Llywodraeth Cymru
Welsh Government

Technical guidance for Careers Wales

Securing provision for young people with learning difficulties

Guidance

Guidance document no: 257/2019
Date of issue: February 2020
Replaces guidance document no: 218/2017

Technical guidance for Careers Wales

Audience

This document is principally aimed at Careers Wales. Other parties who may have an interest include principals of institutions in the further education sector in Wales, heads of specialist further education establishments, young people, parents/carers, local authorities, social services departments and local health boards.

Overview

This document sets out advice and guidance on the Welsh Government's expectations for the role of Careers Wales in the assessment process under section 140 of the Learning and Skills Act 2000 and in securing provision for young people with learning difficulties at specialist further education establishments.

Action required

Careers Wales are required to have regard to the advice and guidance set out within this document.

Further information

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Additional copies

This document can be accessed from the Welsh Government's website at https://gov.wales/securing-post-16-education-young-people-learning-difficulties-guidance-careers-wales

Related documents

Securing provision for young people with learning difficulties at specialist further education establishments (2020)
Technical Guidance for Specialist Further Education Establishment (2020)

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

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Introduction

1. The purpose of this document is to set out, for the benefit of careers advisers within Careers Wales, advice and guidance on the Welsh Government's expectations for the assessment process under section 140 of the Learning and Skills Act 2000. This includes the role of careers advisers in respect of securing provision for young people with learning difficulties (see 'statutory context' section on page 4, for a definition) at specialist further education (FE) establishments. This document has been developed in consultation between the Welsh Government and Careers Wales.

2. Guidance on producing an assessment report under section 140 of the Learning and Skills Act 2000 ("the 2000 Act") has previously been developed for careers advisers. This document replaces and expands on that original guidance.

3. The policy and process by which the Welsh Government will make decisions about funding placements for young people, aged 16-25, with learning difficulties, who require access to specialist provision is set out in the policy guidance '*securing provision* for young people *with learning difficulties at specialist further education establishments*'[1]. However, this technical guidance document provides further detailed information on how careers advisers will fulfil their role and responsibility in line with that policy and in particular the policy and process by which Welsh Government will make decisions about undertaking a section 140 assessment.

4. This document is not intended as an 'absolute' guide to the assessment of a young person's needs nor does it set out the rigid requirements which must be met. The Welsh Government expects that careers advisers will act in a flexible and responsible way to identify the education and training needs of a young person with learning difficulties and establish the provision considered as necessary to meet those identified needs. Where specialist provision is being requested it is important that appropriate information is provided to the Welsh Government in order for an informed decision to be made. Where it is considered that certain pieces of information or the manner in which they are conveyed are important to the efficient and timely decision-making process, this guidance highlights this by using **must** or **it is essential**. Where it is not possible for careers advisers to provide these pieces of information the Welsh Government will seek to act in a flexible way.

5. Following this guidance will assist the Welsh Government to ensure that assessments are compliant with section 140 of the Learning and Skills Act 2000.

6. The Welsh Government invited the National Assembly for Wales to replace the existing law relating to post-16 education for young people with learning difficulties with legislation aimed at supporting young people with additional learning needs. The Additional Learning Needs and Education Tribunal (Wales) Bill was passed by the National Assembly for Wales on 12 December 2016 and subsequently became an Act

[1] https://gov.wales/securing-post-16-education-young-people-learning-difficulties-specialist-further-education

on 24 January 2018 following Royal Assent. The roll out of the Act[2] is expected to commence from September 2021. However, until this change takes place the current law remains in force. This document does not include any information regarding the role of careers advisers within any future legislative system, nor does it identify transition arrangements leading to that system.

[2] The Additional Learning Needs and Education Tribunal (Wales) Act 2018, includes a provision to transfer responsibility to secure specialist provision from the Welsh Government to local authorities. Should this provision be enacted it will replace the processes set out in this document in their entirety because the role of Careers Wales in securing specialist provision will cease.

Statutory context

7. A person will be considered to have a learning difficulty if that person:
   (a) has a significantly greater difficulty in learning than the majority of persons of their age, or
   (b) has a disability which either prevents or hinders them from making use of facilities of a kind generally provided by institutions providing post-16 education or training (see section 41(5) of the 2000 Act).

8. A person is not to be taken to have a learning difficulty solely because the language (or form of language) in which they are or will be taught is different from a language (or form of language) which has at any time been spoken in their home[3].

9. The Welsh Government's functions in respect of securing the provision of facilities for education and training and for funding placements, including those at specialist FE establishments, are set out in the 2000 Act, the key provisions of which are summarised in the Annex.

10. In brief, the Welsh Government is obliged to secure the provision of a range of facilities for education and training for young people aged 16 to 25 and they have powers to fund FE establishments and young people. When exercising these functions the Welsh Government must have regard to the needs of persons with learning difficulties and in particular, to any report of an assessment the Welsh Government arranges under section 140. Those assessments must be arranged for young people who have statements of special educational needs (SEN) and who are leaving school to go into further education, and they can also be arranged for young people in other circumstances.

11. If the Welsh Government cannot secure the provision of the right range of facilities for education and training for young people with learning difficulties unless they also secure the provision of boarding accommodation, then they must also secure the provision of boarding accommodation.

Summary of effect

12. Taken together, one of the practical effects of sections 31, 32, 41 and 140 of the 2000 Act is to require the Welsh Government to consider whether they should fund the placement of a young person with learning difficulties at a specialist FE establishment.

[3] Learning and Skills Act 2000, section 41(6).

Role of careers advisers

13. Careers advisers undertake section 140 assessments on behalf of the Welsh Government. This usually forms part of the transition process during the last year of compulsory schooling for the young person (see 'Transition into Further Education' section on page 7).

14. Careers advisers should be mindful of the legislative framework within which they operate, acting on behalf of Welsh Government, in respect to conducting the section 140 assessment. It is the role of the careers adviser to provide advice and support in respect to identifying and understanding the post-16 education and training provision available to the individual.

15. It is the responsibility of careers advisers, in undertaking the section 140 assessment, to produce an assessment report for the young person. Careers advisers should make every reasonable effort to source the available evidence that will enable them to identify the education and training needs of the young person and establish the necessary provision required to meet those needs. In addition, where provision at a specialist FE establishment has been identified, the careers adviser is responsible for submitting an application for funding to the Welsh Government to secure that specialist provision.

16. The careers adviser also has an important role in communicating with the young person and their parent/carer. It is vital that the careers adviser keeps the young person and parent/carer involved in the assessment process and kept informed of progress, especially where an application has been submitted to the Welsh Government to secure specialist provision. Where the careers adviser needs to approach the Welsh Government for specific advice, it is expected the careers adviser will relay that advice to the parent/carer and continue engaging further with them.

17. For those young people receiving compulsory education, careers advisers will be expected to engage within the transition review process, commencing from Year 9. However in doing so, careers advisers should not get drawn into discussions regarding the quality of provision or the appropriateness of a placement within the young person's school. Whilst the young person is in school, they and the special education provision they receive are the responsibility of the school and the local authority. Where these concerns exist the young person or parent/carer should be directed to contact the appropriate person.

18. Where the young person currently has a statement of special educational needs, the careers adviser must be clear that the young person is in their last year of schooling before commencing a section 140 assessment, i.e. it is the intention of the local authority for the statement of SEN to cease at the end of that academic year. Where a young person is considering leaving their school early or the school are recommending that the young person leaves school early, the young person with a statement of SEN continues to be the responsibility of the local authority until that statement is ceased. It is the responsibility of the local authority to cease the statement, not the school. Consideration of further education, be it within a mainstream or specialist FE establishment, should not be considered an alternative choice whilst the young person remains statemented.

19. The careers adviser must also be clear on their role for those young people who are already accessing post-16 provision. Where the further provision being sought by the young person or parent/carer which is not related to the education and training needs of the young person, it is for the relevant agency, i.e. social services, to take over lead responsibility for that individual. In these circumstances the careers adviser should direct the young person or parent/carer to the relevant agency.

20. The role of the careers advisers in the section 140 assessment process is set out in further detail in this document. The Welsh Government expects careers advisers to act with independence, to objectively consider the available evidence base and form a conclusion based on their professional judgement.

21. In those circumstances where the professional judgement of the careers adviser is at odds with the views of the young person or parent/carer, the careers adviser should act in accordance with the guidance set out in this document.

Transition into further education

22. Transition from school to a new learning establishment can be a difficult time for any young person. Those with learning difficulties are at a particular risk of not making a successful transition, if appropriate planning and sufficient time have not been put in place. This can potentially impact on their ability to progress with learning and/or achieve their intended outcomes.

23. Clear identification of a young person's education and training needs and the provision established as necessary to meet those needs, will help a young person to make a successful transition into the FE sector.

24. The transition planning process is set out in the Special Educational Needs Code of Practice for Wales[4] and begins in Year 9. The SEN Code of Practice for Wales highlights the importance of multi-agency input early in the SEN transition process in order that relevant multi-disciplinary assessments and care plans, which may include the provision of further education facilities, are conducted and can contribute to the formation of a young person's Transition Plan.

25. Chapter 9 of the SEN Code of Practice for Wales sets out the process for transition from school and describes the roles of agencies involved. The transition planning and/or annual review process must be undertaken in an impartial, unbiased, person-centred way. These meeting(s) for that young person should therefore only involve those as identified within the SEN Code of Practice. The Welsh Government would not normally expect specialist FE establishments to be actively involved in review meetings as it would be difficult to maintain impartiality when discussing appropriate and available options for that young person.

26. Where the assessment is being conducted in relation to a young person with a statement of SEN, it should form part of the transition planning process relating to such statements and is in effect the culmination of that process. It is expected, young people who have statements of SEN at their existing schools will already be in contact with a careers adviser through the annual review of the SEN statement.

27. Where a local authority (LA) transition protocol exists the careers adviser should seek to be included. If a careers adviser is purposefully excluded then they should inform the Welsh Government.

28. The Welsh Government expects all FE establishments to be open to requests from careers advisers to assess whether they are able to meet the particular needs of a young person. If careers advisers are encountering difficulties from any FE establishments to participate in the assessment process, they should inform the Welsh Government.

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[4] The SEN Code of Practice for Wales is issued pursuant to section 313 of the Education Act 1996. LAs and Governing Bodies exercising functions under Part IV of the Education Act ('Special Educational Needs') have a legal duty to have regard to the provisions of the Code.

29. The mainstream FE establishment's view on the extent to which it can meet a young person's needs is an important part of the assessment process. It is therefore essential that mainstream FE establishments engage early in the transition planning process and the subsequent section 140 assessment process. Where possible, it is considered good practice for mainstream FE establishments to develop positive relationships with their feeder schools in order to share information on provision available within their setting and to identify early the particular needs of school pupils. It is also considered good practice for mainstream and specialist FE establishments to engage with each other regarding those young people with complex needs who are seeking post-16 education, to ensure the necessary provision to meet these identified education and training needs can be established and realistically delivered.

30. In establishing provision, a visit by the young person to the mainstream FE establishment is not always necessary for a setting to make a determination on whether they are able to meet a young person's needs. Where a young person has significantly complex and holistic needs the careers adviser should discuss with the mainstream FE establishment about whether the young person has to visit or if a determination, that they clearly could not meet the young person's needs, could be made based on a detailed description of the young person's needs.

Consent

31. During the assessment process decisions will need to be made about the career choices for the young person. It is important that a young person is involved and understands those decisions being made about them. Where possible it should be the young person who is making a decision about their future. The fact that a young person has a learning difficulty should not prevent the young person being part of a decision making process or be assumed they are unable to make a decision for themselves.

32. In addition to the young person making decisions about any potential career choices, the careers adviser will need to gain the agreement of the young person, verbally or in written form, to share any information relating to the assessment (early in the assessment process) or to share the final assessment outcome with relevant agencies, in line with compliance set under General Data Protection Regulations (GDPR) and Data Protection 2018. Where the young person is under the age of 16 the parent's consent should be sought to share this information.

33. Whether it is part of an assessment or the funding application process, careers advisers will need to understand whether the young person concerned has the mental capacity to consent to the provision identified. This must be identified by the careers adviser during the assessment process. Where there are concerns in relation to a young person's mental capacity it is for the relevant LA social services department to lead on the mental capacity assessment for that young person. Should the careers adviser encounter any difficulties in obtaining a mental capacity assessment through the relevant LA social services department then they should contact the Welsh Government as early in the process as possible for advice.

34. Where the young person has been assessed by an appropriate authority as lacking the capacity to contribute meaningfully to the assessment process, the careers adviser must comply with the requirements of the Mental Capacity Act 2005[5] and the Mental Capacity Code of Practice[6].

35. Where consent relates to a placement at a specialist FE establishment, the Welsh Government needs to know whether a valid consent, in relation to their mental capacity is in place and the associated details. This is to ensure that the young person's best interests and human rights are being appropriately safeguarded, and in order to decide whether, and on what terms, to agree funding for placements at specialist establishments, or how to deal with the funding application. In some cases for example, an application to the courts might be needed to authorise the placement. Until such time consent is agreed, Welsh Government will not consider an application for a specialist placement

36. Cases in which a placement might amount to a deprivation of liberty are particularly complex. The mechanisms available to authorise placements in these cases vary, depending on the nature of the establishment at which the placement is intended to be

[5] http://www.legislation.gov.uk/ukpga/2005/9/contents
[6] https://www.gov.uk/government/publications/mental-capacity-act-code-of-practice

made. For this reason it may take longer to deal with a funding application for a placement in cases where these issues have not been resolved before the funding application is submitted.

37. Where a mental capacity decision has been made on behalf of the young person for a placement at a specialist FE establishment a copy of the relevant documentation (see paragraph 97(j)) must be provided, where relevant, to the Welsh Government along with the application for funding. The Welsh Government cannot proceed to consider a placement where information about a young person's mental capacity is not provided.

Producing an assessment report

38. In certain circumstances, a young person's education and training needs may be assessed under section 140 of the Learning and Skills Act 2000. A section 140 assessment is an assessment resulting in a written report, known as the Learning and Skills Plan (LSP), of a young person's identified post-16 education and training needs and the provision established as necessary to meet them.

When must the Welsh Government arrange for an assessment?

39. Under section 140(2) of the Learning and Skills Act, the Welsh Government **must** arrange for an assessment of a young person during their last year of compulsory schooling where the following two conditions are met:
    a. a LA in Wales maintains a statement of special education needs for that person; **and**
    b. the young person will leave school at the end of their last year of compulsory schooling to receive post-16 education or training or higher education.

When may the Welsh Government arrange for an assessment?

40. In certain circumstances it is in the Welsh Government's discretion to prepare an assessment.

41. Under section 140(3), the Welsh Government **may** arrange for an assessment in respect of a young person who:
    a. is in their last year of compulsory schooling or is over compulsory school age but is not yet age 25; **and**
    b. who appears to have a learning difficulty; **and**
    c. who is receiving or is likely to receive post-16 education or training or higher education.

42. In the following circumstances the Welsh Government have pre-determined that it is appropriate for an assessment to be carried out under section 140(3) for a young person who:
    a. is aged over compulsory school age but under 25; **and**
    b. has a statement of SEN maintained by a LA in Wales (so is in Year 12, 13 or 14); **and**
    c. will leave school at the end of the academic year he is currently in, to receive post-16 education or training or higher education.

43. In some circumstances the Welsh Government may determine that it is appropriate for a young person to be assessed under section 140(3). These may include the following, but this is not an exhaustive list:
    a. a young person who:
        - has a learning difficulty but is without an SEN statement (for example young people supported through School Action / School Action Plus); **and**
        - is in their last year of compulsory schooling; **and**
        - is believed likely to need additional support as part of their future education or training; **and**

- would benefit from an assessment to identify their learning needs and the provision required to meet those needs.

b. or a young person who:
   - has a learning difficulty but is without a statement of SEN (for example young people supported through School Action / School Action Plus); **and**
   - is over compulsory school age but under 25 who is receiving or is likely to receive post 16 education or training or higher education; **and**
   - is currently in, or about to start, post 16 education or training, but has not previously received an assessment and whose circumstances are such that an assessment of their learning needs and the provision required to meet them is appropriate (e.g. a young person who has acquired a learning difficulty, perhaps as a result of an accident); **or**
   - has previously received an assessment but whose circumstances have since changed (e.g. a young person with a deteriorating condition) to such an extent that a further assessment is necessary to ensure their learning needs are met; **or**
   - was previously covered by a statement of SEN, but did not get an assessment, because he/she did not move from school into other education or training. This might apply should a young person undertake employment for a year before wanting to return to education or training.

Who will be assessed and when must the assessment be undertaken?

44. The careers adviser must undertake an assessment of any young person they have identified as meeting the criteria outlined in paragraph 39 and 42. Careers advisers, will also automatically provide an assessment where the following criteria are met:

45. The young person is –
    a. supported under School Action or School Action Plus; **and**
    b. has been subject to annual and/or transition review processes consistent[7] with a young person with a statement of SEN.

46. Careers advisers, or someone else able to advocate on behalf of the young person may approach the Welsh Government on behalf of the individual or their parent/carer to request that an assessment is undertaken if the criteria outlined in paragraph 41, 42 or 43 applies. In such circumstances, it will be for the Welsh Government to determine whether an assessment is required. Where an assessment is required, the careers adviser will undertake such an assessment only with the Welsh Government's prior written consent. In these circumstances, the careers adviser, or whoever else may be advocating on behalf of the young person, should contact the Welsh Government via the mailbox: post16aln@gov.wales.

47. Where arrangements for an assessment have been made, that assessment should be completed as soon as reasonably possible in order to assist the young person to consider their options for further learning and to ensure that appropriate support can be

[7] By 'consistent' it is envisaged that the annual and/or transition review for a young person supported by 'school action' or 'school action plus' involves multi-disciplinary input, in a similar way that a review of a statement of SEN involves multi-professional input.

arranged. It is expected that section 140 assessments will be completed by the end of the spring academic term for those young people expecting to commence post-16 education and training at the start of the next academic year, i.e. the following September.

48. As identified under paragraphs 39 and 42 an assessment must be undertaken for a young person who is seeking to leave school to enter higher education (HE). This applies to those young people in their last year of compulsory schooling or in their last academic year of their school sixth form, who are seeking to go directly into HE.

49. Where a young person with an existing LSP is seeking to move from further education to higher education, there is no requirement to update/amend the existing LSP. The existing LSP should be shared with the HEI, provided the young person is in agreement. This will allow the HEI to better understand the young person's previous support needs.

Requirements of the Assessment

50. Section 140 requires that an assessment should result in an LSP which identifies the following:
    a. the young person's educational and training needs; **and**
    b. the reasonable and realistic provision and duration required to meet those needs, along with any additional holistic support required, where it is needed;

51. Furthermore, the LSP should specifically include:
    a. summarised evidence based information gathered during the transition process that specifically relates to and identifies the young person's education and training needs; **and**
    b. the specific FE establishment or Work Based Learning (WBL) provider that will deliver the provision established as necessary, including confirmation that the necessary provision is both available and has been reserved on a provisional basis; **and**
    c. consideration of prior education and training achievements; **and**
    d. reasons why a specific FE establishment has been chosen as being able to meet the young person's needs; **and**
    e. reasons why a young person's capability requires a particular duration[8] for delivering the provision considered as necessary; **and**
    f. the young person's desired outcomes linked to their future aspirations, such as employment or semi-independent/independent living and how the identified provision will equip the young person to achieve these outcomes; **and**
    g. where required, the views of the young person and/or parent/carer if they disagree with the established provision considered necessary to meet the identified education and training needs.

52. The LSP should identify what can actually and realistically be provided, not what is ideal or what would be good in theory. The careers adviser needs to be satisfied that

[8] Meaning the duration in totality, i.e. where it is expected the young person will need to access more than one course over more than one year.

the stipulated provision is reasonable, realistic and, based on the individual's capability, can actually be achieved by the young person. The careers adviser should reach that judgment at the time of concluding its assessment and in writing the LSP.

53. The LSP needs to make a recommendation about the placement, including the necessary course/programme of study and duration. The content and level of detail in the LSP will depend on the circumstances of the individual case, but the LSP should reasonably reflect in sufficiently clear and intelligible form the principal important conclusions of the assessment based on the professional judgement of the careers adviser. This needs to be based on the range of evidence available pertaining to that young person. The report should also reference the specific evidence from which the careers adviser has used to come to a judgement.

54. There is a specific LSP form on page 34, which has been prepared in consultation between the Welsh Government and Careers Wales for the assessment in order to ensure consistency. The form includes further advice at each relevant section on the quality and quantity of information required.

55. To ensure the assessment is fit for purpose and meets the requirements of section 140 of the 2000 Act, the assessment should:
    a. be based on accurate and up to date information (with key information as up to date as possible and preferably no more than one year old) provided by the careers adviser, their partners and other relevant providers; **and**
    b. clearly sets out how the identified education and training needs can be realistically met, including the duration required to do so.

56. The careers adviser will need to gain the agreement of the young person or their parent/carer (see 'consent' section on page 9), to share any information relating to the assessment with mainstream / specialist FE establishments, early in the assessment process in order to establish the provision considered necessary to meet the identified education and training needs of the young person.

57. It is the Welsh Government's expectation that mainstream FE establishments will normally meet the education and training needs of the majority of young people who have a learning difficulty. Therefore careers advisers, in establishing the provision necessary to meet the young person's education and training needs, must in the first instance identify whether provision is available through the mainstream FE sector, before considering alternative options elsewhere. In order to identify if a mainstream FE establishment can meet the young person's needs, information relating to the section 140 assessment needs to be shared with that setting. Mainstream FE establishments must then complete a '*Mainstream Further Education Provision*' form, included at page 38, that sets out, if and how, the setting could meet the young person's education and training needs.

58. Only specialist FE establishments who have entered into a funding agreement[9] with the Welsh Government should be considered for a potential placement of a young person. Where access to specialist provision is subsequently being considered, information relating to the section 140 assessment needs to be shared with the specialist FE establishment. The specialist FE establishment will consider the information provided and undertake their own initial assessment of the young person in order to establish the provision they can cater for. This assessment must not be taken in isolation and considered along with other relevant evidence, for example, care and support plan; and any information provided by the local health board. The specialist FE establishment should then provide the careers adviser with a copy of the setting's own assessment along with a completed '*Specialist Further Education Provision Breakdown*' form, included at page 41, which will set out how the setting would meet the young person's education and training needs.

59. In order for the mainstream or specialist FE establishment to consider the wider holistic provision necessary to meet a young person's education and training needs, they should understand if a young person has had social care or healthcare involvement to date. Where a young person has had social care or healthcare involvement, then the careers adviser should share the relevant assessment (or at a minimum a broad description of current needs being met by these relevant agencies) with the FE establishment.

60. It is the Welsh Government's expectation that establishing provision locally (mainstream or specialist) should be prioritised to ensure young people can retain links to their families and communities. Should local provision not be available to meet the young person's identified education and training needs, it is expected that careers advisers will consider other provision in Wales, where it is reasonable to do so, before provision elsewhere.

61. In identifying the provision required and the appropriate establishment at which this should be delivered, the careers adviser will endeavour, in discussion with that mainstream/specialist FE establishment, to reserve the placement on a provisional basis. This is especially important where an application for funding is being submitted to the Welsh Government for a young person whose needs could also potentially be met by a mainstream FE establishment. The Welsh Government must be clear that a place at a particular setting is available for the young person when making a decision. In exceptional circumstances, whereby a placement unexpectedly becomes unavailable following submission of an application to the Welsh Government, the careers adviser will need to seek out alternative options that will meet the young person's needs.

62. Once it has been established that a young person's needs could be met through mainstream FE provision, the careers adviser should make every effort to identify a

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[9] The Welsh Government's Funding Agreement establishes a framework between the Welsh Government and the specialist FE establishment in respect of those young people agreed to be funded by the Welsh Government and the conditions of that funding. The Welsh Government holds a list of specialist FE establishments that have entered into this contractual arrangement. Should the careers adviser wish to consider a specialist FE establishment not on the list, they should contact the Welsh Government immediately.

suitable alternative elsewhere within the mainstream FE sector, if the original placement becomes unavailable before a funding application is determined. The Welsh Government is unlikely to fund a placement at a specialist FE establishment solely because the original proposed placement at a particular mainstream FE establishment is no longer available.

How should the assessment be undertaken?

63. The young person should be involved throughout the process of preparing the assessment and every reasonable effort should be taken to ensure the young person and their parent/carer is kept informed and engaged within the transition process.

64. The careers adviser should support the young person to understand that the purpose of the assessment is to enable informed decisions to be made about them in order for the young person to succeed on their chosen career path.

65. If the young person has significant communication difficulties, the careers adviser should take all practicable and appropriate steps to establish their views and wishes through, for example, a parent/carer, their teachers, other representatives, an interpreter or an advocate and by communicating in an appropriate way (for example by visual aids).

66. The assessment should be undertaken in conjunction with the young person and their parent/carer and with appropriate early input from other relevant agencies including the LA, the school, health care professionals, mainstream FE establishments, etc. In order to carry out the section 140 assessment the careers adviser should make every reasonable effort to obtain copies of available relevant and up to date information/evidence relating to the individual's holistic needs, this includes the young person's latest statement of SEN, where appropriate. Information should be up to date and where possible, preferably no more than one year old.

67. Whilst information can be obtained from the LA, the school or other relevant agencies, the young person or their parent/carer are also free to provide any information they think relevant to the assessment. This should be taken into account by the careers adviser in reaching an informed judgement about the young person's holistic needs and the provision required to meet them.

68. The assessment should build on the views and expertise of other people who have already supported the young person. The following may contribute to the process:
    a. parent/carer
    b. SEN Coordinator (SENCO), or the teacher who leads on transition planning where this is not the SENCO
    c. key professionals/specialists, such as educational psychologists, social workers and/or relevant health professionals
    d. any other relevant individuals, such as other teachers, advocate, etc
    e. some of the views and/or expert opinions of those listed above, may already be captured through the latest statement of SEN and annual review, and other statutory/non statutory assessment processes such as:
        - Transition Plan
        - Individual Education Plan / School Report

- Pathway Plan (if in place)
- Careers Wales Action Plan
- Care Plan (if in place)

This is not an exhaustive list of the inputs that will inform the assessment and neither is it a mandatory list of inputs that must be included. Consideration should be given on a case by case basis, as to the complexity of needs of the young person and the proportionate volume of evidence needed to inform the assessment.

69. The SENCO or the teacher who leads on transition planning can provide information about the support provided in school and access to the latest Individual Education Plan. The SENCO or other appropriate teacher may also be able to share information about strategies which have previously been used successfully to help the young person overcome barriers in school. However, the Welsh Government would not normally expect SENCOs (or other teachers/professionals) to advise on what a further education setting can provide for that young person. It is the role of the mainstream/specialist FE establishment to identify any proposed provision considered necessary to meet the young person's identified post-16 education and training needs.

70. The careers adviser should ensure a person centred approach is undertaken during the assessment process and that the young person and their parent/carer are fully aware of the facts and the advantages/disadvantages of any particular provision.

71. Once the assessment has been completed, the careers adviser will need to request the agreement of the young person or their parent/carer to share the finalised outcome of the assessment (the LSP) with the relevant mainstream/specialist FE establishment (at which the established provision has been identified for) and where relevant the LA social services department, the local health board (LHB) and the Welsh Government (where applicable). Agreement should be obtained through written confirmation[10] by way of a signature on the LSP or through a confirmation email / letter from the young person or parent/carer. It is vital in obtaining confirmation in this way, that it is clear to all parties involved which version of the LSP is being agreed to.

72. Where a young person and/or the parent/carer refuses to share any information early in the process or share the finalised outcome of the assessment with key stakeholders, the careers adviser should try to understand their views and discuss the advantages and disadvantages of such a position, including the limitations in identifying appropriate provision. Under the GDPR, if the young person and/or parent/carer does not wish for personal information to be shared then the careers adviser must respect their views.

73. Where a young person and/or parent/carer disagrees with aspects of the content within the LSP, for example they wish to see certain evidence, such as from an educational psychologist report, to be included within the LSP, the careers adviser should try to understand their views and discuss the advantages and disadvantages of such a position. In these instances, the careers adviser should consider inclusion of this information, if it is necessary to do so, but state in the report this is being included on behalf of the young person and/or parent/carer. However, inclusion of additional

[10] Careers advisers should follow internal procedures set out by Careers Wales for capturing consent in line with with compliance set under General Data Protection Regulations (GDPR).

information in this way should not change the overall judgement of the careers adviser in determining the educational and training needs of the young person and the provision established as necessary to meet this; this additional information should already form part of the wider evidence base available.

74. Where a young person and/or parent/carer disagrees with the outcome of the section 140 assessment and the LSP does not state the provision of their preferred choice, i.e. a placement at a specialist FE establishment, the careers adviser should try to understand their views and discuss the advantages and disadvantages of such a position. In these instances, careers advisers should not change their judgement on the outcome of the assessment; this should remain stated within the LSP. However a statement of the young person's or parent/carer's view of the desired provision should be added to the LSP. In these circumstances, the careers adviser should also not change the evidence base to better support the viewpoint of the young person and/or parent/carer. The careers adviser needs to provide their independent and impartial judgement, taking account of the supporting evidence base available. If following discussion between the careers adviser and the young person and/or parent/carer that the view (of the young person of parent/care) remains that specialist provision is desired, then an application for funding will need to be submitted (see the section on 'The Application Form' on page 22). It will be for the Welsh Government to make a decision taking into consideration the young person's or parent/carer's wishes, the careers advisers' professional judgement, along with the supporting evidence base.

75. Where an assessment identifies mainstream FE provision, the finalised LSP will need to be submitted to the named mainstream FE establishment so that it can make arrangements for suitable support to be put in place.

Welsh Government arranged assessment

76. In exceptional circumstances, the Welsh Government may specifically arrange for an educational psychologist to undertake the section 140 assessment of a young person. This will **only** happen under the following conditions:
    - there is significant but conflicting / contradictory evidence available **or**
    - the majority of information available is considered outdated (for example beyond 3-5 years) and the needs of the young person are known to have changed **or**
    - there is insufficient or no information or specialist input available for that young person.

    Any of these conditions prevents the careers adviser from forming a professional judgement and/or reaching an outcome to their own assessment.

77. In these circumstances the Welsh Government will commission an educational psychologist to take into account all the evidence the careers adviser has access to. The educational psychologist will also undertake all necessary investigations with the young person and the mainstream/specialist FE establishments to identify the education and training needs of the young person and establish the provision considered necessary to meet those identified education and training needs.

78. Where the Welsh Government arranges for an assessment, it will act specifically upon the outcome of that assessment. Where this assessment identifies provision at a specialist FE establishment, the careers adviser will not be expected to submit an

application for funding. Instead the Welsh Government, in these circumstances, will make a funding decision for that specialist provision based on the advice of that assessment.

Request to undertake or update a section 140 assessment

79. In certain circumstances, the Welsh Government has the discretion to consider whether a section 140 assessment is needed. The conditions under which the Welsh Government will consider a section 140 assessment or an update to an assessment are set out under paragraph 43. Where the careers adviser is aware of a young person who may fall within these conditions, the careers adviser should submit a request using the '*Request for a* section *140 Assessment'* form, on page 45. The request **must** be submitted in electronic format, **via Egress Switch**, to the following mailbox: Post16ALN@gov.wales.

80. When submitting a request for a section 140 assessment, the careers adviser should provide summarised information relating to the:
    - young person, including any identified learning difficulty and/or disability **and**
    - specific condition(s) stated in legislation that the request relates to (as set out in paragraph 43) **and**
    - relevant background, including educational history and achievements, reasons supporting the request, etc (in a chronological order) **and**
    - any agencies currently involved in providing support**.**

    The submitted request should be succinct and focussed specifically on the needs of the young person; it should not be written with the specialist FE establishment as the desired outcome. Consideration of any proposed provision should be identified as part of the assessment process only.

81. Where the request relates to a young person who is seeking an additional funded programme of study, brief information pertaining to the original Welsh Government funded programme of study and the original desired outcomes (as stated in the LSP) should also be included (see 'Request to fund additional programmes of study' section on page 30). It should be noted that the reasons to update an LSP (for a young person seeking an additional funded programme of study) must relate to the specific conditions set out in paragraph 43; the reasons to support an additional programme of study (as outlined within paragraph 136) are not being considered at this stage and should not be included within the request.

82. Regardless of whether the request for a section 140 assessment provides evidence to support such a request, careers advisers cannot refuse to submit a request to undertake or update a section 140 assessment, should the young person and/or parent/carer wish. The careers advisers should ensure in these circumstances the young person and/or parent/carer are aware of the considerations that the Welsh Government will take into account when making a determination of a request, as outlined under paragraph 43.

83. In these instances, careers advisers should not amend the evidence to fit with the young person and/or parent/carer desires. Careers advisers should complete the section 140 request setting out their professional judgement on the basis of the request. However, careers advisers should make it clear that it is the young person or

parent/career's view that a section 140 request should be submitted, along with any reason they wish to be considered, in line with paragraph 43.

84. The Welsh Government will endeavour to communicate the outcome of the request to undertake or update a section 140 assessment, to the careers adviser, within 20 working days, provided all relevant information has been included within the request.

85. Where a young person whose current placement has broken down and an update to the section 140 assessment is being undertaken, the careers adviser should reconsider the education and training needs of the young person, as stated in the original LSP, before establishing the provision necessary to meet the revised/updated education and training needs. The careers adviser will need to objectively reassess all available evidence, including the reasons why the placement broke down and any subsequent needs arising, before considering all available options, local or otherwise, to establish the provision necessary to meet the identified education and training needs of the young person.

86. Where careers advisers are considering a request for a section 140 assessment, or an update to the section 140 assessment, with a view that an application for funding for provision at a specialist FE establishment may be required, they should be mindful of the timescales for submitting an application (see 'submission of applications for funding' on page 23. The commencement date for any proposed provision must allow sufficient time for both a decision to be made by the Welsh Government and for suitable transition arrangements to be put in place for the young person. It is not considered good practice to commence specialist provision early just so that the young person can access provision quickly; this is likely to have a negative effect on the young person and their ability to learn.

87. Where a young person has an existing LSP but it is felt that their education and training needs require reconsideration, prior agreement to updating the section 140 assessment must be sought from Welsh Government.

88. Provided a young person's education and training needs have not changed, it is considered appropriate for careers advisers to make amendments to the provision set out in the LSP, if and where it is required. In making any changes to provision the careers adviser should be mindful of Welsh Government's expectation that once it has been established that a young person's needs can be met through mainstream FE provision, any changes to their provision should continue to be provided within the mainstream FE sector. Where a change in provision is as a result of a change in the young person's education and training needs, refer to paragraph 87. However in making amendments to the provision within the LSP, the careers adviser will need to ensure they have obtained permission from the young person or parent/carer (where appropriate) to make the required changes. An example of an appropriate change to provision includes where a young person is moving out of the mainstream FE establishment and into WBL, or vice versa. It is considered good practice to share the LSP with a WBL provider, or other providers, to assist that young person in accessing the support they require. Thus amending the specified provision in this respect will make the LSP more meaningful to the WBL provider.

89. Where a young person is seeking a return to post-16 provision, for example, following a period in WBL, and the careers adviser believes that the young person will likely require a placement at a specialist FE establishment, an application for funding can be made without requesting an update to an LSP. However this is conditional on the following:
    a) the young person has previously had a section 140 assessment **and**
    b) the existing LSP remains within 12 months of its creation **and**
    c) a young person's education and training needs have not changed during this period **and**
    d) the local mainstream FE establishment has confirmed it is unable to meet the young person's holistic needs **and**
    e) the young person has not previously received Welsh Government funding to access specialist provision (see 'Requests to fund additional programmes of study' section on page 30)

    Where any of the above conditions cannot be met, then a request to update a section 140 assessment **must** be made to the Welsh Government.

Producing an application for funding

90. The Welsh Government's policy is to ensure that for those young people with learning difficulties, aged 16-25, who wish to undertake post-16 further education but are not able to access the provision established as necessary to meet their identified educational and training needs through mainstream FE provision, the Welsh Government will fund the specialist provision required for that purpose. This might also include boarding accommodation.

91. Where the section 140 assessment identifies a need for specialist provision from a specified specialist FE establishment, the careers adviser must submit an application for funding, the LSP and supporting evidence to the Welsh Government to consider. However, an application for funding can only be submitted where there is a placement available at the specialist FE establishment. The young person being on a waiting list does not equate to an available place. The Welsh Government needs to be confident a place is available and accessible (at the proposed start date) prior to making a decision on an application for funding.

The Application Form

92. There is a specific '*Application for Funding'* template on page 46, which has been prepared in consultation between the Welsh Government and Careers Wales. The template includes further advice at each relevant section on the quality and quantity of information required.

93. The application should set out in summarised form information about the:
    a) young person
    b) previous education, including any prior achievements
    c) desired outcomes of the young person linked to their future aspirations
    d) any social services and/or healthcare involvement
    e) mainstream FE establishments approached and associated outcomes of assessments
    f) specialist FE establishments approached, the preferred provider, the proposed programme, duration (i.e. start and end date), nature of provision (day / boarding) and how the proposed programme will equip the young person to achieve their desired outcomes
    g) mental capacity of the young person and any proposed transport and transition arrangements
    h) recommendation that explains in sufficiently clear and intelligible form, the principal important conclusions of the assessment based on the professional judgement of the careers adviser. This should include, any relevant evidence taken into consideration to form this judgement, such as the transition plan or annual review notes (where applicable).

    The content and level of detail in the application will depend on the circumstances of the individual case. The application should also reference the specific evidence from which the careers adviser has used to come to a judgement.

94. When completing the application for funding the careers adviser **must** make sure that the programme of study and duration specifically matches that stated in the LSP and the '*Specialist Further Education Provision Breakdown*' form. Any differences in the

stated provision and duration across these three key documents will cause further enquiries to be made and delay the Welsh Government in making a decision. This could also result in the application being returned to the careers adviser.

95. Where there are identified social services and/or health board involvement with the young person, the careers adviser needs to ensure that the relevant professionals from these organisations are involved in both the section 140 assessment and subsequent funding application process. This will allow the relevant agencies to assess the appropriateness of the level of support and the associated costs being identified.

96. It is particularly important that specialist FE establishments share with the relevant agencies copies of the specialist FE establishment's own assessment of the young person and the '*Specialist Further Education Provision Breakdown*' form. The careers adviser should ensure the relevant agencies have had access to this information and if not, share it in order for these agencies to identify whether they have any concerns relating to the identified support or associated costs. Relevant agencies have a responsibility for keeping the careers adviser informed of any concerns and of progress made to resolve them.

Submission of applications for funding

97. All applications must be supported by any relevant evidence relating to the professional judgement of the careers adviser. When the application and supporting evidence is submitted to the Welsh Government it is **essential** that it includes the:
    a) Application for Funding
    b) Learning and Skills Plan
    c) Mainstream Further Education Provision Form
    d) Specialist Further Education Provision Breakdown Form
    e) Specialist Further Education Establishment assessment.

    The following evidence would also be considered **essential, where it is relevant (and up to date)** to the young person:
    f) Statement of Special Educational Needs
    g) Transition Plan / latest Annual Review
    h) Care Plan
    i) Unified Assessment
    j) Mental Capacity Assessment and, if necessary, Best Interest's Decision documentation.

    Other supporting evidence considered **desirable**, if available, but not essential includes:
    k) Any reports from relevant professionals, such as an educational psychologist, social worker, school teacher, etc
    l) Any letters of support.

98. All applications and supporting evidence **must** be submitted in electronic format, **via Egress Switch**, to the following mailbox: Post16ALN@gov.wales. The application should clearly identify the supporting evidence available, including any hardcopy evidence that will follow in the post (following submission of the application). The following documents **must** be provided electronically:

a) Application for Funding
b) Learning and Skills Plan
c) Mainstream Further Education Provision Form
d) Specialist Further Education Provision Breakdown Form
e) Specialist Further Education Establishment assessment.

The Welsh Government expects that every effort will be made by careers advisers to also make all supporting evidence available electronically, where reasonable to do so. All '**essential**' or '**essential, where relevant**' evidence should be submitted as a package, at the same time, as the application for funding is submitted.

99. When submitting information via Egress Switch, careers advisers should ensure documents are not submitted with 'password protection' enabled. The Welsh Government is unable to open/access these documents even if the password is provided. Egress Switch is already a secure web based facility and thus 'password protection' is not necessary. Submitting documents without password protection enabled will ensure there are no unnecessary delays encountered in the process.

100. The careers adviser should also ensure that the '**essential**' documents identified in a) to e) do not contain any track changes. The Welsh Government must be assured that these are the final versions. This cannot be determined if track changes exist and may result in the application being returned to the careers adviser.

101. Where the careers adviser is submitting an LSP, as part of the 'essential' documents, which has not been signed specifically by the young person, i.e. the parent has signed, the reasons why someone other than the young person has signed the LSP must be provided to the Welsh Government.

102. Where the careers adviser has access to information identified in f) to l) above, but the information is considered to be significantly dated, i.e. over 5 years, the careers adviser should still consider the information within the assessment process. However, for the purposes of the application form, it is appropriate to only reference these documents as being available on request.

103. Regardless of whether the LSP establishes that specialist provision is required, careers advisers cannot refuse to submit an application for funding to the Welsh Government should the young person and/or their parent/carer wish. The careers adviser should ensure in these instances the young person and their parent/carer are aware of the considerations that the Welsh Government will take into account when making a determination on an application, as outlined within the Welsh Government policy guidance document[11].

104. In these instances, careers advisers should not amend the evidence base identified within the LSP or the application to fit with the proposed placement the young person or parent/carer desires. Careers advisers should complete the LSP and application, as per normal procedures, using the evidence available and stating their professional judgement on the provision considered necessary. However, careers advisers should

[11] https://gov.wales/securing-post-16-education-young-people-learning-difficulties-specialist-further-education

make it clear (under question 8 of the application form, 'Recommendation') that it is the young person or parent/carer's view that an application should be submitted for the provision they desire, along with any reasons they wish to be considered. In these situations it is expected that the 'full text' of the parental reasons for why an application needs to be considered by the Welsh Government should be included in the application. Careers advisers should ensure parents are also content with the wording of their reasons prior to submission. It will be for the Welsh Government to make a decision following consideration of the young person's or parent/carer's reasons, along with the supporting evidence base available.

105. The Welsh Government will make every effort to make a decision on an application for funding within a six week period, subject to all the required information being submitted. The Welsh Government has provided specific timescales for when applications for funding should be submitted.
   a) applications for funding a placement commencing at the start of a new academic year, can be submitted from the preceding October onwards. **Applications should be submitted between 01 October and 30 April, for a September start date**.
   b) where applications for funding placements are being submitted for an alternative commencement date (outside of the new academic year), consideration should be given to the appropriate academic term the placement can commence. **Applications should be submitted by 30 September for a January start date; or by 31 January for an April start date.**

106. The Welsh Government will not consider applications received on or after 01 May for programmes of study expected to commence at the start of the following academic year, i.e. September. Similarly the Welsh Government will not consider applications received after the 30 September for a January start date and 31 January for an April start date, respectively. The Welsh Government does not expect careers advisers to submit applications for funding, where the necessary evidence is not available, in order to meet a given deadline.

107. Careers advisers can still submit applications on or after these dates, however in these circumstances they should liaise with the young person and/or the parent/carer (where appropriate) and the specialist FE establishment with a view to securing a start date at the beginning of the next academic term, as appropriate, which will need to be reflected within the application.

108. It is important that the Welsh Government decisions on applications for funding are made in a timely manner in order to facilitate effective transition planning for the young person. Careers advisers should make every effort to submit an application as early as possible and in line with the submission deadlines highlighted above.

109. Where an application for funding has been received for a specific specialist FE establishment, for which a safeguarding concern has been identified, the Welsh Government may need extra assurances that suitable safeguarding standards are in place to protect young people. In these circumstances, an application should not be submitted until it is clear that any concerns have been resolved or that clear action is being taken to address them. This information will need to be submitted along with the application for funding. It is particularly important during this period that the young

person and/or parent/carer are kept informed of the situation. The Welsh Government will be on hand to advise careers advisers in these situations.

Duration of Study

110. The Welsh Government's policy is to secure the provision considered necessary to meet the young person's identified education and training needs. Where specialist provision is being sought, this should include consideration of the duration required based on the young person's capability to progress and achieve against a proposed programme of study[12]. For the majority of young people accessing specialist provision, the duration will be comparable with the duration of provision available within mainstream FE establishments. However, the Welsh Government will consider applications for a longer duration than two years on an exceptional basis.

111. Careers advisers should not submit an application for a programme of study lasting more than two academic years unless exceptional reasons relating to the individual's capability to learn are demonstrated. However, even in these exceptional cases, careers advisers will be required to provide objective evidence demonstrating that the provision identified as necessary to meet the young person's established needs cannot realistically be provided by a study programme of two years. This information should be provided by the specialist FE establishment through the '*Specialist Further Education Provision Breakdown*' form. However, should this information not be provided for a programme of study lasting more than two academic years, the Welsh Government expects careers advisers to provide reasonable challenge to the specialist FE establishment to obtain it.

112. The proposed programme of study and duration of a programme of study will need to be identified by the careers adviser within the application.

Programmes of Study

113. Specialist FE establishments must identify a clear and reasonable programme of study that meets the young person's identified education and training needs as part of the section 140 assessment process, including a breakdown of what is expected to be delivered in each of the academic years required and the expected outcomes linked to the individual's future aspirations. This should be clearly set out within the '*Specialist Further Education Provision Breakdown*' form. Further information on the Welsh Government's expectations for programmes of study is set out in the policy guidance.

114. In some circumstances, more than one specialist FE establishment may be able to offer a programme of study that will meet the education and training needs of the

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[12] Specialist FE establishments are specifically set up to cater for the complex needs of those young people their provision is specifically aimed at, i.e. young people with severe autism or young people with profound and multiple learning difficulties, etc. The Welsh Government therefore generally expects specialist FE establishments to design bespoke programmes of study that are comparable in duration to that provided by a mainstream FE establishment. These programmes should be specifically targeted at the realistic level of education achievable in that duration for the general cohort of young people who attend these establishments.

young person. In these cases, the careers adviser will need to identify these establishments within the application for funding and provide reasons as to why one establishment was preferred over another. Although the cost of the placement should not be an over-riding factor in determining the placement, the careers adviser should ensure value for money considerations in making their judgement.

115. Specialist FE establishments should be taking into account the young person's previous educational achievements when identifying a reasonable and realistic programme of study. However careers advisers will need to assure themselves when engaging with the specialist FE establishment, that the proposed programme of study commences at an appropriate level for the young person which takes into account their prior learning.

Day / Boarding Provision

116. The Welsh Government will fund a placement for a young person at a specialist FE establishment on a day basis where they are satisfied that such provision is necessary to enable them to participate in education and training. Specialist provision will usually be necessary in the Welsh Governments' view, only where there is no other realistic means of providing the young person with effective access to the provision established as necessary to meet the young person's identified education and training needs.

117. The Welsh Government will only fund boarding accommodation if without it, the young person would be denied effective access to the specialist provision established as necessary to meet the individual's identified educational and training needs.

Transport to and from college

118. It is important for the young person and their parent/carer to understand the likely arrangements for home to college transport especially where a young person may potentially access provision at a specialist FE establishment. Therefore it is expected that careers advisers will identify existing arrangements for the young person as part of the LSP and raise any potential future transport requirements with the LA early in that assessment process. Transport requirements should be considered prior to any application for funding being submitted. The LA should consider any transport requirements identified in having regard to their statutory duties. These arrangements should be set out in the application for funding.

Funding / Fees

119. The Welsh Government does not act alone in supporting young people with learning difficulties. Where, in addition to educational needs, there are medical, domestic or social services reasons leading to a recommendation for specialist FE provision, the Welsh Government will look to the appropriate agency to enter into an arrangement for joint funding.

120. Specialist FE establishments should be ensuring that they have clearly identified the costs associated with a proposed placement during the section 140 assessment process; this includes a breakdown of the specific costs that relate to education, health

and/or social care. This should be clearly set out within the '*Specialist Further Education Provision Breakdown*' form.

121. The careers adviser has an important role in facilitating the joint funding decision process by ensuring respective agencies have access to the '*Specialist Further Education Provision Breakdown*' form. The specialist FE establishment should already be engaged with respective agencies, but this follow-up action will minimise the potential for delays. It is the responsibility of respective funding agencies to consider and agree the related costs identified with the specialist FE establishment. Should the costs need to change, the specialist FE establishment is responsible for submitting a revised form to the careers adviser.

122. Funding is agreed by the Welsh Government on an academic year basis (maximum of 38 weeks/year).

123. The Welsh Government's policy guidance provides further advice in regards to funding arrangements.

Transition Planning

124. The Welsh Government expects that arrangements for effective transition will be embedded within the young person's programme of study. Young people with learning difficulties often find it challenging to adjust to a new setting or environment in which they will undertake their proposed provision. It is important that transition arrangements are in place to ease the young person into their new provision to minimise the risk of stress and/or anxiety to the individual. It is equally important that transition out of the specialist FE establishment has been planned and implemented effectively, in conjunction with relevant support agencies, such as social services or LHBs, in a timely way and in advance of the young person completing their programme.

125. Specialist FE establishments must provide information on the transition planning arrangements for the young person within the *'Specialist Further Education Provision Breakdown*' form. The careers adviser will need to ensure this information is included within the application for funding.

Returning Applications

126. The Welsh Government will not proceed to consider an application for funding if the application or accompanying LSP is considered to be incomplete, for example, where sections of the application are blank or contain no relevant information; or where the supporting evidence considered **essential** (including **essential, where relevant**) is not provided with the application upon submission. Where an application or LSP is considered incomplete it will be returned to the careers adviser. For this reason, it is important all necessary information is submitted to avoid causing any unnecessary delays in the Welsh Government's decision making process.

127. Where applications are being submitted that do not take account of an appropriate commencement date for an established provision at a specialist FE establishment, the application will be returned to the careers adviser to reconsider. It is essential that

sufficient time is given for the Welsh Government to make a decision and for transition arrangements to take place prior to commencing a provision with the specialist FE establishment.

128. There may be circumstances whereby a reconsideration of options is being undertaken by the young person, parent/carer or service delivery partners, after an application has been submitted. In such circumstances, the Welsh Government will give consideration as to whether it is appropriate to return the application to the careers adviser, until such time as any reconsideration is resolved. If the outcome of the reconsideration continues to identify a need for specialist provision, then the careers adviser will be responsible for resubmitting the application, along with all necessary and up to date supporting evidence, including that which relates to the reconsideration (this could be in the form of a note of the multi-professional meeting where a determination was made following reconsideration).

129. It is the Welsh Government's expectation that an application be resubmitted within 20 working days of being returned. Careers advisers should keep the Welsh Government informed should this not be the case. Where an application has been submitted close to the deadline and is subsequently returned (should that application not be re-submitted within expected 20 working days) then the careers adviser may need to adjust the proposed start date of the placement in line with the timescales for submitting an application, for example, change from April to September start date.

130. Where an application is returned, the Welsh Government will set out the reasons for its return. Once the application is resubmitted, to avoid any unnecessary delays, it is considered good practice for the careers adviser to provide a response (in addition to updating the application) to the Welsh Government responding to the specific concerns raised.

Requests to fund an extension to an agreed programme of study

131. Specialist FE establishments are responsible for assessing a young person's progress against their agreed programme of study and their desired outcomes, and giving consideration, in conjunction with the young person, their parent/carer and relevant careers adviser, as to whether a request for an extension to the agreed programme is necessary. The specialist FE establishment is responsible for submitting a request for an extension to the Welsh Government. In this context 'extension' means an extension of time to complete the original programme of study which the Welsh Government agreed to fund (referred to as the 'agreed programme').

132. Any concerns or problems relating to the young person's ability to complete the agreed programme of study should be raised in termly reviews within the setting and recorded in their progress reports. Where careers advisers attend the termly reviews, they should ensure they are prepared with the most up-to-date information for that young person, i.e. the agreed programme of study and duration. This will ensure careers advisers can provide clear advice in regards to any discussions about the young person's future options. Where the careers advisers are unable to attend the

termly review meeting, they should be provided with a copy of the minutes of that termly review for the young person by the specialist FE establishment. This will assist any future discussions the careers adviser may have regarding a potential need for an extension. Careers advisers will need to ensure all alternative options are considered by the young person, the parent/carer and specialist FE establishment as part of any consideration of an extension request.

133. Careers advisers should not advise specialist FE establishments to withhold submitting a request to fund an extension. The careers adviser should only provide advice in relation to the Welsh Government's expectations in this area. It will be for the specialist FE establishment to decide if it will submit a request for an extension and for the Welsh Government to make a decision on any request it receives.

134. Further information on the process for requests to fund an extension can be found within the policy guidance (para 82-91).

Requests to fund additional programmes of study

135. In certain circumstances, it may be necessary for a young person to undertake additional specialist provision over and above, and following completion of, the young person's original agreed programme of study. In these circumstances it is the role of the careers adviser in conjunction with the young person and parent/carer to consider the reasons for an additional programme of study.

136. The Welsh Government will only fund an additional programme of study at any specialist FE establishment in **exceptional** circumstances. Examples of exceptional circumstances are:

a. where the education or training provided by the specialist FE establishment fell so far below the expected standard that, it is viewed, the establishment failed to deliver the provision established as necessary to meet the young person's LSP.
b. Where the personal circumstances or needs of the young person have changed to such an extent that they failed to obtain, or subsequently lost the benefits of the LSP, adversely affecting their ability to engage meaningfully with the agreed programme of study, e.g. because of a change in nature of their disability (a very significant deterioration or a very significant improvement in their disability), or as a result of a traumatic experience..

137. Before an application for an additional programme of study can be made, the Welsh Government must give consent to a request to update a section 140 assessment. This request must evidence what has changed in the young person's circumstances to such an extent that would warrant an update to the section 140 assessment. Subject to this consent, there is no guarantee of Welsh Government funding for an additional programme of study (see section on 'Request to undertake or update a section 140 assessment' on page 19). Where consent to undertake the assessment has been given by the Welsh Government, the careers adviser will undertake this assessment in line with the guidance set out in this document (see 'Producing an Assessment Report' section on page 11).

138. Where a young person is currently in their final year of an existing agreed programme of study, careers advisers should, where possible, attend the termly review

meeting to ensure all parties are clear on the process and timescales for applying for an additional programme of study. Should an additional programme of study be sought, it is expected the request to update the LSP is submitted as soon as possible after that review meeting, i.e. following the autumn term, in order for there to be sufficient time for an assessment to be undertaken and an application to be submitted to the Welsh Government by the necessary deadline (subject to Welsh Government providing consent to the section 140 request).

139. Applications for funding additional programmes of study are made by careers advisers. In making an application, under these circumstances, the careers adviser should follow the advice set out in this document. In addition, the careers adviser **must** also provide information on:
   a) the previous programme of study funded by the Welsh Government
   b) what was achieved under the previous programme of study
   c) any exceptional reasons relating to the circumstances of the young person (paragraph 136 above and paragraph 93 of the policy document)
   d) a demonstrable consideration of all alternative options, which should be informed by interested parties, including social services and/or LHBs where they have a direct interest.

140. Where the Welsh Government has given consent for Careers Wales to undertake an updated section 140 assessment and the outcome does not identify provision at a specialist FE establishment, careers advisers cannot refuse to submit an application but should draw the attention of a young person and their parent/carer to the contents of the Welsh Government policy guidance document.

141. Until such time that Welsh Government has made a decision regarding an additional programme of study, transition arrangements within college and with relevant external agencies should continue.

142. See the Welsh Government's policy guidance for further advice on additional programmes of study (para 92-97).

Decisions

143. The Welsh Government will confirm with the careers adviser, as soon as possible, receipt of an application for funding and the supporting evidence submitted to Welsh Government.

144. Following initial consideration, the Welsh Government will contact the relevant careers adviser to identify whether there are any concerns and/or further queries relating to the application request. The Welsh Government will endeavour to contact careers advisers within two weeks of receipt of the application.

145. The Welsh Government will make every effort to make a decision on an application within 6 weeks, subject to all the required information being submitted.

146. Careers advisers should act as the main point of contact for the young person and their parent/carer as they will have already established a relationship with them through the section 140 assessment process. Thus, careers advisers should

endeavour to keep the young person and/or parent/carer informed of progress with their application. Careers advisers should not direct the young person or parent/carer to contact the Welsh Government during the application period. Whilst the Welsh Government recognise the young person and/or parent/carer will be anxious to know the outcome of the application, careers advisers will have access to the same progress/position information as the Welsh Government. Maintaining that relationship with the young person and parent/carer will remove any unnecessary stress they may feel.

147. Where an application for funding a placement at a specialist FE establishment is approved, the Welsh Government will write to the young person, the parent/carer (where appropriate), the careers adviser, the specialist FE establishment and other relevant agencies to confirm the decision and what specifically has been approved, i.e. the programme of study, it's breakdown and the specified duration.

148. Many placements at specialist FE establishments will be funded jointly with other agencies, such as social services. However, once an application has been approved by the Welsh Government that placement is secured regardless of any ongoing discussions between funding agencies of the required funding contributions. It will be the role of careers advisers to assure parents who may have concerns about the funding of such placements.

149. Following this confirmation, the careers adviser must provide the relevant specialist FE establishment with a copy of the young person's finalised LSP so that they may ensure the necessary support arrangements can be put in place.

150. Where an application for funding at a specialist FE establishment has not been approved, the Welsh Government will write to the young person, the parent/carer, the careers adviser, the specialist FE establishment and other relevant agencies to confirm the decision and provide reasons.

Making an appeal on Welsh Government decisions

151. Should a young person or parent/carer wish to make an appeal to the Welsh Government to review a decision made they should submit a request within 28 working days from the original decision date, setting out the decision being appealed and the reasons for that appeal, directly to the Welsh Government. A 'Formal Appeal' form is available on the Welsh Government website[13]. Further information is provided in the Welsh Government policy guidance document.

152. It is not the specific role or responsibility of the careers adviser to compile and submit an appeal to the Welsh Government on behalf of the young person, however where it is reasonable to do so, it is expected that the careers adviser will offer the young person or parent/carer with help and support where it is needed.

[13] https://gov.wales/securing-post-16-education-young-people-learning-difficulties-specialist-further-education-appeal-form

153. Where an appeal to the Welsh Government is received, the Welsh Government may contact the relevant careers adviser for their views on the appeal / additional supporting evidence (where submitted). In relation to appeals for applications for specialist provision, it is important that the careers adviser provides their views as to whether the appeal and/or additional evidence changes their original recommendation of the provision needed to meet the young person's education and training needs.

Contacting the Welsh Government for advice

154. Where careers advisers are encountering a particular issue they should, in the first instance, refer to the advice set out in this document and/or discuss with their team. Where the issue remains unresolved they should liaise with their line manager and/or area/regional manager for further advice.

155. The Welsh Government is available to address particular issues, but should not be considered the first point of contact. If the careers adviser has explored the various avenues for advice, they should then contact the Welsh Government via the mailbox: Post16ALN@gov.wales.

156. Careers advisers should also share with the Welsh Government any general information relating to issues / barriers being encountered within the section 140 assessment process. The Welsh Government will use this information to inform policy and practice, or utilise levers at its control, to overcome barriers in the future.

Section 140 assessment: learning and skills plan

This assessment and report[14] is undertaken in accordance with section 140 of the Learning and Skills Act 2000

Client Information

Name: *FULL NAME* **Ref:** *Careers Wales Reference Number* **Date of Birth:** *DD/MM/YY*	**Address:** *House Number/Name, Street, Town, City, Local Authority (LA)* **Post Code:** **Telephone:**
Identify category of provision: (*delete as appropriate*)	Statement / School Action Plus / School Action *If other, specify.*
Type(s) of Special Educational Need (SEN) or Learning Difficulty and/or Disability (LDD)	**Reference Supporting Evidence (below)**
List all known types of SEN/LDD	*Reference the available evidence that has identified the young person's SEN/LDD*
Additional information	
Identify any additional information related to the young person, this could include (but is not limited to) information about their character/behaviour; previous educational achievements; any known issues experienced; existing travel arrangements (if any put in place for the young person); what the young person has been doing since leaving education (if no longer in education).	

[14] This Learning and Skills Plan is available in Welsh upon request

Current education and training

Current Education Provider: *FULL NAME* **Year Group:** **Address:** *Street, Town, City, LA* **Post Code:**	**Contact Name:** *FULL NAME* **Role:** i.e. *SENCO* **Telephone:** **Email:**
Current Education and Learning Support	**Reference Supporting Evidence (below)**
Briefly set out the young person's current education and learning support requirements, using the headings provided: Level of educational attainment/previous achievements and/or predicted grades: Work experience, skills and abilities: Other information e.g. likes, strengths, hobbies, interests, home and family:	*Briefly reference the available evidence that supports the statements being made.*

Future education and training needs

Future Education and Training Needs	**Provision Required to Meet Needs**
Clearly set out the young person's future education and training needs, using headings to breakdown the information, i.e. communication, behaviour, social skills, etc	*Identify the provision/strategies required that will specifically meet the future education and training needs stated. Reference any supporting evidence available.*
What are the young person's views for their desired outcomes linked to their future aspirations? *Identify the young person's views in relation to their identified education and training needs.*	

Proposed provider and programme / course

Name and Address of Provider: *FULL NAME*	**Contact Name:** *FULL NAME* **Role:** **Telephone:** **Email:**
Proposed Programme/Course and reasons supporting it: *Specify the programme of study and/or course that will meet the young person's education and training needs, specifically linked to their desired outcomes and future aspirations. This should set out the duration required and the reasons why this duration is considered necessary. This section should also set out why the specific FE establishment has been chosen, with reasons linked to the young person's education and training needs and future aspirations.* *In addition, where this relates to provision at a specialist further education establishment a breakdown of the provision over this duration should also be included. The proposed programme of study must match that stated in the 'Specialist Further Education Provision Breakdown' form.*	
Is the provision available / reserved? *YES / NO*	
What is the proposed commencement date for the proposed programme/course? *DD/MM/YY*	
Where the young person or parent/carer disagrees with the proposed provision, provide the reasons below: *This should also include any provision they wish to see stated.*	

Consent

The aim of this Plan is to support me with my transition from school into further education, higher education or training. It identifies my education and training needs along with the provision established as necessary to meet those needs. In compiling the Plan my views and/or the views of others have been taken into account.

So that the learning provision and support can be made available, it may be necessary to share your Plan with the following people / organisations:

- Your parent(s), guardian(s) or carer (where appropriate)
- Other Careers Advisers
- Welsh Government
- Your proposed College, Work-based learning provider or University
- LA social services department
- Other professionals: E.g. Educational Psychologist, Health Professionals and key workers

I give my consent for the information relating to this assessment to be shared with relevant the people and organisations who can help me to get a place in college, work-based learning or university, and for the careers adviser to be kept informed about the progress of my application (should one be submitted).

Signature:

Date:

Name of Person (who gives consent), if not the young person:

This document, together with the individual's Moving Forward Plan, forms the assessment of education and training needs further to Section 140 of the Learning and Skills Act 2000. Meeting identified needs remains the responsibility of providers of education and training.

Careers Wales Information

Careers Adviser: *FULL NAME* **Address:** *Office Address* **Postcode:**	**Office Tel. No:** **Mobile:** **Email:**

Mainstream further education provision form

Please complete and return this form electronically to the young person's careers adviser together with any mainstream further education (FE) assessment undertaken. Information provided will inform any judgement by the careers adviser on mainstream provision, during their section 140 assessment process.

Name of young person	*Full Name*
Name of mainstream FE establishment	*Full Name*

Background

Is the young person known to the mainstream FE establishment: *(delete as appropriate)*	YES NO
Identify any link programmes or other mainstream FE courses the young person may have attended, where applicable	*Where applicable, the mainstream FE establishment should identify any course(s); date(s) attended; details of support provided and details of any subsequent achievements.*
Has the mainstream FE establishment been involved in the young person's transition process and/or or had discussions with the young person and the careers adviser regarding the young person's FE options? *(delete as appropriate)*	YES NO
Has the young person identified education and training needs within the Learning and Skills Plan (LSP) been shared with the mainstream FE establishment? *(delete as appropriate)*	YES NO
Has any assessment of the young person's needs been undertaken by the mainstream FE establishment? *(delete as appropriate)*	YES NO

If 'YES', identify by whom and when.	

Mainstream Further Education Provision

What information did the mainstream FE establishment use to inform its judgement about the provision required/available to meet the holistic needs of the young person?	*The mainstream FE establishment should identify any plans and/or other documentation referred to; any discussions and/or visits to the young person's school or by the young person to the mainstream FE establishment. Any information related to the young person's social care or health care needs should also be identified.*
Based on the information available, can the mainstream FE establishment meet the education and training needs as identified in the young person's LSP? *(delete as appropriate)*	YES NO
If 'YES', provide details of the realistic and reasonable type and level of support that could be offered to meet the young person's identified education and training needs.	*The mainstream FE establishment should identify relevant staff expertise and courses available. However it is insufficient to simply list courses available, the mainstream FE establishment will need to set out how it can meet each education and training need as identified in the* young person*'s LSP.*
If 'YES', in addition, explain how the proposed provision will equip the young person to achieve their desired outcomes and future aspirations, as identified within their LSP.	*The mainstream FE establishment should specifically identify how the proposed programme of study, and its breakdown of modules, will meet the identified education and training needs as specified in the LSP. The specialist FE establishment should also identify how the proposed programme will equip the young person to achieve their desired outcomes*
If 'NO', explain why the young person's education and training needs could not reasonably be met by the mainstream FE establishment.	*Reasons will need to relate to the young person's education and training needs, as identified in the LSP. The mainstream FE establishment should identify all elements that could be met by the setting in addition to those that could not. This should also include any consideration of wider holistic needs the young person may have that the mainstream FE establishment could not meet without*

	involvement from social services / health board.

Where the mainstream FE establishment is able to meet the young person's needs (as identified above), it should consider reserving a placement for the relevant provision for that individual until the section 140 assessment has concluded. *Reserving a placement at a mainstream FE establishment for this young person should not solely be conditional on receipt of an application form for provision at that establishment, as it leaves the individual at a greater risk of not securing the provision established as necessary to meet their education and training needs.*	
Is a placement available/reserved at the mainstream FE establishments: *(delete as appropriate)*	YES NO

Contact details

Name	
Designation	
Telephone Number	
Email Address	
Date	

Llywodraeth Cymru
Welsh Government

Specialist further education provision breakdown form

Please complete and return this form electronically to the young person's careers adviser together with any specialist Further Education (FE) establishment assessment undertaken. Information provided will inform any judgement by the careers adviser on specialist provision, during their section 140 assessment process.

Name of young person	*Full Name*
Name of specialist FE establishment	*Full Name*

Proposed Provision

Nature of proposed provision *(delete as appropriate)*	RESIDENTIAL DAY

Confirm details of the young person's proposed programme of study and its duration. *This should include a high-level breakdown of all the **accredited** and **non-accredited** elements that make up the programme of study in **each** of the academic years proposed, including related start and end date. Where there is accredited provision, identify clearly the credits per year and the total credits for the whole programme. Where there is non-accredited provision, include the provision or number of goals expected.*

Awarding Body (if applicable)	**Programme of Study** (accredited & non-accredited elements), including any associated known level and/or credits (where applicable)	**Start Date**	**End Date**
E.g Edexcel	*Name of accredited learning & associated credits*	*DD/MM/YY*	*DD/MM/YY*
E.g Non-accredited	*Name of non-accredited learning & associated goals*	*DD/MM/YY*	*DD/MM/YY*

Additional Comments: *This should include any relevant additional information specific to the proposed programme above. For example, an explanation regarding the level of learning proposed compared to the young person's prior learning/achievements.*

If the duration of the programme of study (as a whole) is not in line with the Welsh Government's policy[15], reasons should be provided to explain why a different duration length is needed.
See the Welsh Government's policy guidance regarding duration of study. Where duration is longer than two years, exceptional reasons will need to be provided relating to the young person's capability to learn and objective evidence demonstrating that the provision identified as necessary cannot realistically be provided by a study programme of 2 years. This should include a demonstrable example of how the designed programme would normally be delivered over a 2 year duration for the general cohort of young people the specialist FE establishment usually receives.

Is a placement available/reserved at the specialist FE establishment: *(delete as appropriate)*	YES NO

Expected Outcomes

Explain how the proposed programme of study will meet the young person's education and training needs to equip them to achieve their desired outcomes and future aspirations.
The specialist FE establishment should specifically identify how the proposed programme of study, will meet the identified education and training needs as specified in the Learning and Skills Plan. The specialist FE establishment should also identify how the proposed programme will equip the young person to achieve their future aspirations

Transition Planning

What are the proposed arrangements for transition planning?
Summarise briefly the proposed transition arrangements the young person will need to be undertaking prior to commencing with the specialist FE establishment, and the plan for when the individual exits the setting on completing their programme of study.

[15] The Welsh Government policy guidance ' Securing provision for young people with learning difficulties at specialist further education establishments' can be accessed via: https://gov.wales/securing-post-16-education-young-people-learning-difficulties-specialist-further-education

Fee Breakdown

Education support hours and associated costs	Tutor/ Student Ratio	Direct Hours per week	Hourly Rate	Annual Cost
Please specify the total contact hours: *For example:* • *10 hours education delivery* • *10 hours of education enabler*	*1:1* *2:1*	*10* *20*	*xx* *xx*	*xx* *xx*
			Total	**£**

Social care support hours and associated costs	Tutor/ Student Ratio	Direct Hours per week	Hourly Rate	Annual Cost
Please specify the total contact hours: *For example:* • *10 hours of personal care* • *XX hours support with personal activities of daily living skills*	*1:2*	*5*	*xx*	*xx*
			Total	**£**

Healthcare support hours and associated costs	Tutor/ Student Ratio	Direct Hours per week	Hourly Rate	Annual Cost
Please specify the total contact hours: *For example:* • *XX hours doctor/medical specialist support* • *XX hours of counselling* • *XX hours of emotional support* • *XX hours of behavioural support* • *XX hours of other therapy*				
			Total	**£**

Overheads	Cost £
Please list any overheads associated with the cost of the young person's placement and where possible, provide a breakdown, i.e. education / boarding costs etc.	

Total	**£**

Equipment	**Cost £**
Please detail the young person's equipment needs and cost *(reasons should be made clear in the initial assessment report)*.	
Total	**£**

Total Placement Cost:	**£**

Contact Details

Name	
Designation	
Date	

Llywodraeth Cymru
Welsh Government

Request for/update to section 140 assessment form

Name of Young Person	*Name*
Date of Birth	*Day / Month / Year*
Current Education Provider	*Name of existing school / further education establishment, or previous school / further education establishment if not currently in education.*
School Action / School Action Plus / Statement / Learning and Skills Plan	*Identify existing category relevant or previous category if not currently in education.*
Existing Support Provision	*Any current provision provided to the young person at school / further education establishment, or other if not currently in education.*
Requested by	*Name*
Role	*Careers Adviser/Team Manager/LDD Lead – delete as appropriate*
Region	*North, West, South East, South Central – delete as appropriate*
Contact Number	
Request for section 140 Assessment / Update to section 140 Assessment	*Request for section 140 Assessment / Update to section 140 Assessment – delete as appropriate*
Please confirm the condition under section 140 (3) this request is being made	
The relevant condition in paragraph 43 of the technical guidance should be stated in this section. This should provide the basis of how it specific relates to the young person.	
Background information for Request	
See 'Request to undertake or update a section 140 assessment' section on page 19 of the technical guidance, for information of what should be included. If this is a parental request, please specify.	
Agencies involved with the young person	
Identify/list the professionals currently involved in providing support to the young person	

Application for funding a place at a specialist further education establishment

Please refer to the Technical Guidance for Careers Wales on securing provision for young people with learning difficulties when completing an application for funding.

Young Person

<table>
<tr><td colspan="2">(1) Name: Full Name</td><td colspan="2">(2) Date of Birth: DD/MM/YY</td></tr>
<tr><td colspan="4">(3) Permanent Residence / Home Address: House Number/Name, Street, Town, City, Local Authority, Postcode</td></tr>
<tr><td rowspan="3">(4) Learning Difficulties and/or Disabilities:</td><td colspan="2">(a) state all known learning difficulties and/or disabilities</td><td>(d)</td></tr>
<tr><td colspan="2">(b)</td><td>(e)</td></tr>
<tr><td colspan="2">(c)</td><td>(f)</td></tr>
<tr><td colspan="2">(5)(a) Name of person(s) to whom correspondence should be addressed</td><td colspan="2">Name of the individual who will act as the main point of contact on behalf of the young person, if not the young person</td></tr>
<tr><td colspan="2" rowspan="2">(5)(b) Relationship to young person: (delete as appropriate)</td><td colspan="2">Parent Social Worker Guardian Other</td></tr>
<tr><td colspan="2">If other, state relationship to the young person:</td></tr>
<tr><td colspan="2">(5)(c) Address:</td><td colspan="2">If different to address of the young person</td></tr>
<tr><td colspan="2">(5)(d) Email Address: (if available)</td><td colspan="2">This should be provided if it is indicated in (5)(e)below.</td></tr>
<tr><td colspan="2" rowspan="2">(5)(e) Should correspondence be in: (delete as appropriate)</td><td colspan="2">English Welsh</td></tr>
<tr><td colspan="2">Electronic only (via email) / Hardcopy only (via post)</td></tr>
</table>

Education

(6)(a) Name of school or further education (FE) establishment currently/last attended: *Full Name of the school or FE establishment the young person is currently attending. Where the young person is not attending an education setting, then the last attended setting should be named.*	
(6)(b) Dates attended:	From: *DD/MM/YY* To: *DD/MM/YY*
(7) Identify any previous educational achievements. *Summarise briefly any previous education and or training **achievements** attained by the young person. If none have been attained then identify any expected achievements **or** current level of progress.*	
Where a current school setting was identified in (6)(a) above, then complete section (8) only. **Where a FE establishment was identified as last attended in (6)(a) above, then complete section (9) only.**	
(8)(a) Does the young person currently have a Statement of Special Educational Needs: *(delete as appropriate)*	YES NO *If 'YES', provide a copy of the Statement of SEN with the application. Move to section (10).*
(8)(b) If 'NO', is the young person on: *(delete as appropriate)*	SCHOOL ACTION / SCHOOL ACTION PLUS
(8)(c) For a young person identified as (8)(b) was he/she subject to an annual review process consistent with a young person with a Statement of SEN	YES NO *See the technical guidance for further information on what is deemed as 'consistent'.*
*(*8)(d) If 'NO' to (8)(c) was consent sought from the Welsh Government to undertake a section 140 assessment	YES NO *If NO, the careers adviser should contact the Welsh Government immediately.*
(9)(a) Does the young person have a previous/existing Learning and Skills Plan (LSP): *(delete as appropriate)*	YES NO *This is with regard to whether the young person has already been in receipt of an LSP. This is not in reference to the draft LSP developed in conjunction with the current assessment process and this subsequent application.*
*(*9)(b) Was consent sought from the Welsh Government to undertake a new or update to the section 140 assessment:	YES NO *If YES, please provide s140 reference.* *If NO, the careers adviser should contact the Welsh Government immediately.*

(10) Where the young person is no longer in education, what has the individual been doing since leaving school/FE: *Summarise briefly what the young person has been doing following the dates identified in (6)(b). Where a young person has had a previous placement in a mainstream environment, etc which has subsequently broken down, information/reasons relating to this should also be included here.*

Desired Outcomes

(11) What are the young person's identified education and training needs? A copy of the LSP must be provided with the application. *Indicate briefly, and at a high-level, what the identified education and training needs of the young person are, as stated within the LSP. The careers adviser does not need to set out the detail contained within the LSP, i.e. the strategies, etc required to meet a particular need.*	
(12) What are the young person's views for their desired outcomes linked to their future aspirations? *Summarise briefly the young person's views on his/her desired outcomes/future aspirations as stated within their LSP. This should not be about their views on the proposed placement (this is covered in Q34). If the young person does not have the mental capacity to comment, the views of parents/other professionals should be set out instead.*	
(13) What potential outcomes do you (the careers adviser) consider may be open to the young person? *(delete as appropriate)*	Local FE provision HE or full-time employment To live in protected accommodation Part-time employment To live in full-care environment To live independently / semi-independently Day service provision Access a vocational package through social services Other *(provide details)*

Social Services Involvement

(14) Are you aware of any previous or current social services involvement? (Please provide details) *Summarise briefly any involvement social services has had with the young person, including any detail on existing provision being provided. If there is no current involvement of social services, but there is felt to be a need for involvement, this should have been highlighted to social services as part of the* section *140 assessment. Where there is no need for social services involvement, this should be stated here and the remainder of section 4 left blank.*	
(15)(a) Name of current Social Worker:	
(15)(b) Telephone Number:	
(15)(c) Email Address:	
(15)(d) Office Address:	
(16) Has the young person had a Unified Assessment?	YES NO *If 'YES', provide a copy of the Unified Assessment with the application.*
(17) Does the young person have a Care Plan?	YES NO *If 'YES', provide a copy of the Care Plan with the application.*
(18)(a) Where social services involvement is currently being provided, confirm that the agency has been engaged in the section 140 assessment, and	Name of contact: *(if different from above)* Designation:
(18)(b) Where social services involvement is currently being provided, have they been notified an application is being made.	Name of contact: *(if different from above)* Designation: Date:

Local Health Board Involvement

(19) Are you aware of any previous or current local health board involvement? (Please provide details) *Summarise briefly the local health services involved with the young person, including any existing provision being provided. If there is no current involvement of the local health board, but there is felt to be a need for involvement, this should have been highlighted to the local health board as part of the* section *140 assessment. Where there is no need for local health board services involvement, this should be stated here and the remainder of section 5 left blank.*	
(20)(a) Name of any current Local Health Board contact:	
(20)(b) Telephone No:	
(20)(c) Email Address (of relevant contacts):	
(20)(d) Local Health Board:	
(21)(a) Where local health board involvement is needed, provide confirmation that the agency has been engaged in the section 140 assessment, and	Name of contact(s): *(if different from above)*
(21)(b) Where local health board involvement is needed, have they have been notified an application is being made.	Name of contact(s): *(if different from above)* Date(s):
(22) Is the young person in receipt of Continuing Health Care Funding? *(delete as appropriate)*	YES NO

Mainstream Further Education Provision

(23) Which mainstream FE establishments have been approached? *List all mainstream FE establishments approached. There is no set number which should be approached, but this should be determined based on what is available locally.*
a)
b)
c)
(24) If mainstream FE provision is not suitable to meet the young person's identified education and training needs, please explain why. Ensure a completed *Mainstream Further Education Provision* form for each of those named in (23) is submitted with the application. *Summarise briefly the provision available within those mainstream FE establishments approached and their reasons why the young person's needs could not be met.*
(25) What alternative options to support the young person to access mainstream FE provision have been considered? *This might include joint packages between the mainstream FE establishment(s) and social services provision.* *Summarise the options considered and the reasons why they have been discounted. This should include any support packages highlighted by social services and/or local health boards. Where the mainstream FE establishment is unable to offer an appropriate curriculum/environment the careers adviser only needs to state this fact as alternative options will not be appropriate in these situations.*

Specialist Further Education Provision

(26) Which specialist FE establishments have been approached? *List all specialist FE establishments approached. There is no set number which should be approached, but this should be determined based on the establishments available to meet young person's general type of need.*
a)
b)
c)
(27) Where any of the above named specialist FE establishments are not considered suitable to meet the young person's identified education and training needs, please explain why. *Summarise the provision available within those specialist FE establishments approached and their reasons why the young person's needs could not be met. Where a specialist FE establishment could meet the identified needs of the young person, include specific reasons why they have been discounted in comparison to the proposed provider (note link to (33)(a) and (33)(b))*

(28) Name of proposed specialist FE establishment	*State the name of the specific specialist FE establishment that the proposed placement within this application refers to.*

(29)(a) Proposed Programme of Study. The specialist FE establishment's own assessment of the young person and completed *Specialist Further Education Provision Breakdown* form must be submitted along with the application.

Outline below the breakdown of the proposed programme of study as detailed on the Specialist Further Education Provision Breakdown form. This must match with what is stated on the Specialist Further Education Provision Breakdown form. Where there is accredited provision, identify clearly the credits per year and the total credits for the whole programme. Where there is non-accredited provision, include the number of modules expected to be undertaken.

Programme of Study (accredited & non-accredited elements), including any associated known level and/or credits (where applicable)	Start Date	End Date
	DD/MM/YY	*DD/MM/YY*

(29)(b) If the duration of study is beyond 2 years, reasons will need to be provided to explain why a longer duration is needed. *This should match with what is stated on the Specialist Further Education Provision Breakdown form.*

See the Welsh Government's policy guidance[16] regarding duration of study. Where duration is longer than two years, exceptional reasons will need to be provided relating to the young person's capability to learn and objective evidence demonstrating that the provision identified as necessary cannot realistically be provided by a study programme of 2 years. This information will be provided by the specialist FE establishment on the

[16] The Welsh Government policy guidance ' Securing provision for young people with learning difficulties at specialist further education establishments' can be accessed via: https://gov.wales/securing-post-16-education-young-people-learning-difficulties-specialist-further-education

Specialist Further Education Provision Breakdown form.	
(29)(c) What is the proposed commencement date for the proposed programme of study	*DD/MM/YY* *The date identified must be in line with the Welsh Government Policy Guidance.*
(29)(c) What is the total cost of the proposed programme of study per annum?	*This should match the total cost as stated on the Specialist Further Education Provision Breakdown form.*
(30)(a) Where there are social services or healthcare needs identified, have you shared the specialist FE establishment assessment and *Specialist Further Education Provision Breakdown* form with the relevant professionals? *(delete as appropriate)*	YES NO
(30)(b) If 'No', provide reasons why not.	*Summarise briefly the reasons why the assessment has not been shared with the relevant professionals*
(31) Nature of Provision: *(delete as appropriate)*	RESIDENTIAL DAY
(32) Is a placement available/reserved at the proposed specialist FE establishments: *(delete as appropriate)*	YES NO
(33)(a) Have any **other** specialist FE establishments, in (27), identified they could meet the young person's education and training needs? *(delete as appropriate)*	YES NO
(33)(b) If 'YES', identify the establishment(s).	*Insert names of all other specialist FE establishments who could potentially meet the young person's identified needs.*
(33)(c) Where a full assessment has been undertaken by the establishment(s), named in (33)(b), what are the identified proposed costs associated with the provision available?	*Identify any and all costs associated with the provision in the above named establishments, where a full assessment of the young person has been undertaken. If no assessment has been undertaken and no costs are therefore available, then the careers adviser should state this.*
(34) What are the young person's views on the proposed programme of study and proposed specialist FE establishment? *Summarise briefly the young person's views. How does he/she feel that the proposed programme of study will equip the young person to achieve their desired outcomes and future aspirations (as stated in section 3) and how he/she feels about the specialist FE establishment's learning environment. If the young person does not have the mental capacity to comment, the views of parents/other professionals should be set out instead.*	
(35)(a) Have social services or any other relevant professional indicated that the young person does not have the capacity to make a decision about attending the specialist placement? *(delete as appropriate)*	YES NO

(35)(b) If 'YES', who is giving consent for the young person to attend this placement? *(delete as appropriate)*	Court appointed deputy Best interests Decision *Provide full details of any proceedings and submit any relevant documentation along with the application including mental capacity assessment*
(36) How will the young person access the proposed provision? *Summarise briefly the expected travel arrangements the young person will be undertaking in order to access the proposed provision. Will funded travel arrangements need to be considered and if so, has the relevant local authority been engaged in this consideration.*	
(37) What are the proposed arrangements for transition planning? *Summarise briefly the proposed transition arrangements the young person will be undertaking prior to commencing with the specialist FE establishment, and the plan for when the young person exits the specialist FE establishment on completing their programme of study. This should match what is what is stated on the Specialist Further Education Provision Breakdown form.*	

Recommendation

(38) Please provide your professional view/judgement as to why, in light of the evidence base available, you advise the proposed provision is considered necessary to meet the identified education and training needs of the young person.
This section is where the careers adviser is advising why, in their professional judgement, the proposed provision within the application is considered necessary and the reasons for submitting it. The explanation should be sufficiently clear and forms the principle important conclusions of the assessment, indicating (and referencing) any relevant evidence taken into consideration. The careers adviser will need to set out if they do or do not support the proposed provision. Any evidence identified must be provided with the application. *The content and level of detail in this section will depend on the circumstances of the individual young person and the evidence available. We are not prescriptive about what goes in this section but it should be kept brief and could include:* • *A brief summary of any additional information, not specifically covered by the application questions that should be taken into account. For example, reasons why a young person maybe ceasing their statement of SEN early.* • *The reasons why the careers adviser supports (or does not support, see next bullet) the application. This can include the consensus views/opinions of other professionals involved in the transition planning/annual review process, and where applicable, the Transition Plan/Annual Review documentation should be provided with this application;* • *If the application is being submitted on the insistence of the young person and/or parent/carer, regardless of whether the LSP establishes that specialist provision is required, this should be stated here along with the specific reasons why they wish the application to be considered. Ensure the parents are content with the wording of the reasons provided before submission to the Welsh Government. Further advice relating to this is contained within the Technical Guidance for Careers Wales.* • *If the application is in relation to an additional programme of study, additional information relating to the previous programme and the reasons relating to the need for an additional programme will need to be provided. The Technical Guidance for Careers Wales provides further information on what should be included in these circumstances.*

Supporting Evidence

(39) Please ensure all supporting evidence identified within the application is submitted to the Welsh Government in a timely manner.	
Essential	*All supporting evidence marked with an asterisk (*) **must** be submitted, at the same time as the application, and in electronic format.*
• Application for Funding (this document)*	
• Learning and Skills Plan*	
• Mainstream Further Education Provision Form(s)*	
• Specialist Further Education Establishment Assessment*	
• Specialist Further Education Provision Breakdown Form(s)*	
Essential, where relevant to the young person These should be the latest available version.	*Indicate below whether the evidence is available electronically or in hardcopy only; and the date it will be submitted (if not provided when the application is submitted). Where these are over 5 years old state 'available on request'.* *Delete as necessary, below*
• Statement of Educational Needs	*Electronic / Hardcopy / Not applicable; DD/MM/YY*
• Transition Plan / latest Annual Review	*Electronic / Hardcopy / Not applicable; DD/MM/YY*
• Care Plan	*Electronic / Hardcopy / Not applicable; DD/MM/YY*
• Unified Assessment	*Electronic / Hardcopy / Not applicable; DD/MM/YY*
• Mental Capacity Assessment and, if necessary, Best Interest Decision documentation	*Electronic / Hardcopy / Not applicable; DD/MM/YY*
Desirable, where available *List below any reports from relevant professionals or letters of support that you wish to submit with the application.*	*Indicate below whether the evidence is available electronically or in hardcopy only; and the date it will be submitted (if not provided when the application is submitted). Where these are over 5 years old state 'available on request'.* *Delete as necessary, below*

•	*Electronic / Hardcopy / Not applicable; DD/MM/YY*
•	*Electronic / Hardcopy / Not applicable; DD/MM/YY*
•	*Electronic / Hardcopy / Not applicable; DD/MM/YY*
•	*Electronic / Hardcopy / Not applicable; DD/MM/YY*

Data Protection

The data contained in this application will be used by the Welsh Government to inform its decision on funding. As part of the decision making process it may be shared with the young person's local authority education department, social services department or health board.

(40)(a) Confirm the post-16 specialist placements application process and the necessity to share information about the young person, has been discussed with the individual and/or parent/carer (where appropriate). *(delete as appropriate)*	YES NO
(40)(b) Confirm the young person, or someone who has provided consent on his/her behalf, as identified in (35), is content for the information pertaining to this application to be shared with the Welsh Government and relevant agencies. *(delete as appropriate)*	YES NO

Careers Adviser Contact Details *(all details should be completed)*

Name:	
Telephone Number:	
Region (as applicable):	
Office Address:	
Email Address:	
Date (of Submission)	

Please send this completed application and supporting evidence as indicated in (39), via Egress Switch, to the Welsh Government mailbox: Post16ALN@gov.wales

Any hardcopy supporting evidence, as indicated in (39), should be sent to:

Post-16 Additional Learning Needs Team
Education Directorate
Welsh Government
Llys Y Ddraig
Penllergaer Business Park
Swansea
SA4 9NX