

Distribution Sub-Group (2016) Paper 08 – Additional Learning Needs

This discussion paper has been written by officials of the Welsh Government. Ministers have not had an opportunity to comment on the contents. Exemplifications of changes are provided simply to inform discussion by DSG members. They are not Welsh Government proposals or statements of Government policy for or against changes.

Specialist Placements for Post-16 Learners with Additional Learning Needs

Summary

1. The Welsh Government intends to transfer responsibility for post-16 specialist placements for learners with additional learning needs (ALN) to Local Government. Funding to support these arrangements will be distributed to Local Government alongside transfer of the responsibilities. This is a matter that has been considered previously by the DSG.
2. Provisions which would see the transfer of responsibilities to Local Government are included in the draft Additional Learning Needs and Education Tribunal (Wales) Bill (“the Bill”). Therefore, it is important that consideration of funding matters are considered in line with the timetable for the Bill..

Views sought

3. DSG members are asked to discuss the distributional issues linked to the transfer of responsibilities in this area. This paper is intended to facilitate an initial discussion of the issues and potential approaches ahead of more detailed consideration at subsequent meetings.
4. A recommendation is required for the 2018-19 Unitary Authorities Settlement.

Background

5. The draft Additional Learning Needs and Education Tribunal (Wales) Bill (“the Bill”) includes provisions which would require local authorities to maintain a statutory Individual Development Plan for a post-16 learner who requires a placement in an independent post-16 specialist setting and a corresponding duty to secure that placement. In practice, this will mean that local government will assume responsibility that currently rests with Welsh Government and that the Welsh Government will no longer fund such placements via a specific grant.
6. The Welsh Government currently considers eligibility for such placements on an individual application basis. It is envisaged, however, that when local authorities assume responsibility, they will manage the process as part of their overall responsibilities for learners with ALN, rather than as a separate process.
7. The Welsh Government consulted on the draft Bill recently and concern was expressed around funding for this additional function for local government. The current cost to the Welsh Government is £11.4 million per annum. The figure for future funding will be subject to further discussion with local government. It is considered that this funding would be transferred into the Revenue Support Grant and it is the distribution of this funding that we wish the DSG to consider and determine.

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8. This subject has been considered previously by the DSG, firstly in connection with the Education Bill 2013, an initial iteration of which included provisions relating to the transfer of post-16 funding responsibilities, and then subsequently in relation to the ALNET Bill. Consideration was put on hold following a Ministerial decision to publish a draft Bill for consultation rather than to introduce legislation for formal scrutiny. Introduction of the Bill is a matter for the next Government following the National Assembly elections in May. However, the current Government has said that it would like to see a Bill brought forward early in the new term; therefore, that is the basis on which we are currently working.
9. Table 1 provides exemplifications of the £11.4 million of funding based upon 2016-17 SSA for the Special Education service IBA and the Adult and Continuing Education service IBA. The table is for illustrative purposes and to inform discussions and not necessarily proposals.

Conclusion

10. Options for implementation of our SEN reforms are currently being explored and a decision will be taken by the next Government following the elections in May. However, the earliest point local authorities could become responsible for such matters is September 2018. A decision on the amount and distribution methodology would need to be reached by the summer of 2016 in order that the transfer of funding would commence from 2018-19. Therefore, we think that it would be prudent to use summer 2016 as a deadline for a conclusion of the consideration of these funding issues.

**Local Government Finance Policy
Welsh Government**

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Table 1: Exemplifications for Specialist Placements for Post-16 Learners with Additional Learning Needs based upon 2016-17 SSA

Unitary Authority:	Based upon 2016-17 SSA					
	Special Education Service IBA		Adult and Continuing Education Service IBA		Difference	
	£s	% share	£s	% share	£s	% share
Isle of Anglesey	257,927	2.3%	259,893	2.3%	1,966	0.0%
Gwynedd	430,261	3.8%	444,998	3.9%	14,737	0.1%
Conwy	406,120	3.6%	434,586	3.8%	28,466	0.2%
Denbighshire	360,516	3.2%	362,395	3.2%	1,879	0.0%
Flintshire	589,129	5.2%	540,443	4.7%	-48,686	-0.4%
Wrexham	526,818	4.6%	506,093	4.4%	-20,725	-0.2%
Powys	455,627	4.0%	473,644	4.2%	18,017	0.2%
Ceredigion	235,524	2.1%	269,407	2.4%	33,883	0.3%
Pembrokeshire	458,298	4.0%	447,383	3.9%	-10,915	-0.1%
Carmarthenshire	697,388	6.1%	679,038	6.0%	-18,350	-0.2%
Swansea	814,479	7.1%	900,558	7.9%	86,079	0.8%
Neath Port Talbot	536,140	4.7%	532,924	4.7%	-3,216	0.0%
Bridgend	516,734	4.5%	519,609	4.6%	2,875	0.0%
The Vale of Glamorgan	468,664	4.1%	450,469	4.0%	-18,195	-0.2%
Rhondda Cynon Taf	944,341	8.3%	882,135	7.7%	-62,206	-0.5%
Merthyr Tydfil	237,453	2.1%	228,842	2.0%	-8,611	-0.1%
Caerphilly	729,783	6.4%	673,456	5.9%	-56,327	-0.5%
Blaenau Gwent	271,068	2.4%	277,005	2.4%	5,937	0.1%
Torfaen	362,922	3.2%	341,987	3.0%	-20,935	-0.2%
Monmouthshire	322,334	2.8%	315,857	2.8%	-6,477	-0.1%
Newport	568,592	5.0%	550,675	4.8%	-17,917	-0.2%
Cardiff	1,209,882	10.6%	1,308,603	11.5%	98,721	0.9%
Total Unitary Authorities	11,400,000	100.0%	11,400,000	100.0%	0	0.0%