document for children and young people were received and all responses except one agreed with the ideas about what the plan must say. 15 responses to the easy read consultation document were received and almost everyone agreed with the ideas about what the plan must say.

¹⁹ See *Consultation on Draft Additional Learning Needs Code – Summary of feedback from engagement events with children, young people and parents*

12 of the 16 responses to the consultation document for children and young people suggested additional information to be included in the IDP, such as, medical history, living arrangements and religious beliefs. None of the 15 responses to the easy read consultation document suggested additional information to be included in the IDP.

There was also universal support by children, young people and parents who attended engagement workshops when asked *'Do you like our ideas of what must be included in the Plan?'*²⁰

Question 19 – Is the proposed mandatory standard form for an IDP (included at Annex A of the draft ALN Code) appropriate?				
			Response Percent	Response Total
1	Yes		48.96%	94
2	No		23.96%	46
3	Not sure		27.08%	52
			answered	192
			skipped	117

For this question 192 people provided a 'yes', 'no' or 'not sure' response and 138 people provided supporting comments.

Nearly half the respondents felt that the proposed mandatory standard form for an IDP is appropriate, with comments that a standard form for an IDP will support a consistent approach whilst allowing for individual variations.

The rest of the responses were nearly equally split between 'no' and 'not sure'. Similarly to comments made in response to question 18, around half of the respondents who didn't think the IDP form was appropriate commented that the form was not very child-friendly. Some felt the mandatory form made the process bureaucratic and would be too time consuming to complete and review.

²⁰ See *Consultation on Draft Additional Learning Needs Code – Summary of feedback from engagement events with children, young people and parents*

Question 20 – Is the guidance in Chapter 13 of the draft ALN Code clear?

			Response Percent	Response Total
1	Yes		58.10%	104
2	No		17.88%	32
3	Not sure		24.02%	43
			answered	179
			skipped	130

For this question 179 people provided a ‘yes’, ‘no’ or ‘not sure’ response and 86 people provided supporting comments. Over half of respondents agreed that the guidance in Chapter 13 is clear. The majority of points raised had already been addressed in comments on questions 18 and 19; however some additional points were made. This included requests for guidance on timescales to be included within this chapter. Some who did not agree that the guidance is clear requested clarity on how health professionals will feed into the IDP process.

Question 21 – Is the guidance on transport in paragraphs 13.74 – 13.76 of the draft ALN Code appropriate?

			Response Percent	Response Total
1	Yes		50.60%	85
2	No		14.29%	24
3	Not sure		35.12%	59
			answered	168
			skipped	141

For this question 168 people provided a ‘yes’, ‘no’ or ‘not sure’ response and 73 people provided supporting comments. Half of the respondents agreed that the guidance is appropriate and some highlighted the importance of understanding individual access requirements when considering travel arrangements.

The majority of the remaining respondents answered ‘not sure’ to this question with a small number answering ‘no’. However, half of those who did not agree that the guidance is appropriate felt that this section of the IDP should be made mandatory.

Question 22 – Is the proposed timescale and exceptions for relevant persons to comply with a local authority request for information or other help (under section 65 of the 2018 Act) appropriate?

			Response Percent	Response Total
1	Yes		42.50%	68
2	No		20.63%	33
3	Not sure		36.88%	59
			answered	160
			skipped	149

160 people responded either 'yes', 'no' or 'not sure' to this question and 92 people provided supporting comments to their answer. The majority of respondents either agreed or were unsure of the proposed timescales and exceptions.

The respondents who commented and answered 'yes' agreed the timescales are appropriate but a few raised concerns over whether they are achievable for NHS services with existing waiting list times and the need for all stakeholders to understand and comply with these timescales.

Similar concerns were raised by those who answered 'no' or 'not sure'. They also expressed concerns about the exceptions set out in paragraphs 15.7 and 15.12. The National Assembly for Wales' Children, Young People and Education Committee stated *'the Committee is concerned that if the timescales are not realistic and deliverable, for example where the NHS does not already have any information or involvement about a learner, this could lead to the exceptions being excessively used.'* Others supported this by saying they felt the paragraphs were too ambiguous and open to interpretation. These concerns were also raised during the timescales workshop at the consultation events in March²¹.

The response from children and young people who attended engagement events was however very different. They expressed concerns that the timescale was too long and the quicker they responded the quicker a plan could be put in place²².

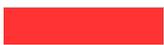
Children and young people's and easy read consultation: Question 5 – *What do you think about how long people will have to answer a local authority's question about the child or young person and how to help them?*

16 responses to the children and young people's consultation document were received. Generally they felt that this was about the right amount of time for people to answer a local authority's question. 15 responses to the easy read consultation document were received. Almost all who responded to question 5 agreed that it is an appropriate amount of time.

²¹ See *Consultation on draft Additional Learning Needs Code – Summary of feedback from regional stakeholder events*

²² See *Consultation on Draft Additional Learning Needs Code – Summary of feedback from engagement events with children, young people and parents*

Question 23 – Is the proposed period and exception within which an NHS body must inform others of the outcome of a referral to it (under section 20 of the 2018 Act) to identify whether there is a relevant treatment or service, appropriate?

			Response Percent	Response Total
1	Yes		36.18%	55
2	No		21.71%	33
3	Not sure		42.11%	64
			answered	152
			skipped	157

152 people responded either ‘yes’, ‘no’ or ‘not sure’ to this question and 71 people provided comments. The majority of respondents were unsure whether the proposed period and exception are appropriate. Some respondents who answered either ‘no’ or ‘not sure’ and provided supporting comments felt that the timescale is too short and unachievable in the context of current NHS waiting times and other NHS timescale requirements.

Respondents also raised questions around what is meant by a ‘response’ and, depending on that meaning, the appropriateness of the proposed period. Others felt that the exception description is unclear. For example, the Special Educational Needs Tribunal for Wales stated ‘The exception that applies to the duty is vague and very open ended and makes it potentially very easy for the NHS body to circumvent this timescale. The Chapter needs to give a clearer indication of what this exception means/ does not mean’.

The same concerns were raised during the Health and the Role of the Designated Educational Clinical Lead Officer (DECLO) workshops²³ during the consultation period.

However during engagement events with children and young people²⁴, over half believed the timescale to be too long when asked what they thought about the health services having 6 weeks to tell people how they can help you at school.

Children and young people’s and easy read consultation: Question 6 – What do you think about how long health services will have to let people know if there is a way they can help?

15 responses to the consultation document for children and young people and 14 responses to the easy read consultation document were received on this question.

²³ See *Consultation on draft Additional Learning Needs Code – Summary of feedback from regional stakeholder events*

²⁴ See *Consultation on Draft Additional Learning Needs Code – Summary of feedback from engagement events with children, young people and parents*

Almost all respondents felt that 6 weeks was enough time for health services to respond.

Question 24 – Is the guidance on the role, experience and expertise of the DECLO set out in paragraphs 15.37 – 15.53 of the draft ALN Code appropriate for achieving the objectives (that the role is strategic and such officers have appropriate experience and expertise)?			Response Percent	Response Total
1	Yes		47.17%	75
2	No		16.98%	27
3	Not sure		35.85%	57
			answered	159
			skipped	150

159 people responded either ‘yes’, ‘no’ or ‘not sure’ to this question and 93 people left further comments. Over half of respondents agreed that the guidance on the role is appropriate.

Some respondents who agreed felt the reference to ‘medical practitioner’ should be amended to ‘clinical practitioner’ to acknowledge the broader remit of the role. A lot of respondents who commented felt that the guidance on the role should include the need to establish appropriate structures, reporting arrangements and systems to ensure effective implementation of the duties on health boards. It was widely felt that this is a broad role which will need to be supported.

This feedback was echoed at the consultation events in March during the workshop on Health and the Role of the DECLO²⁵. Attendees frequently referred to what they perceived as the enormity of the role and the importance of these elements in supporting its effective delivery.

²⁵ See *Consultation on draft Additional Learning Needs Code – Summary of feedback from regional stakeholder events*

Question 25 – Is the content and structure of Chapter 16 of the draft ALN Code clear?

			Response Percent	Response Total
1	Yes		59.66%	105
2	No		21.02%	37
3	Not sure		18.75%	33
4	blank		0.57%	1
			answered	176
			skipped	133

In total, 176 people responded either ‘yes’, ‘no’ or ‘not sure’ to this question and 108 people wrote further comments. Over half of the respondents to this question agreed that the content and structure of Chapter 16 is clear. The other half of responses were fairly equally split between no or don’t know. Those who agreed found the flowchart of particular use in providing clarity.

Some people who were both unsure or did not agree that the chapter is clear felt that the timescales for reviews needed more clarity, particularly the definitions in paragraph 16.12 about review periods. Others commented that the chapter was too long and felt it could be more concise.

Question 26 – Is the proposed period and exception for completing reviews in response to a request from a child, their parent, a young person or an NHS body (set out in paragraph 16.18 of the draft ALN Code) appropriate?

			Response Percent	Response Total
1	Yes		47.95%	82
2	No		25.73%	44
3	Not sure		26.32%	45
			answered	171
			skipped	138

In total, 171 people responded either ‘yes’, ‘no’ or ‘not sure’ to this question and 111 people wrote further comments.

Nearly half of those who responded to this question agree that the proposed period and exception for completing reviews in response to a request from a child, their parent, a young person or an NHS body are appropriate.

Where people agreed with the proposed period, some commented that this supports a person-centred approach and will mean reviews are carried out promptly. The National Deaf Children's Society Cymru stated that it '*welcomes moves by the Welsh Government to adopt shorter timeframes for the IDP process. It is important to ensure that learners are able to access support as soon as is feasible. This is key to assisting these vulnerable learners in reaching their full potential.*'

Others agreed but acknowledged it may not be achievable depending on the number of children or young people with ALN within a given school, FEI or local authority. Some respondents, including those who agreed and disagreed, felt that the local authority period should be amended from 7 weeks to 35 school or FEI term time days to ensure equity amongst schools, FEIs and local authorities.

The majority of those who did not agree expressed concerns that the timescales were too short. Some supported this view by stating that more time was required to collate information from multiple agencies for a review, especially those facing capacity and resource issues.

The comments submitted in the consultation responses were consistent with those who attended the timescales workshop at the Code consultation events in March²⁶.

Children and young people's and easy read consultation question 7 – What do you think about how long schools, colleges and local authorities will have to review plans?

By contrast, when children and young people were asked during engagement events²⁷ 'What do you think about schools, colleges and local authorities having 7 weeks to review the plans they make?' only 18% of respondents supported this proposal. Most could not understand why a review would take so long.

These comments were supported in the responses to the children and young people's consultation document received, who mostly thought 7 weeks was too long. However the respondents to the easy read consultation document felt it was long enough but not that it should be less.

²⁶ See *Consultation on draft Additional Learning Needs Code – Summary of feedback from regional stakeholder events*

²⁷ See *Consultation on Draft Additional Learning Needs Code – Summary of feedback from engagement events with children, young people and parents*

Question 27 – Is the content and structure of Chapter 17 of the draft ALN Code clear?

			Response Percent	Response Total
1	Yes		55.06%	87
2	No		20.25%	32
3	Not sure		24.68%	39
			answered	158
			skipped	151

158 respondents answered ‘yes’, ‘no’ or ‘not sure’ to this question and 64 provided supporting comments.

On the whole, respondents who answered this question felt that Chapter 17 was in the main clear and understandable. A few respondents felt the local authority’s role in terms of reconsideration of and taking over responsibility for an IDP could be unmanageable due to funding and capacity issues.

A few respondents raised concerns regarding the practicality of the requirement the draft Code places on local authorities to consult with educational psychologists before taking a decision and questioned how this would work in practice, citing difficulties encountered in securing these services.

A few respondents commented that the structure of Chapter 17 requested this chapter to contain a specific sub-section relating to FEIs as there is for maintained schools to ensure consistency and clarity of the guidance for different settings throughout the chapter.

Question 28 – Is the proposed period and exception for a local authority reconsidering a school IDP (set out in paragraph 17.20 of the draft ALN Code) appropriate?

			Response Percent	Response Total
1	Yes		50.68%	74
2	No		22.60%	33
3	Not sure		26.71%	39
			answered	146
			skipped	163

146 people answered either ‘yes’, ‘no’ or ‘not sure’ to this question. A majority of those agreed that the proposed period for reconsidering a school IDP is appropriate.

65 respondents provided comments. Amongst these, some commented only to say that the seven week fixed period is appropriate. A few considered that this period is too long – as did a large majority of children and young people who took part in the workshop events²⁸ – but most of the comments made were concerns relating to whether the time period is achievable. Specifically, respondents tended to raise similar issues to those raised in relation to timescales more generally, such as local authority capacity or funding to support this work; the impact of seeking external input; and how the inclusion of school holidays could impact on the 7 week period.

Some respondents felt that because reconsiderations are likely to arise as a result of disagreements, local authorities will need to approach them in the same way that they approach the process of initially determining ALN and preparing an IDP, and therefore suggested that a 12 week timescale is more appropriate.

Children and young people’s and easy read consultation: Question 8 - *What do you think about how long local authorities will have to look again at plans made by schools?*

Responses to the children and young people’s consultation were fairly evenly split between those who thought the fixed period appropriate and those who those who thought it was too long although a couple thought it was too short. Those who responded to the easy read consultation overwhelmingly thought the timescale was appropriate.

Question 29 – Are the principles and the guidance provided in Chapter 18 of the draft ALN Code on meetings about ALN and IDPs appropriate?

²⁸ See *Consultation on Draft Additional Learning Needs Code – Summary of feedback from engagement events with children, young people and parents*

			Response Percent	Response Total
1	Yes		61.02%	108
2	No		19.77%	35
3	Not sure		19.21%	34
			answered	177
			skipped	132

177 respondents answered 'yes', 'no' or 'not sure' to this question and 135 provided supporting comments. The majority of respondents who answered this question agreed that the principles and guidance provided in Chapter 18 were appropriate and the person-centred practice approach was welcomed. A minority of respondents raised some concerns regarding the capacity of ALNCos to arrange and attend a potentially high volume of IDP meetings in addition to undertaking their teaching commitments.

A few respondents raised concerns with the reference in this chapter regarding professionals attending meetings. It was felt that this could potentially create additional service pressures for those professionals who have been requested to attend an IDP meeting or contribute relevant information to inform a meeting.

Question 30 – Is the guidance in Chapter 19 of the draft ALN Code on supporting children and young people to make effective transitions appropriate?

			Response Percent	Response Total
1	Yes		55.21%	106
2	No		25.00%	48
3	Not sure		19.79%	38
			answered	192
			skipped	117

A majority of the 192 respondents who answered either 'yes', 'no' or 'not sure' to this question agreed that the guidance in Chapter 19 of the draft ALN Code on supporting children and young people to make effective transitions is appropriate. 147 respondents provided a supporting comment many of whom felt the guidance is clear, specific, helpful and appropriate and will help support the planning and delivery of effective transitions. There was broad support for the guidance on multi-agency involvement and the emphasis on early and advanced planning.

Those that felt the guidance is not appropriate suggested more detail should be provided to support effective transitions. Many of the critical comments on this chapter related to suggestions for changes to specific sections within this chapter.

Many respondents expressed concerns about the lack of specific and prescribed timescales in this chapter which they felt was important for ensuring transition planning is done in a timely manner. A number of respondents asked for further explanations of the meaning of expressions including 'well in advance', 'good time', 'sufficient time', 'additional time' and 'as soon as possible'. Many respondents identified an omission in 19.16 which does not refer to the key transition from Key stage 2 to Key stage 3 (from year 6 to year 7).

Many respondents felt there is not enough detail in the Code about transition out of compulsory education to ensure the provision of information in a timely manner and a consistent approach. Many felt that the Code should acknowledge the importance of good careers advice and the critical role careers services play in transition planning. There were strong calls from many respondents including the National Deaf Children's Society Cymru and the Assembly's Children, Young People and Education Committee for the guidance around careers advice to be reviewed to ensure careers advisors are invited to key transition meetings.

Many respondents were concerned about the capacity of health and college staff to support the transition process and called for further detail in relation to their roles in supporting meetings and providing information. Many respondents also felt that further guidance was required to ensure the smooth transition to adulthood and to support young people with multiple and complex learning difficulties and disabilities.

Question 31 – Is the content and structure of Chapter 20 of the draft ALN Code clear?			Response Percent	Response Total
1	Yes		60.63%	97
2	No		20.63%	33
3	Not sure		18.75%	30
			answered	160
			skipped	149

The majority of the 160 respondents who answered either 'yes', 'no' or 'not sure' to this question agreed that the content and structure of Chapter 20 of the draft ALN Code is clear. Whilst some of the 72 respondents who provided a supporting comment felt that the content and structure of chapter 20 is clear and provides a consistent approach for transferring IDPs, some respondents felt that the chapter as a whole is difficult to follow and interpret in practice, and many respondents provided feedback on specific areas within the chapter that they felt would benefit from further explanation.

This included suggestions that particular paragraphs within the chapter could be clarified, such as the introductory paragraphs and the guidance on the duties that apply in relation to transfers for children who become or cease to be looked after by a local authority. There were also calls to include additional guidance on other types

of transfers that can occur including when an IDP transfers from a school to a local authority and vice versa and the transfer of an IDP to an EHCP.

Question 32 – Are the requirements that are intended to be included in regulations in relation to requests to transfer an IDP to an FEI (as described in paragraphs 20.12 - 20.17 of the draft ALN Code) appropriate?			Response Percent	Response Total
1	Yes		54.30%	82
2	No		9.93%	15
3	Not sure		35.76%	54
			answered	151
			skipped	158

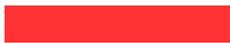
Over half of the 151 respondents who answered either ‘yes’, ‘no’ or ‘not sure’ to this question agreed that the requirements that are intended to be included in regulations in relation to requests to transfer an IDP to an FEI are appropriate. 51 respondents provided supporting comments.

Some respondents felt that the different timescale terminology i.e. ‘20 term time days’ and ‘4 weeks’ and the explanation of the process are confusing and hard to interpret. Some respondents suggested the inclusion of examples of exceptional circumstances that might apply where it is not possible for the FEI to respond within 20 term time days.

Some respondents commented that in some instances 20 term time days will not be enough time to allow an FEI to properly consider, discuss and respond to the local authority’s request. Further clarity was sought about when a local authority is able to request that an IDP transfers to an FEI and when the transfer itself takes place as well as guidance on the early transfer of information. Some felt there could be practical implications if a request is made at the wrong time during the transition/ enrolment process when assessments are being done which could result in an FEI being unable to respond within 20 days, particularly for young people with complex needs.

Some respondents felt that a formal template for the written request from the local authority to the Welsh Minister’s should be included in the Code. A few respondents commented that there should a ‘middle ground’ step after an FEI declines to accept a local authority’s request to maintain an IDP before a referral can be made to the Welsh Ministers. Some felt that this process could be viewed as adversarial and counter-productive to the collaborative working between local authorities and FEIs.

Question 33 – Are the arrangements that are intended to be included in regulations in relation to all other transfers (as described in paragraphs 20.18 – 20.21 of the draft ALN Code) appropriate?

			Response Percent	Response Total
1	Yes		51.75%	74
2	No		11.19%	16
3	Not sure		37.06%	53
			answered	143
			skipped	166

Just over half of the 143 respondents who answered either ‘yes’, ‘no’ or ‘not sure’ to this question agreed that the arrangements that are intended to be included in regulations in relation to all other transfers are appropriate. 69 respondents provided a supporting comment, almost half of whom did not provide a ‘yes’, ‘no’ or ‘not sure’ answer to this question.

Some of those respondents who provided comments felt that the arrangements are clear, reasonable and appropriate however many felt it is difficult to understand and were therefore unable to comment if appropriate. Others felt they could not answer this question without sight of or more information on the regulations.

Some respondents felt that the term ‘promptly’ is not specific enough and may be open to interpretation. A number suggested that further timescales around this duty are required to ensure that these duties can be met. Others queried what the consequences of not acting promptly are.

There were particular concerns that the arrangements described in 20.20 and 20.21 in relation to a local authority’s duty to secure a place at a particular school or institution were felt to be unclear. Some felt a practical example or flow chart would be helpful to aid this explanation. A number of comments were also raised about whether a time limit should be set for the process in 20.21 for local authorities to arrange board and lodging to enable a child or young person to continue to attend the school or institution named in the IDP until the IDP can be revised.

A number of respondents also expressed concerns about the lack of clarity about what interim measures local authorities need to put in place during the review process including calls for references to timescales that apply from other parts of the Code to be included in this section or the regulations.

Question 34 – Is the content and structure of Chapter 21 of the draft ALN Code clear?

			Response Percent	Response Total
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Question 34 – Is the content and structure of Chapter 21 of the draft ALN Code clear?

			Response Percent	Response Total
1	Yes		62.58%	102
2	No		17.18%	28
3	Not sure		20.25%	33
			answered	163
			skipped	146

In total, 190 people responded either ‘yes’, ‘no’ or ‘don’t know’ to this question and 56 people made further comments within their answers.

Two thirds of respondents agreed that the content and structure of Chapter 21 is clear. Some of those respondents whilst acknowledging its clarity also commented that further guidance on when an IDP will cease to be maintained might be useful in order to reduce disagreements arising. The other third of respondents were equally split between ‘no’ and ‘don’t know’. Most concerns were raised in relation to equity and a body’s interpretation of this chapter when deciding to cease to maintain an IDP. People felt that the chapter lacks clarity in enabling a consistent approach to be applied.

Question 35 – Is the period of time for making a reconsideration request (described at 21.18 of the draft ALN Code), appropriate?

			Response Percent	Response Total
1	Yes		56.60%	90
2	No		16.98%	27
3	Not sure		26.42%	42
			answered	159
			skipped	150

In total, 178 people responded either ‘yes’, ‘no’ or ‘don’t know’ to this question and 52 people made further comments within their answers. Over three quarters of respondents answered either ‘yes’ or ‘don’t know’ to this question.

Some of those who agreed with the period of time for making a reconsideration request commented that it is appropriate because the child, their parents or young person will have already been involved in the review meeting to make the decision to cease to maintain.

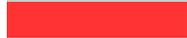
Respondents who disagreed with the period of time explained in their comments that felt it was unrealistic. For example, one local authority commented that they *“recognise that it is important to have a focal time scale for decisions but this has to be realistic and sustainable to ensure the right outcome is achieved.”* Others did not comment on the appropriateness of the timescale but did mention that they found the description confusing and questioned whether the timescales only applied to term time.

Question 36 – Is the content and structure of Chapter 22 of the draft ALN Code clear?				
			Response Percent	Response Total
1	Yes		45.11%	60
2	No		12.03%	16
3	Not sure		42.86%	57
			answered	133
			skipped	176

133 people answered either ‘yes’, ‘no’ or ‘not sure’ to this question. Those who agreed that the content and structure of Chapter 22 is clear substantially outweighed those who did not but a significant number of respondents responded that they were not sure about this matter and the question was not answered at all by the majority of respondents to the consultation.

Only 23 respondents provided comments on this question. Of these a small number thought aspects of the chapter required further clarity and there was some confusion about the difference between an IDP which is maintained and one which is kept. A few respondents wanted further information about what it is meant by the phrase “arrange for appropriate ALP” and the role of health boards in respect of detained persons.

Question 37 – Are the proposals for the regulations in relation to deciding whether it will be necessary to maintain an IDP for a detained child or young person upon their release appropriate?

			Response Percent	Response Total
1	Yes		45.19%	61
2	No		11.85%	16
3	Not sure		42.96%	58
			answered	135
			skipped	174

135 people answered either ‘yes’, ‘no’ or ‘not sure’ to this question. Far more agreed with the proposals than did not, but many were not sure about this matter and the question was not answered at all by the majority of respondents to the consultation.

Only 22 respondents provided substantive comments on this question. Of these a small number, including the Children’s Commissioner, thought that an IDP should be maintained for detained children and young people upon their release in all instances or that there should be a presumption in favour of this. Others commented that the restricted access to these children and young people, the limited capacity of local authorities, and the likely absence of specialist service input, will make these decisions very difficult ones to make.

Question 38 – Are the proposals for the regulations in relation to children or young people who are subject to a detention order and detained in hospital under Part 3 of the Mental Health Act 1983 (as described in paragraphs 22.45 – 22.74 of the draft ALN Code) appropriate?

			Response Percent	Response Total
1	Yes		44.78%	60
2	No		8.96%	12
3	Not sure		46.27%	62
			answered	134
			skipped	175

134 people answered either ‘yes’, ‘no’ or ‘not sure’ to this question. Again, those who agreed with the proposals for the regulations substantially outweighed those who did not but a high proportion indicated that they were not sure or did not answer the question. Only 13 respondents provided substantive comments on this question. These included those asking for further clarification on the definition of “relevant local authority”, further information about capacity and consent in relation to young people

within this setting, and the implications of this chapter for the existing legislation regarding mental health Care and Treatment Plan co-ordinators. The Children’s Commissioner again commented that she would like to see local authorities operating on the basis that there is always a reasonable need for education and training in the case of this cohort, and asked for stronger emphasis to be given to multiagency planning and to transition planning in the case of these children and young people.

Question 39 – Are the timescale requirements to act "promptly" in relation to decisions about ALN and preparing IDPs for children and young people subject to detention orders (as set out in Chapter 22) appropriate, rather than also having a requirement to comply within a fixed period subject to an exception or exceptions?

			Response Percent	Response Total
1	Yes		45.80%	60
2	No		10.69%	14
3	Not sure		43.51%	57
			answered	131
			skipped	178

131 people answered either ‘yes’, ‘no’ or ‘not sure’ to this question. Far more agreed with the proposals than disagreed but most were not sure or did not answer the question.

29 respondents provided substantive comments to this question. Many of these were supportive of the requirement to act promptly, noting that complying with a fixed period would be particularly difficult in the context of detained persons. However, as in relation to other timescale requirements in the draft Code, some respondents requested further clarification on the term “promptly”. Others, including the Children’s Commissioner felt that it would be unfair to treat detained persons differently to other persons by not including a fixed period. The Children’s Commissioner made the additional point that some of the difficulties that might be encountered in taking decisions about detained persons might also arise in relation to other groups of children and young people. Yet in such cases, the general exception to fixed periods was considered to offer sufficient flexibility.

Question 40 – Is the guidance in Chapter 23 of the draft ALN Code on children and young people in specific circumstances appropriate?

			Response Percent	Response Total
1	Yes		48.91%	67
2	No		16.06%	22
3	Not sure		35.04%	48
			answered	137
			skipped	172

137 respondents answered ‘yes’, ‘no’ or ‘not sure’ to this question and 46 provided supporting comments.

Overall, respondents felt that the guidance that is contained in Chapter 23 of the draft ALN Code relating to children and young people in specific circumstances was appropriate. However, the majority of respondents also felt that some of the guidance needed further clarification and detail practically the on roles and responsibilities around education other than at school (EOTAS) and elective home education (EHE).

A few respondents commented on the terminology used within this chapter, specifically the phrase ‘it might be appropriate’ and thought this was vague and open to interpretation. Other themes raised by respondents in response to this question related to the provision of information and guidance about reciprocal arrangements between England and Wales relating to Education Health and Care Plans (EHCPs), IDPs, ALP and the transition process.

Question 41 – Is the information set out in Chapter 24 of the draft ALN Code about the role and responsibilities of the ALNCo appropriate?

			Response Percent	Response Total
1	Yes		47.12%	90
2	No		34.55%	66
3	Not sure		18.32%	35
			answered	191
			skipped	118

For this question, 191 responded either ‘yes’, ‘no’ or ‘don’t know’. 178 provided supporting comments. Most answered ‘yes’ suggesting the information set out in Chapter 24 about the roles and responsibilities of ALNCo is appropriate. There were

however suggestions from some that more information could be provided to describe the role of ALNCos in different education settings, particularly those in early years settings and FEIs. Linked to that were suggestions that the role of ALNCo will differ in a primary school to a secondary school.

It was acknowledged by many that the ALNCo role is a strategic one, more so in comparison to the existing special educational needs co-ordinator (SENCo) role. There was a consensus among respondents that ALNCos ought to be on the senior leadership team in order to appropriately fulfill the responsibilities of the ALNCo role. This reflects similar comments made by many at the ALNCO workshops at the Welsh Government regional consultation events²⁹. Many of the respondents suggested a need for clarity around interpretation of terminology, for example, what is meant by ‘highly qualified’ when referring to ALNCos and ‘sufficient time’ to undertake the role.

Question 42 – Are the requirements imposed in Chapter 25 of the draft ALN Code on local authorities in respect of arrangements to avoid and resolve disagreements appropriate?			Response Percent	Response Total
1	Yes		41.00%	82
2	No		39.50%	79
3	Not sure		19.50%	39
			answered	200
			skipped	109

200 respondents answered ‘yes’, ‘no’ or ‘not sure’ to this question and 146 provided supporting comments.

In general respondents who answered this question stated that they welcomed any provision for avoiding and resolving disagreements that may arise. However, respondents raised concerns about whether a local authority would be best placed to provide these services and called into question whether a local authority would be able to act truly independently or impartially, with particular concerns expressed about this in the context of financial pressures. This reflects similar comments made by many that attended the advice and information, disagreement resolution and independent advocacy workshops at the Welsh Government regional consultation events³⁰.

The majority of respondents made clear in their responses that the arrangements for avoiding and resolving disagreements should be provided by independent agencies to ensure that decisions made are based on the needs of learner and not on costs.

²⁹ See *Consultation on draft Additional Learning Needs Code – Summary of feedback from regional stakeholder events*

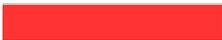
³⁰ See *Consultation on draft Additional Learning Needs Code – Summary of feedback from regional stakeholder events*

A few respondents, who responded on behalf of local authorities, felt that it was not appropriate to require local authorities to be responsible for resolving disagreements relating to further education institutions (FEIs) as these are not under the jurisdiction of local authorities.

Children and young people’s and easy read consultation: Question 9: *What do you think about our ideas for what local authorities should do to stop and sort out disagreements?*

Most of the respondents to the children and young people’s and easy read versions of the consultation supported the principles of what local authorities are required to do in respect of avoiding and resolving disagreements. This is also reflective of those who participated in the consultation workshops with children and young people that were delivered on behalf of Welsh Government³¹.

A few respondents felt that local authorities shouldn’t have an over reliance on providing information to children and young people via the internet as not all will have access to these resources.

Question 43 – Are the requirements imposed in Chapter 25 of the draft ALN Code on local authorities in respect of the provision of independent advocacy services appropriate?³²				
			Response Percent	Response Total
1	Yes		49.67%	75
2	No		27.81%	42
3	Not sure		22.52%	34
			answered	151
			skipped	158

151 respondents answered ‘yes’, ‘no’ or ‘not sure’ to this question and 99 respondents provided supporting comments. The supporting comments provided by respondents to this question, in the main, were similar to the views and suggestions received to question 42. Respondents in general welcomed and supported the duty in the Act on local authorities to make arrangements for the provision of an independent advocacy service to support and help children, young people and their families to communicate their thoughts, wishes and feelings. However, like question 42, respondents had concerns about whether the Code potentially allows local

³¹ See *Consultation on Draft Additional Learning Needs Code – Summary of feedback from engagement events with children, young people and parents*

³² The Welsh Government became aware after the consultation closed that there was an error in both the online and Word version of the consultation response form which repeated the wording of question 42 at question 43 (although the correct question appeared in the consultation document). As a result it is possible that this could have affected the responses received. However, the vast majority of respondents provided supporting comments to the correct wording of question 43.

authorities to provide these services in-house and felt that this would not be appropriate because of the potential for conflict of interests in the outcome of cases.

The majority of respondents felt that the Code should make explicitly clear that advocacy services should be provided by independent agencies. A few respondents also went on to say that an independent agency providing an advocacy service should hold an externally audited quality assurance mark to ensure that they have the necessary knowledge and skills to provide accurate support. Another theme raised by respondents in response to this question related to the rights of individuals to receive advocacy services through the medium of Welsh.

Children and young people’s and easy read consultation: Question 10 - What do you think about our ideas for what local authorities should do to make sure advocates are doing a good job?

The majority of respondents to both the children and young people’s and easy read versions of the consultation supported the idea of have a person to speak up for children and young people if an argument can not be resolved. This support was also reflective of those who attended and participated in the consultation workshops with children and young people³³.

A few respondents raised similar concerns to those raised in the main consultation in relation to ensuring that advocates are appropriately trained and qualified and that the service is regulated.

Question 44 – Is the information about appeals and the appeals process set out in Chapter 26 of the draft ALN Code appropriate?				
			Response Percent	Response Total
1	Yes		46.43%	78
2	No		23.21%	39
3	Not sure		30.36%	51
			answered	168
			skipped	141

168 respondents provided a ‘yes’, ‘no’ or ‘not sure’ response to question 44 and 92 respondents provided supporting comments. Of those who provided a ‘yes’, ‘no’ or ‘not sure’ response, under half felt that the information set out in Chapter 26 is appropriate.

Of those who provided supporting comments, around a quarter commented on the timescales associated with the case statement period or the timescales associated with compliance with Tribunal orders. Opinion was spilt with some respondents stating that the timescales are too challenging for local authorities to meet and others

³³ See *Consultation on Draft Additional Learning Needs Code – Summary of feedback from engagement events with children, young people and parents*

expressing a view that that the timescales should or could be shortened. Respondents to the children’s and young people’s version and some third sector organisations were of the latter opinion.

A number of respondents felt that further clarification is needed on specific aspects of the guidance. Some stated that the Code should provide guidance and clarity about the relationship between the appeals processes and the NHS Putting Things Right complaints process.

Question 45 – Is the information about case friends, including the duties on the Tribunal to appoint and remove case friends, clearly explained in the Chapter 27 of the draft ALN Code?

			Response Percent	Response Total
1	Yes		59.51%	97
2	No		14.72%	24
3	Not sure		25.77%	42
			answered	163
			skipped	146

163 respondents provided a ‘yes’, ‘no’ or ‘not sure’ response to question 45 and 54 respondents provided supporting comments. The majority of those who responded to this question felt that the information set out in Chapter 27 is clearly explained. However, over half those who provided supporting comments stated that the guidance set out in this chapter could provide further detail or clarification on a number of matters. This included further guidance or clarification about who can apply to be a case friend and how it is decided that a person can be a case friend; how the capacity of a child is determined; and the differences or relationship between a case friend and independent advocate.

Question 46 – Please provide any other comments that you would like to make on the draft ALN Code. Where your comments relate to a specific chapter or paragraph within the draft ALN Code, please indicate this in your response.

155 respondents provided comments in answer to question 46. 28 of these related to specific chapters, and have been considered in relation to the relevant questions on those chapters as summarised elsewhere in this report where appropriate. In addition, responses to question 46 included more general comments on a range of more overarching themes.

This included comments on the style of the Code with suggestions that it is long and complex. Although some respondents felt that it needs to be and described it as comprehensive, others felt that this makes it inaccessible, both to professionals and also to parents, with calls for a version of the Code aimed specifically at parents.

Some also suggested that case studies and examples could be published in a supporting document alongside the Code, in order to provide exemplification without adding to the length of the document. As has been referred to elsewhere in this report in response to other questions, there were several requests for particular words to be defined. Several respondents also reiterated points made previously in this report about their concerns about the timescales in the draft Code and proposed regulations.

Many respondents used question 46 as an opportunity to raise concerns about funding, workforce implications and implementation issues, which were very similar to those provided in response to question 62 on the impact of the proposals (and summarised in that section of this report). Several respondents made comments relating to Welsh language provision which were consistent with the themes in responses to questions 63 and 64 on the Welsh language.

A number of similar responses from independent specialist colleges raised concerns about the way that the Code presents the use of specialist provision.

273 identical free text responses were received as part of a campaign coordinated by the National Deaf Children's Society (NDCS) Cymru coordinated a response campaign to this consultation. The campaign's main focus was to ensure that deaf children and young people in Wales got the support they needed, via the Code, to be able to reach their full educational potential. The main points highlighted in the response related to ensuring that those responsible for drafting and co-ordinating IDPs were sufficiently trained and that specialist professionals were involved in the develop of plans. The campaign also raised concerns with how the IDP templates are drafted and highlighted the need for the template to be able to capture details for a learner's assessments and the description of the support they may need.

Despite a wide range of comments which included criticisms and proposed changes to the Code, several responses to question also included positive feedback about the perceived advantages and benefits of the new ALN system, including the focus on person-centred practice and a right-based approach.

Summary of responses to Part 2: Draft Education Tribunal for Wales regulations

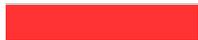
Question 47 – Overall, do the draft Education Tribunal regulations provide clear processes and procedures relating to appeals and claims to the Education Tribunal?

			Response Percent	Response Total
1	Yes		55.41%	82
2	No		13.51%	20
3	Not sure		31.08%	46
			answered	148
			skipped	161

148 respondents provided a 'yes', 'no' or 'not sure' response to question 47 and 32 respondents provided supporting comments. The majority of those who responded to this question felt that the draft Education Tribunal regulations provide clear processes and procedures relating to appeals and claims to the Education Tribunal.

In the supporting comments, some respondents suggested that clarity is needed about particular aspects of the process. This includes the relationship between the appeals process and the NHS complaints process 'Putting Things Right'; timescales relating to the case statement process, specifically about the case statement period for respondents; and the requirements placed on NHS bodies.

Question 48 – Overall, will the processes and procedures outlined in the draft Education Tribunal regulations enable the Education Tribunal to deal with cases fairly and justly?

			Response Percent	Response Total
1	Yes		44.93%	62
2	No		10.87%	15
3	Not sure		44.20%	61
			answered	138
			skipped	171

138 respondents provided a 'yes', 'no' or 'not sure' response to question 48 and 44 respondents provided supporting comments. There was a roughly even split between those who provided a 'yes' response and those who provided a 'no' response.

A few respondents did not think that the processes and procedures would enable the Education Tribunal to deal with cases fairly and justly, stating that the timescales for respondents to comply with are challenging.

Some respondents felt that clarity is needed about particular aspects of the process, including how evidence provided by NHS bodies or privately-funded assessments will be considered and the expectations around the use of local dispute resolution services.

Question 49 – Is the proposed case statement process (regulations 12-15 and 19-21 of the draft Education Tribunal regulations) appropriate?			Response Percent	Response Total
1	Yes		50.78%	65
2	No		7.03%	9
3	Not sure		42.19%	54
			answered	128
			skipped	181

128 respondents provided a ‘yes’, ‘no’ or ‘not sure’ response to question 49 and 19 respondents provided supporting comments. Over half of those who responded to this question felt that the proposed case statement process is appropriate; very few respondents disagreed.

A few respondents expressed their support for the proposed sequential approach to the case statement process. Others requested further clarification about the process, including the associated timescales.

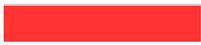
Children and young people’s consultation: Question 11 - *What do you think about how it will work when you ask a judge to decide who is right?*

There were 12 responses to question 11 of the consultation document for children and young people. Overall the majority of these were supportive of the process. The comments suggested that the process should be as short as possible and those making decisions should have the appropriate and relevant experience.

All of the children and young people and the majority of parents who participated in the engagement workshops during the consultation period were supportive of the process³⁴.

³⁴ See *Consultation on Draft Additional Learning Needs Code – Summary of feedback from engagement events with children, young people and parents*

Question 50 – Are the proposed timescales for each party in the case statement process (regulations 12-15 and 19-21 of the draft Education Tribunal regulations) reasonable?

			Response Percent	Response Total
1	Yes		45.45%	60
2	No		13.64%	18
3	Not sure		40.91%	54
			answered	132
			skipped	177

132 respondents provided a 'yes', 'no' or 'not sure' response to question 50 and 26 respondents provided supporting comments. There was a broadly even split between those who provided a 'yes' response and those who provided a 'not sure' response. A few respondents did not think that the proposed timescales for each party in the case statement process are reasonable. Some respondents stated that the proposed 4 week timescale for respondents to submit a case statement would be challenging for local authorities to meet and a few questioned the fairness of this timescale. A few respondents felt that this timescale is appropriate given that the respondent will have sight of the appellant's case statement at an earlier stage due to the proposed sequential approach to the case statement process.

Children and young people's consultation: Question 12 - *What do you think about how long children, parents and young people will have to tell the judge and to send a case to the judge?*

There were 11 responses to question 12 of the children and young people's consultation. Overall the majority of respondents felt the timescale is good or fair. Opinions expressed in the supporting comments were mixed with some respondents feeling that the timescale was too short and other feeling it was too long.

Overall the majority of those who participated in the engagement workshops with children and young people during the consultation period were supportive of the proposed timescale³⁵. Their comments were similar to those expressed by respondents to the children and young people's consultation.

Children and young people's consultation: Question 13 – *What do you think about how long local authorities and colleges will have to send a case to the judge?*

There were 11 responses to question 13 of the children and young people's consultation. Overall the majority felt that the timescale is reasonable.

³⁵ See *Consultation on Draft Additional Learning Needs Code – Summary of feedback from engagement events with children, young people and parents*

However, some of the supporting comments suggested that the timescale would not allow the local authority or college enough time to respond with their evidence, or that it was unfair for local authorities and colleges to have a shorter timescale than children, young people and parents.

By contrast, only half of the children and young people who participated in the engagement workshops³⁶ were supportive of the proposed timescale and the majority of parents did not support the proposal. Those who were not supportive of the proposal felt that the timescales should be shorter.

Question 51 – Is the 6 week timescale within which NHS bodies must report to the Education Tribunal in response to a recommendation (regulation 65 of the draft Education Tribunal regulations) appropriate?			Response Percent	Response Total
1	Yes		48.18%	66
2	No		17.52%	24
3	Not sure		34.31%	47
			answered	137
			skipped	172

137 respondents provided a ‘yes’, ‘no’ or ‘not sure’ response to question 51 and 45 respondents provided supporting comments. Around half of respondents felt that the 6 week timescale within which NHS bodies must report to the Education Tribunal in response to a recommendation is appropriate.

A few respondents felt it is not appropriate, however some respondents expressed in their supporting comments that the timescale is challenging or unrealistic for NHS bodies to meet. Others suggested that consideration should be given about whether this timescale could be shortened to speed up the process in the interests of the child or young person.

³⁶ See *Consultation on Draft Additional Learning Needs Code – Summary of feedback from engagement events with children, young people and parents*

Question 52 – Are the timescales relating to compliance with Education Tribunal orders appropriate?

			Response Percent	Response Total
1	Yes		51.97%	66
2	No		10.24%	13
3	Not sure		37.80%	48
			answered	127
			skipped	182

127 respondents provided a ‘yes’, ‘no’ or ‘not sure’ response to question 52 and 26 respondents provided supporting comments. Over half of respondents felt that the timescales relating to compliance with Education Tribunal orders are appropriate; very few respondents felt they are not appropriate.

There was around an even split between respondents who felt the timescales could be shorter and those who felt the timescales are challenging or unrealistic. A few respondents stated that the timescales are consistent with other timescales.

Question 53 – Is the approach to extensions to timescales (regulation 66 of the draft Education Tribunal regulations) appropriate?

			Response Percent	Response Total
1	Yes		51.16%	66
2	No		8.53%	11
3	Not sure		40.31%	52
			answered	129
			skipped	180

129 respondents provided a ‘yes’, ‘no’ or ‘not sure’ response to question 53 and 20 respondents provided supporting comments. Half of the respondents felt that the approach to extensions to timescales is appropriate; very few respondents felt it is not appropriate.

Of those who provided supporting comments, some felt that clarification is needed about how requests for extensions should be determined and in what circumstances it would be reasonable for person or body to request an extension.

Question 54 – Are the proposed regulations relating to case friends (draft Education Tribunal regulations 61 to 64) appropriate?

			Response Percent	Response Total
1	Yes		56.56%	69
2	No		6.56%	8
3	Not sure		36.89%	45
			answered	122
			skipped	187

122 respondents provided a 'yes', 'no' or 'not sure' response to question 54 and 17 respondents provided supporting comments. Over half of the respondents felt that the proposed regulations relating to case friends are appropriate; very few respondents felt they are not appropriate.

Of those who provided supporting comments, some felt that clarification is needed around how capacity is determined and the criteria for determining whether a person could be a case friend, including specific details in relation to family members.

Summary of responses to Part 3: Draft ALNCo regulations

Question 55 – Are the prescribed qualifications to be an ALNCo set out in the draft ALNCo regulations appropriate?			Response Percent	Response Total
1	Yes		49.70%	84
2	No		27.22%	46
3	Not sure		23.08%	39
			answered	169
			skipped	140

For this question, 169 responded either ‘yes’, ‘no’ or ‘don’t know’. 113 provided supporting comments. Most agreed that the prescribed qualifications to be an ALNCo set out in the draft ALNCo regulations are appropriate, although a few did suggest that given the strategic aspect of the role, the ALNCo should in all cases be a qualified teacher. Many respondents felt that more emphasis should be placed on experience as well as qualification. Some suggested that an ALNCo should have been a teacher for up to two years. Some in the FEI sector suggested that experience of the setting and relevant skills were more important than a teaching qualification.

There was a consensus among many respondents that ALNCoS will need training as part of continuing professional development. A few suggested ALNCoS should follow a national professional pathway providing a specific qualification and training relating to ALN. Linked to that were suggestions that ALNCoS should undertake mandatory training in the first couple of years in the role to ensure consistency across the ALNCo workforce. A few respondents also felt previous training and experience should be taken into consideration.

The majority of the themes coming from the consultation reflect comments made by many of those who participated in the ALNCo workshops at the Welsh Government regional consultation events³⁷

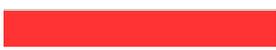
Children and young people’s and easy read consultation: Question 14 - Do you think it is important the ALNCo is a teacher or someone who is already a SENCo?

A large proportion of those who responded to the children and young people’s and easy read consultation documents, also agreed that the prescribed qualifications were appropriate. However, the majority of those who attended the workshops for children and young people workshop disagreed.³⁸

³⁷ See *Consultation on draft Additional Learning Needs Code – Summary of feedback from regional stakeholder events*

³⁸ See *Consultation on Draft Additional Learning Needs Code – Summary of feedback from engagement events with children, young people and parents*

Question 56 – Do you agree with the tasks that ALNCoS must carry out or arrange to carry out as set out in the draft ALNCo regulations?

			Response Percent	Response Total
1	Yes		60.12%	98
2	No		20.25%	33
3	Not sure		19.63%	32
			answered	163
			skipped	146

For this question, 163 responded either 'yes', 'no' or 'don't know'. 117 provided supporting comments. Similar themes emerged in these responses as in those received for question 41.

The majority of respondents agreed with the tasks ALNCoS must carry out or arrange to carry out, as prescribed in the draft ALNCo regulations. A few suggested that the tasks were not dissimilar from that of a SENCo, although some suggested that the strategic element of the role could mean an increase in workload. This reflects similar comments made by many at the ALNCo workshops at the Welsh Government's regional consultation events³⁹.

Many respondents highlighted that ALNCoS' ability to deliver the tasks was subject to sufficient time being given to undertake the role. Many commented that the size and needs within an education setting will mean variation in how ALNCoS fulfil their duties. For example, some FEIs suggested that ALNCoS may rely on a team of people to support the delivery of tasks.

A few suggested additional tasks to those set out in the regulations, including requirements to liaise with specialist professionals. Linked to this were a few reservations about how ALNCoS might secure specialist services where specialist provision has been identified.

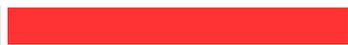
Children and young people's and easy read consultation: Question 15 - Do you think these things are the right things for ALNCoS to do to help children and young people with additional learning needs?

The majority of those who responded the children and young people's consultation, and all of those who responded to the easy read consultation, agreed with the tasks set out in the draft ALNCo Regulations. All those who attended the workshops for children and young people agreed. A majority of parents at these workshops also agreed.⁴⁰

³⁹ See *Consultation on draft Additional Learning Needs Code – Summary of feedback from regional stakeholder events*

⁴⁰ See *Consultation on Draft Additional Learning Needs Code – Summary of feedback from engagement events with children, young people and parents*

Summary of responses to Part 4: Looked after children

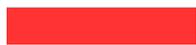
Question 57 – Do you agree that the Looked after Children in Education (LACE) Co-ordinator should be a statutory role?			Response Percent	Response Total
1	Yes		75.31%	122
2	No		4.94%	8
3	Not sure		19.75%	32
			answered	162
			skipped	147

162 people answered either 'yes', 'no' or 'not sure' to this question, and 49 respondents provided supporting comments. Those that agreed that the LACE Co-ordinator should be a statutory role substantially outweighed those who did not but there were some respondents who were not sure or chose not to answer the question directly.

A significant number of those that agreed stated that the role being statutory would enable consistency across Wales, with some stating that there should be consideration of minimum expectations for the role, for example a mandatory qualification and training set at a national level. Some respondents offered that it is important that this role is clearly outlined in both the ALN Code and the Part 6 Code.

The few respondents who provided comments who disagreed or were not sure questioned available support, including financial support. A small number disagreed with the inclusion of an ALN aspect to the role, whilst some felt that the role should be broader than education, starting with pre-school children.

Question 58 – Do you agree that there should be a separate standard form for looked after children and is the proposed standard form, together with the guidance and requirements related to it, appropriate?

			Response Percent	Response Total
1	Yes		44.81%	69
2	No		24.68%	38
3	Not sure		30.52%	47
			answered	154
			Skipped	155

154 people answered either 'yes', 'no' or 'not sure' to this question, and 62 respondents provided supporting comments.

Comments from those that disagreed or were not sure that there should be a separate standard form for looked after children offered several reasons for this. A common reason for disagreement was that looked after children should be treated the same as non- looked after children and therefore the same form should be used for all children. Some suggested that completing a separate form for looked after children would have an impact on workload. Also some suggested that a one page profile should be used to supplement the IDP rather than using a separate form.

For those who agreed and provided supporting comments, some stated a separate form is appropriate as looked after children have another level of need that should be catered for. Some thought that incorporating the IDP and PEP would raise the profile of the PEP and would offer consistency in approach, reducing overlap and duplication. However, a number of those agreeing expressed a preference for also retaining the one page profile.

Question 59 – Do the draft revisions to the Part 6 Code provide a clear explanation of the duties on local authorities in relation to their social services functions for looked after children with ALN and what these duties mean in practice?

			Response Percent	Response Total
1	Yes		48.89%	66
2	No		9.63%	13
3	Not sure		41.48%	56
			answered	135
			skipped	174

135 people answered either 'yes', 'no' or 'not sure' to this question, and 32 respondents provided supporting comments.

More respondents agreed than disagreed that draft revisions to the Part 6 Code provided a clear explanation of the duties on local authorities in relation to their social services functions for looked after children with ALN and what these mean in practice compared to those who disagreed. However a significant proportion of those that answered this question were not sure on this issue.

Of those that agreed and provided supporting comments, some had further questions on the information provided, including questions on the responsibilities for young people in post-16 education. Some, whilst agreeing, also raised concerns about the impact on the LACE Co-ordinator role.

Of those that disagreed or were not sure, many who provided comments were looking for further clarity on specific issues, again citing the role of the LACE Co-ordinator and their role in completing IDPs and also differences in the definition of a child who is looked after between the 2014 Act and the draft Part 6 Code.

Question 60 – Overall, do you agree with the approach taken in the draft revised Part 6 Code explaining the legislative changes, including the integration of personal education plans (PEPs) and IDPs and the mandatory content of PEPs? Are the requirements and expectations and what these mean in practice clearly explained?

			Response Percent	Response Total
1	Yes		53.62%	74
2	No		11.59%	16
3	Not sure		34.78%	48
			answered	138
			skipped	171

138 people answered either ‘yes’, ‘no’ or ‘not sure’ to this question, and 33 respondents provided supporting comments. More respondents agreed with the approach taken in the draft revised Part 6 Code to explaining the legislative changes than disagreed, although a number of respondents were not sure on the issue.

Of those who agreed and provided supporting comments, most expressed agreement with the principle of integrating the PEPs and IDPs, rather than to the approach to explaining the legislative changes.

Many of those who provided supporting comments and who disagreed or weren’t sure requested clarity on the role of the LACE Co-ordinator and requirement for PEPs and IDPs post-16.

Several respondents in relation to this and the other questions on looked after children proposed that there should be a national template for PEPs. This included Children in Wales, and the Children’s Commissioner for Wales who said ‘I agree PEPs should include mandatory content and suggest it would be helpful to have a national template to ensure consistency of content across Wales.’

Question 61 – Do the changes that have been made to the Part 6 code clearly explain the role of the LACE Co-ordinator in overseeing the ALN arrangements for looked after children and what this means in practice?

			Response Percent	Response Total
1	Yes		38.81%	52
2	No		17.16%	23
3	Not sure		44.03%	59
			answered	134
			skipped	175

134 people answered either 'yes', 'no' or 'not sure' to this question, and 32 respondents provided supporting comments.

Of those who agreed and provided supporting comments, they felt that the changes that have been made to the Part 6 Code in respect of the role of the LACE Co-ordinator were clear, and that it is important for schools to understand the role of the LACE Co-ordinator and how they can support those schools that have looked after children.

Of those that disagreed or were not sure and provided supporting comments, some were concerned that the workload of the LACE Co-ordinator will increase. Some called for greater consistency to the LACE Co-ordinator role with defined roles and responsibilities and minimum expectations. Some were concerned that it will lead to less qualified people making decisions relating to ALN for looked after children. A number of respondents suggested that the Part 6 Code should include a section on the LACE Co-ordinator role in a similar way to the section on the role of the Independent Reviewing Officer.

Summary of responses to Part 5: Impact of proposals

Question 62 – What impact do you think there will be as a result of the proposed regulations?

160 respondents provided comments in response to this question. There was a wide range of conflicting views expressed.

Amongst the suggested positive impacts was the creation of a system that is potentially more consistent, more integrated, less bureaucratic and ultimately more effective in delivering the best outcomes for learners. Some respondents felt that the adoption of person centred practice, enhanced individual entitlements and rights, and the increased participation of children and young people in decision making, should result in a culture shift in educational settings, with a more flexible, creative and targeted approach to ALP. Others thought that the creation new statutory and strategic roles in education and health should support the development of more efficient processes.

A significant number of respondents expressed concern at the financial impact of the proposals and questioned whether the current level of funding is sufficient to provide the necessary training and to operate the proposed new system. The perceived negative impact of the new system on the existing workloads of SENCOs, local authority ALN/SEN teams, educational psychologists, FEI staff and health professionals was also frequently raised. Some respondents felt that the workload and responsibilities of ALNCOs in particular could lead to difficulties in recruitment and retention.

Some respondents thought that the relationship between schools, local authorities and FEIs with children, their parents and young people could become challenging as a result of unmet, unrealistic expectations. It was felt by some respondents that there could be an increase in appeals to the Tribunal. It was also suggested that there could be more disagreements between schools and local authorities about the making of ALP and a lessening of the independent and impartial advice currently available to parents.

Some respondents from the health service were concerned that the new system could see them required to prioritise children and young people with ALN at the expense of other groups. Some local authority respondents on the other hand, thought that they could ultimately end up funding more health treatments and services (especially in the case of recommendations made by private therapists) because the Tribunal is not able to order NHS bodies to do so.

A few respondents considered that the proportion of children in schools identified as having SEN/ALN will fall. In particular, it was questioned whether those on school action currently will be considered to have ALN under the new system. It was felt by some that there could be inconsistency between schools in relation to identification and determination of ALN.

Respondents also suggested that the transition period, and the complications of running two different systems at the same time, could be particularly difficult to manage and create a period of uncertainty.

Question 63 – What impact do you think the proposals in the draft ALN Code and proposed regulations would have on the Welsh language?

115 respondents provided comments in relation to this question. Around half thought that the proposals have the potential to have a positive impact but many also expressed concerns about the capacity of services to operate through the medium of Welsh and to deliver additional learning provision in Welsh where it is required. Some considered that the proposals needed to be strengthened in respect of the Welsh language in order to have a positive effect. Some respondents felt that the proposals would have little or no impact on the Welsh language.

Question 64 – How do you think the proposals in the draft ALN Code and proposed regulations could be formulated or changed so as to have:

- i. positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language?;
- ii. no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language?

73 respondents provided comments in response to this question. Many focussed on the need to ensure the sufficiency of professionals within and outside of education capable of working through medium of Welsh and the availability of resources, assessments tools and technology available in the language rather than the specific changes to the draft Code or proposed regulations.

There were a limited number of specific suggested changes to the draft Code provided by individual respondents, including the inclusion of a specific chapter on delivering ALN system through the medium of Welsh, or making amendments to link a local authority's consideration of the sufficiency of ALP to the duty to have regard to the UNCRC and in particular article 30 (which relates to the right of minority or indigenous children to learn about and practice their own culture, language and religion).

Question 65 – We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them.

59 respondents provided further comments in response to this question. There was a wide range of issues raised. They included a perceived need to improve the ALN content of Initial Teacher Training; requests for further consideration of, and guidance about, the implementation of the new system; and concerns about the funding, staffing capacity and resource implications of the proposals. Queries were also raised about the relationship of the new system with existing equalities duties; the role of educational psychologists and educational consortia in the ALN system; its application to work based learning and in relation to children and young people with English or Welsh as an additional language.

Annex A: Breakdown of responses by question

■ Yes ■ No ■ Not sure

Question 1 – Is the explanation in paragraphs 1.10 – 1.16 of the draft ALN Code of the use and meaning of the different terms ‘must’, ‘must not’, ‘may’, ‘should’ and ‘should not’ clear?	70.87%	20.87%	8.26%
Question 2 – Do you agree with the general approach to the timescales for compliance with duties (that is, to act promptly and in any event within a fixed period), as explained in paragraphs 1.31 – 1.32 of the draft ALN Code?	58.88%	21.03%	20.09%
Question 3 – Is the general exception which applies in the case of timescales, as described in paragraphs 1.33 – 1.35 of the draft ALN Code, appropriate?	56.35%	20.26%	6.98%
Question 4 – Is the structure of the draft ALN Code and the separation of the chapters appropriate, clear and easy to follow?	67.44%	25.58%	6.98%
Question 5 – Is the draft ALN Code’s focus on describing and explaining the functions and processes appropriate?	62.07%	22.17%	15.76%
Question 6 – Do you agree with the proposal to use regulations to delegate functions from a local authority to a Management Committee of a PRU?	39.24%	18.99%	41.77%
Question 7 – Are the principles set out in Chapter 2 of the draft ALN Code the right ones?	77.72%	6.44%	15.84%
Question 8 – Is the explanation of the duties relating to involving and supporting children, their parents and young people provided in Chapter 3 of the draft ALN Code appropriate?	70.73%	18.05%	11.22%
Question 9 – Is Chapter 4 of the draft ALN Code clear about what is expected of local authorities and NHS bodies when discharging their duties to have due regard to the United Nations Convention on the Rights of the Child (UNCRC) and United Nations Convention on the Rights of Persons with Disabilities (UNCRPD)?	63.93%	16.39%	19.67%
Question 10 – Is the guidance provided in Chapter 5 of the draft ALN Code in relation to the duties to keep ALP under review appropriate?	65.78%	13.90%	20.32%
Question 11 – Is the guidance provided in Chapter 6 of the draft ALN Code in relation to making arrangements to provide advice and information about ALN and the ALN system appropriate?			

	61.81%	22.61%	15.08%
Question 12 – Is this explanation of the definition of ALN provided in paragraphs 7.4 – 7.32 of the draft ALN Code clear?	40.28%	44.08%	15.17%
Question 13 – Does Chapter 7 of the draft ALN Code provide a clear and comprehensive explanation of the evidence on which decisions about ALN and ALP should be based, the sources from which this evidence might be collated, and the way in which it should be considered?	40.00%	40.50%	19.00%
Question 14 – Is the guidance on the role, experience and expertise of the Early Years ALNLO set out in paragraphs 8.40 – 8.47 of the draft ALN Code appropriate for achieving the objectives (that the role is strategic and such officers have the appropriate experience and expertise to meet the expectations of the role)?	51.53%	18.40%	30.06%
Question 15 – Is the structure and content of Chapters 8 to 12 of the draft ALN Code clear?	56.32%	25.29%	18.39%
Question 16 – Are the timescales for decisions by schools, FEIs and local authorities on ALN and preparing an IDP as set out in Chapters 8-12 appropriate?	33.33%	37.50%	28.65%
Question 17 – Are the proposed requirements and guidance in paragraphs 12.22 – 12.51 of the draft ALN Code on when it is necessary for a local authority to maintain an IDP for a young person not at a school or FEI in Wales appropriate?	39.62%	25.16%	35.22%
Question 18 – Are the elements of the mandatory content of an IDP which are required by the ALN Code, appropriate?	59.79%	20.10%	20.10%
Question 19 – Is the proposed mandatory standard form for an IDP (included at Annex A of the draft ALN Code) appropriate?	48.96%	23.96%	27.08%
Question 20 – Is the guidance in Chapter 13 of the draft ALN Code clear?	58.10%	17.88%	24.02%
Question 21 – Is the guidance on transport in paragraphs 13.74 – 13.76 of the draft ALN Code appropriate?	50.60%	14.29%	35.12%
Question 22 – Is the proposed timescale and exceptions for relevant persons to comply with a local authority request for information or other help (under section 65 of the 2018 Act) appropriate?	42.50%	20.63%	36.88%

Question 23 – Is the proposed period and exception within which an NHS body must inform others of the outcome of a referral to it (under section 20 of the 2018 Act) to identify whether there is a relevant treatment or service, appropriate?	36.18%	21.71%	42.11%
Question 24 – Is the guidance on the role, experience and expertise of the DECLO set out in paragraphs 15.37 – 15.53 of the draft ALN Code appropriate for achieving the objectives (that the role is strategic and such officers have appropriate experience and expertise)?	47.17%	16.98%	35.85%
Question 25 – Is the content and structure of Chapter 16 of the draft ALN Code clear?	59.66%	21.02%	18.75%
Question 26 – Is the proposed period and exception for completing reviews in response to a request from a child, their parent, a young person or an NHS body (set out in paragraph 16.18 of the draft ALN Code) appropriate?	47.95%	25.73%	26.32%
Question 27 – Is the content and structure of Chapter 17 of the draft ALN Code clear?	55.06%	20.25%	24.68%
Question 28 – Is the proposed period and exception for a local authority reconsidering a school IDP (set out in paragraph 17.20 of the draft ALN Code) appropriate?	50.68%	22.60%	26.71%
Question 29 – Are the principles and the guidance provided in Chapter 18 of the draft ALN Code on meetings about ALN and IDPs appropriate?	61.02%	19.77%	19.21%
Question 30 – Is the guidance in Chapter 19 of the draft ALN Code on supporting children and young people to make effective transitions appropriate?	55.21%	25.00%	19.79%
Question 31 – Is the content and structure of Chapter 20 of the draft ALN Code clear?	60.63%	20.63%	18.75%
Question 32 – Are the requirements that are intended to be included in regulations in relation to requests to transfer an IDP to an FEI (as described in paragraphs 20.12 - 20.17 of the draft ALN Code) appropriate?	54.30%	9.93%	35.76%
Question 33 – Are the arrangements that are intended to be included in regulations in relation to all other transfers (as described in paragraphs 20.18 – 20.21 of the draft ALN Code) appropriate?	51.75%	11.19%	37.06%
Question 34 – Is the content and structure of Chapter 21 of the draft ALN Code clear?	62.58%	17.18%	20.25%

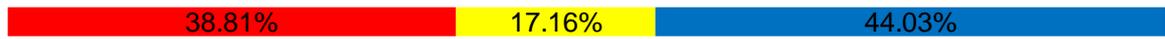
Question 35 – Is the period of time for making a reconsideration request (described at 21.18 of the draft ALN Code), appropriate?	56.60%	16.98%	26.42%
Question 36 – Is the content and structure of Chapter 22 of the draft ALN Code clear?	45.11%	12.03%	42.86%
Question 37 – Are the proposals for the regulations in relation to deciding whether it will be necessary to maintain an IDP for a detained child or young person upon their release appropriate?	45.19%	11.85%	42.96%
Question 38 – Are the proposals for the regulations in relation to children or young people who are subject to a detention order and detained in hospital under Part 3 of the Mental Health Act 1983 (as described in paragraphs 22.45 – 22.74 of the draft ALN Code) appropriate?	44.78%	8.96%	46.27%
Question 39 – Are the timescale requirements to act “promptly” in relation to decisions about ALN and preparing IDPs for children and young people subject to detention orders (as set out in Chapter 22) appropriate, rather than also having a requirement to comply within a fixed period subject to an exception or exceptions?	45.80%	10.69%	43.51%
Question 40 – Is the guidance in Chapter 23 of the draft ALN Code on children and young people in specific circumstances appropriate?	48.91%	16.06%	35.04%
Question 41 – Is the information set out in Chapter 24 of the draft ALN Code about the role and responsibilities of the ALNCo appropriate?	47.12%	34.55%	18.32%
Question 42 – Are the requirements imposed in Chapter 25 of the draft ALN Code on local authorities in respect of arrangements to avoid and resolve disagreements appropriate?	41.00%	39.50%	19.50%
Question 43 – Are the requirements imposed in Chapter 25 of the draft ALN Code on local authorities in respect of provision of independent advocacy services appropriate?	49.67%	27.81%	22.52%
Question 44 – Is the information about appeals and the appeals process set out in Chapter 26 of the draft ALN Code appropriate?	46.43%	23.21%	30.36%
Question 45 – Is the information about case friends, including the duties on the Tribunal to appoint and remove case friends, clearly explained in the Chapter 27 of the draft ALN Code?	59.51%	14.72%	25.77%
Question 47 – Overall, do the draft Education Tribunal regulations provide clear processes and procedures relating to appeals and claims to the Education Tribunal?	55.41%	13.51%	31.08%

Question 48 – Overall, will the processes and procedures outlined in the draft Education Tribunal regulations enable the Education Tribunal to deal with cases fairly and justly?	44.93%	10.87%	44.20%
Question 49 – Is the proposed case statement process (regulations 12-15 and 19-21 of the draft Education Tribunal regulations) appropriate?	50.78%	7.03%	42.19%
Question 50 – Are the proposed timescales for each party in the case statement process (regulations 12-15 and 19-21 of the draft Education Tribunal regulations) reasonable?	45.45%	13.64%	40.91%
Question 51 – Is the 6 week timescale within which NHS bodies must report to the Education Tribunal in response to a recommendation (regulation 65 of the draft Education Tribunal regulations) appropriate?	48.18%	17.52%	34.31%
Question 52 – Are the timescales relating to compliance with Education Tribunal orders appropriate?	51.97%	10.24%	37.80%
Question 53 – Is the approach to extensions to timescales (regulation 66 of the draft Education Tribunal regulations) appropriate?	51.16%	8.53%	40.31%
Question 54 – Are the proposed regulations relating to case friends (draft Education Tribunal regulations 61 to 64) appropriate?	56.56%	6.56%	36.89%
Question 55 – Are the prescribed qualifications to be an ALNCo set out in the draft ALNCo regulations appropriate?	49.70%	27.22%	23.08%
Question 56 – Do you agree with the tasks that ALNcos must carry out or arrange to carry out as set out in the draft ALNCo regulations?	60.12%	20.25%	19.63%
Question 57 – Do you agree that the Looked after Children in Education (LACE) Co-ordinator should be a statutory role?	75.31%	4.94%	19.75%
Question 58 – Do you agree that there should be a separate standard form for looked after children and is the proposed standard form, together with the guidance and requirements related to it, appropriate?	44.81%	24.68%	30.52%
Question 59 – Do the draft revisions to the Part 6 Code provide a clear explanation of the duties on local authorities in relation to their social services functions for looked after children with ALN and what these duties mean in practice?	48.89%	9.63%	41.48%

Question 60 – Overall, do you agree with the approach taken in the draft revised Part 6 Code explaining the legislative changes, including the integration of personal education plans (PEPs) and IDPs and the mandatory content of PEPs? Are the requirements and expectations and what these mean in practice clearly explained?



Question 61 – Do the changes that have been made to the Part 6 code clearly explain the role of the LACE Co-ordinator in overseeing the ALN arrangements for looked after children and what this means in practice?



Annex B: List of respondents

List of Respondents who responded to the 'Draft Additional Learning Needs Code' consultation

Responses via the online response form (1 – 166)

Responses via emails/post (167 – 330)

No	Name	Organisation
1	A Huws	Canolfan Addsyg Y Bont
2	Anonymous	
3	Anonymous	A Comprehensive School
4	Anonymous	
5	Respondent requested anonymity	
6	Respondent requested anonymity	
7	Respondent requested anonymity	
8	Respondent requested anonymity	
9	Laura Shepherd	30 Park Place
10	Respondent requested anonymity	
11	Laura Sheldon	Sully Primary School, Vale of Glamorgan
12	Respondent requested anonymity	
13	Respondent requested anonymity	
14	Anonymous	
15	Anonymous	
16	Anonymous	
17	Respondent requested anonymity	
18	Respondent requested anonymity	
19	Respondent requested anonymity	
20	David Abbot	
21	Respondent requested anonymity	
22	Respondent requested anonymity	

23	Respondent requested anonymity	
24	Respondent requested anonymity	
25	Anonymous	A Pre-school and Toddler Group
26	Anonymous	
27	Kate Mantle	Cwm Taf YOS
28	Respondent requested anonymity	
29	Respondent requested anonymity	
30	Respondent requested anonymity	
31	Anonymous	A High School
32	Respondent requested anonymity	
33	Respondent requested anonymity	
34	Alvyn Morgan	Cantonian High School Governing Body
35	Respondent requested anonymity	
36	Clwstwr Ysgolion Cymraeg - ALNCO's Bro Morgannwg	Bro Morgannwg
37	Victoria Cox-Wall	The Bridge Alternative Provision Portfolio PRU
38	SWASSH Deputies	SWASSH deputies
39	Respondent requested anonymity	
40	Respondent requested anonymity	
41	Clwstwr Ysgolion Cymraeg Castell Nedd a Phort Talbot	Cyngor Castell Nedd a Phort Talbot
42	Respondent requested anonymity	
43	Respondent requested anonymity	
44	Michael Curry	
45	Margaret Hodge	Sent on behalf of Blaenau Gwent Parent Consultation group
46	Sarah Phillips	Sent on behalf of Caerphilly Parent Consultation group
47	Catherine Morgan	Sent on behalf of Torfaen ALN Parent Consultation Group
48	Sian Jones	Sent on behalf of Monmouthshire ALN Parent Consultation Group
49	Anonymous	

50	Respondent requested anonymity	
51	Anonymous	
52	Respondent requested anonymity	
53	Anonymous	
54	Respondent requested anonymity	
55	Respondent requested anonymity	
56	Anonymous	
57	Respondent requested anonymity	
58	Respondent requested anonymity	
59	Respondent requested anonymity	
60	Respondent requested anonymity	
61	Respondent requested anonymity	
62	Sasha pitman	
63	Michelle Criddle	
64	Respondent requested anonymity	
65	Lindsey jones	A parent
66	Respondent requested anonymity	
67	Respondent requested anonymity	
68	Respondent requested anonymity	
69	Respondent requested anonymity	
70	Respondent requested anonymity	
71	Respondent requested anonymity	
72	Respondent requested anonymity	
73	Respondent requested anonymity	
74	Respondent requested anonymity	
75	Jasmine Corner	
76	Anonymous	
77	Paula	

78	Kristin Birkett	
79	Respondent requested anonymity	
80	Jan molt	
81	Respondent requested anonymity	
82	Respondent requested anonymity	
83	Respondent requested anonymity	
84	Emma chaston	
85	Respondent requested anonymity	
86	Respondent requested anonymity	
87	Respondent requested anonymity	
88	Respondent requested anonymity	
89	Derek Jones	
90	Jade Baggs	
91	Anonymous	
92	Respondent requested anonymity	
93	Julia Green	Coleg Sir Gar
94	Respondent requested anonymity	
95	Respondent requested anonymity	
96	Sharon Poloha	Merthyr Tydfil County Borough Council
97	Respondent requested anonymity	
98	Respondent requested anonymity	
99	Respondent requested anonymity	
100	Respondent requested anonymity	
101	Respondent requested anonymity	
102	Respondent requested anonymity	
105	EAL North Wales Coordinators	EAL North Wales Coordinators
106	Respondent requested anonymity	
107	Respondent requested anonymity	

108	Fiona Nicholson	Home Education Consultant http://edyourself.org/
109	Respondent requested anonymity	
110	Respondent requested anonymity	
111	Respondent requested anonymity	
112	Respondent requested anonymity	
113		Newport Parent & Carers Consultation Group (Facilitated by SNAP & SEWC)
114	Respondent requested anonymity	
115	Respondent requested anonymity	
116	C Bellamy	Responding as a parent of a child with ALN
117	Respondent requested anonymity	
118	Respondent requested anonymity	
119	Respondent requested anonymity	
120	Respondent requested anonymity	
121	Respondent requested anonymity	
122	Respondent requested anonymity	
123	Respondent requested anonymity	
124	Hania Opara-Waters	
125	Respondent requested anonymity	
126	Respondent requested anonymity	
127	Respondent requested anonymity	
128	Respondent requested anonymity	
129	Respondent requested anonymity	
130	Steve Rees	Evenlode PS
131	Respondent requested anonymity	
132	Respondent requested anonymity	
133	Beth Tingle	
134	Respondent requested anonymity	
135	Respondent requested anonymity	

136	Respondent requested anonymity	
137	Respondent requested anonymity	
138	Respondent requested anonymity	
139	Respondent requested anonymity	
140		Blaenau Gwent Parent & Carers Consultation Group (Facilitated by SNAP & SEWC)
141	Respondent requested anonymity	
142	Respondent requested anonymity	
143	JD	
144	T COLES	
145	s lavery	
146	j coles	
147	j lavery	
148	Caerphilly Parent & Carers Consultation Group (Facilitated by SNAP & SEWC)	
149	Respondent requested anonymity	
150	Sharon Poloha	Central South Consortium JES Early Years Working Group
151	Janice Sharpe	
151	Respondent requested anonymity	
153	Respondent requested anonymity	
154	J Simons	Primary school
155	Respondent requested anonymity	
156	Anna Vrahimi	DCYP
157	Respondent requested anonymity	
158	Respondent requested anonymity	
159	Respondent requested anonymity	
160	Respondent requested anonymity	
161	Respondent requested anonymity	

162		Ysgol Uwchradd Glan Clwyd
163	Respondent requested anonymity	
164	Caroline Rawson	SNAP Cymru (Question 43 Independent Advocacy. Please addend to SNAP Cymru's earlier response)
165	Heidi Lorenz	
166	Respondent requested anonymity	
167	Anonymous	Fitzalan High School
168	Ruth Richards	Dyfodol i'r Iaith
169	Anonymous	independent reviewing officer in Carmarthenshire
170	Anonymous	Castell Alun cluster
171	Respondent requested anonymity	
172		Governors Cymru Services
173	Hayden Llewellyn	Education Workforce Council (EWC)
174	Respondent requested anonymity	
175	Anonymous	Brackla Primary
176	Nikki Lawrence	Careers Wales
177		Chair and ALN Governor of the Hafod Federation in Flitshie
178	Anonymous	Glan Usk Primary School
179	Anonymous	LACE Coordinator (Swansea, NPT, Powys, Carmarthenshire and Ceredigion)
180	Claire Protheroe	PACEY Cymru
181	Adult Therapy Service	Cardiff and Vale University Health Board
182	Respondent requested anonymity	
183	Anonymous	Plantos Day Nursery Cardiff
184	Anonymous	
185	Jayne Taylor	BATOD Cymru
186	Anonymous	Radnor Valley Primary School
187	Rose Whittle	Cardiff and Vale University Health Board
188	David Finch	Coleg y Cymoedd
189	Anonymous	Ysgol Eirias
190	Anonymous	Hywel Dda University Health Board

191	Respondent requested anonymity	
192	Anonymous	LLANTWIT MAJOR COMPREHENSIVE SCHOOL
193	Anonymous	University and College union
194	Matthew Aplin	Public Services Ombudsman for Wales
195	Respondent requested anonymity	
196	Rhiannon Jones	Powys Teaching Health Board
197	Louise McGrath	Wales Council for Deaf People
198		Carmarthenshire Educational and Child Psychology Service
199	Peter Jones	Guide Dogs Cymru
200	Richard J Cubie	GwE (School Effectiveness and Improvement Service for North Wales)
201	Philippa Ford MBE MCSP	CSP Public Affairs and Policy Officer for the CSP in Wales
202	Martin Williams	King Henry VIII School (Abergavenny school cluster response)
203	Nichola Jones	Pembrokeshire County Council
204	Hayley Page	SEWC Regional ALNCOs
205	Chris Keates	NASUWT
206		This response has been collated by a group of ALNCOs on behalf of those in the role within Neath Port Talbot Local Authority
207		Dalgylch Botwnnog
208	Vince Browne (Executive Headteacher), Hayley Rees (School Governor), Matthew Davies (ALNCO)	Whitmore High School
209	Elizabeth Williams	Voice Cymru
210	Tracey Pead	SEWC region
211	Judith Paget	Aneurin Bevan University Health Board
212	Julian Hallett	Down's Syndrome Association.
213	Helen James	Welsh heads of Health Visiting & School Nursing Forum
214		All Wales Children & Young People Occupational Therapy Network
215		Royal College of Nursing Wales
216	Andrea Waters	Tredegar Comprehensive School
217	Central South Consortium	Central South Consortium Joint Education Service
218	Tim Pratt	ASCL Cymru
219	Dr Dai Lloyd AM	Cross Party on Deaf Issues
220	Anonymous	
221	Mold Cluster Schools	Flintshire County Council
222	Rachael Owen	Ladywell Green Infant School
223	Respondent requested anonymity	
224	Natasha Walsh	Early Years working group - NPTCBC

225	Jon Matthias	Children and Young People's Wales Diabetes Network (& Brecon Group)
226	Sally Sellwood/Hannah Bussicott	The Observatory on the Human Rights of Children (incorporating the Children's Legal Centre Wales and Lleisiau Bach/Little Voices)
227	Joe Powell	All Wales People First
228	Laurence Matuszczyk	Edwardsville Primary School and Merthyr Tydfil School Governors' Association
229	Janice Stuckey	Ysgol Ty Coch Special Needs School
230	Delyth Crisp	On behalf of Conwy County Borough Council Legal Department, Gwynedd Council Legal Department, and Wrexham County Borough Council Legal Department
231	Mrs. J. Stuckey Communications Officer	RCT CBC Governors Association
232		Gwasanaeth ADY a CH, ar ran Cyngor Gwynedd a Chyngor Mon
233	Mrs Jayne Edmonds	Minera Voluntary Aided Primary School
234	Carol Maher, Chair of Governors	Oak Field Primary School
235	Respondent requested anonymity	
236	Respondent requested anonymity	
237	David Davies	Vale of Glamorgan Council
238	Response of Prestatyn Cluster (Bodnant Community School; Clawdd Offa; Hiraddug; Melyd; Penmorfa and Prestatyn High School)	Response of Prestatyn Cluster (Bodnant Community School; Clawdd Offa; Hiraddug; Melyd; Penmorfa and Prestatyn High School)
239	Lisa Michelle Thomas	The College Merthyr Tydfil
240	Chris Welsh – Chair of LLAN	LLAN – NPT Headteachers
241		Natspec (Wales)
242	Judith Williams	NPTC Group of Colleges
243	Dr Kirsten Jones	Coleg Elidyr
244	Aled Evans	Neath Port Talbot Local Education Authority in consultation with colleagues from wider service areas.
245	Dr Alison Stroud	Royal College of Speech and Language Therapists in Wales
246	Respondent requested anonymity	
247	Allison Williams, Chief Executive	Bwrdd Iechyd Prifysgol Cwm Taf University Health Board
248	Respondent requested anonymity	
248	Carol Walker	Conwy County Borough Council Social Care and Education Department
249	Respondent requested anonymity	
250	Nichola Jones	Pembrokeshire County Council

251	Sarah Ellis	Caerphilly County Borough Council
252	Anonymous	
253	Catherine Lewis	TSANA (Barnardos Cymru, Children in Wales, Down's Syndrome Association, Mudiad Meithrin , National Deaf Children's Society, National Autistic Society Cymru, RNIB Cymru & SNAP Cymru)
254	Samuel Stone	National Autistic Society Cymru
255		Children in Wales
256	Susan A Jones MBE	
257	Michelle Hatcher	inclusion Service Bridgend County Borough Council
258	Gavin Metheringham	Education Directorate Blaenau Gwent County Borough Council
259	Denise Inger	SNAP Cymru
260	Donna Lewis	Torfaen ALN Team
261	Jane Alexander	CWLWM Partnership
262	Jane Alexander	Early Years Wales
263	Martyn Reed	Addysg Oedolion Cymru Adult Learning Wales
264	Welsh Therapies Advisory Committee	
265		The Special Educational Needs Tribunal for Wales
266	Carmarthenshire Educational and Child Psychology Service	Carmarthenshire County Council
267	Sharon Howley	NAS
268	Collective Response on behalf of Betsi Cadwaladr University Health Board	Betsi Cadwaladr University Health Board
269	Ian Garvey	St Richard Gwyn ALN Transformation Cluster
270	Ann Batley	Children's Services Rhondda Cynon Taf CBC
271	Lorraine Young	Ceredigion County Council
272	Ceredigion Partnership Agencies Conference	Multi-agency within Ceredigion
273	Ceredigion primary and secondary SENCOs	Ceredigion LA
274	Teachers in charge of Ceredigion Specialist Resource Centres	Ceredigion County Council
275	Respondent requested anonymity	
276	Respondent requested anonymity	
277	Sarah Dixon / Catherine Edwards	Blaenau Gwent CBC
278		RCT CBC Governors Association
279	Ceri Jones	Access and Inclusion, Rhondda Cynon Taf

280		Grŵp Llandrillo Menai
281	Davina Jones	National Star
282	Respondent requested anonymity	
283	Anonymous	Care in Schools Alliance (CISA) Wales
285	Anonymous	National Association of Principal Educational Psychologists in Wales
286	Anonymous	Welsh Association of Vision Impairment Educators (WAVIE)
287	Dr Rhian Murphy	
288	Troedyrhiw Primary	
289	Joint response from the specialist teams within the Education Service at Cardiff Local Authority	Cardiff LA
290	Anonymous	
291	Rebecca Williams	UCAC
292		Swansea Council Education Department
293		Diabetes UK Cymru
294	SLT Department	NHS-ABMU
295	Richard J Cubie	GwE (School Effectiveness and Improvement Service for North Wales)
296		Response of Ysgol Melyd ALNCo
297	Respondent requested anonymity	
298	Debbie Thomas	National Deaf Children's Society Cymru
299	Eleri Griffiths	Mudiad Meithrin
300	James Donaldson	Cardiff and Vale College
301	Rob Williams	NAHT Cynru
302	Anonymous	
303	Respondent requested anonymity	
304	Mary van den Heuvel	NEU Cymru
305	Meri Huws	Welsh Language Commissioner
306	David Teague	Information Commissioner's Office (Wales)
307	Jane Houston	Comisiynydd Plant Cymru - Children's Commissioner for Wales
308	Kate Fallon	The Association of Educational Psychologists
309	Tom Embury	British Dietetic Association
310	Anonymous	
311	Respondent requested anonymity	
312	Respondent requested anonymity	
313	Lauren Hathway	Treorchy Primary School
314	Respondent requested anonymity	
315	Sian Shepherson	Llandynidr C P School
316	Respondent requested anonymity	
317	Anonymous	
318	Carmarthenshire Educational and	

	Child Psychology Service	
319	Meilyr Rowlands	Her Majesty's Chief Inspector of Education and Training in Wales (Esytn)
320	Monmouthshire County Council	Monmouthshire County Council Consultation included: ALNCos, EPS, Statutory and Senior ALN Officers, Specialist Teams and Head Teacher Representatives
321	Dr Sarah Nason and Ann Sherlock	School of Law, Bangor University
322	Respondent requested anonymity	
323		Royal College of Occupational Therapists
324	Lynne Neagle AM	Children, Young People and Education Committee
325	Debbie Hartveld	Education Achievement Service (EAS)
326	Respondent requested anonymity	
327	Humie Webbe	National Training Federation for Wales (NTfW)
328	Respondent requested anonymity	
329	Joe Baldwin	Bridgend College
330	Sue Price	Coleg Cambria

List of Respondents who responded to the ‘Draft Additional Learning Needs Code – A consultation for Children and Young People

No	Name	Organisation
001	Anonymous	
002	Anonymous	
003	Anonymous	
004		NPTC Group ALN Students
005	Anonymous	
006	Anonymous	
007	Anonymous	
008	Anonymous	
009		Denbigh High School
010	Anonymous	
011	Anonymous	
012	Anonymous	
013	Anonymous	
014	Anonymous	
015		Carmarthenshire Children & Young People Consultation Responses
016	Anonymous	

List of Respondents who responded to the 'Draft Additional Learning Needs Code 'Easy Read' consultation

No.	Name	Organisation
ER001	Anonymous	
ER002	Respondent requested anonymity	
ER003	Anonymous	
ER004	Anonymous	
ER005	Anonymous	
ER006	Anonymous	
ER007	Anonymous	
ER008	Anonymous	
ER009	Anonymous	
ER010	Anonymous	
ER011	Anonymous	
ER012	Anonymous	
ER013	Anonymous	
ER014	Anonymous	
ER015	Anonymous	