



Cynulliad National
Cenedlaethol Assembly for
Cymru Wales

Y Pwyllgor Deisebau

Adroddiad Cwblhau

Crynodeb o ystyriaeth y Pwyllgor Deisebau ar P-03-179

**Myfyrwyr Ôl-19 oed sydd ag anghenion dysgu ychwanegol
Medi 2009**

Cyflwynwyd y ddeiseb

15 Hydref 2008

Dyfarwyd yn dderbyniadwy

15 Hydref 2008

Ystyriaeth gychwynnol

6 Tachwedd 2008

Ystyriodd y pwyllgor y ddeiseb am y tro cyntaf, a chytunodd i:

- Comisiynu papur gan Wasanaeth Ymchwil yr Aelodau
- Ysgrifennu at y Gweinidog dros Blant, Addysg, Dysgu Gydol Oes a Sgiliau i ofyn am ragor o wybodaeth am y gweithgor

(Gweler Atodiad 1 ar gyfer y darn perthnasol o'r trawsgrifiad o'r cyfarfod a gynhaliwyd ar 6 Tachwedd 2008, ac Atodiad 2 ar gyfer y llythyr a anfonodd y Cadeirydd at y Gweinidog dros Blant, Addysg, Dysgu Gydol Oes a Sgiliau)

Ystyriaeth bellach

13 Ionawr 2009

Ystyriodd y Pwyllgor ymateb gan y Gweinidog dros Blant, Addysg, Dysgu Gydol Oes a Sgiliau a chytunodd i:

- Ysgrifennu at y Pwyllgor Menter a Dysgu i ofyn a yw, ar ôl ystyried y wybodaeth a gafwyd gan y Gweidniog, yn fodlon ar y cynnydd a wnaed gan Lywodraeth Cymru yn y maes hwn, ac a fyddai'n ystyried cynnal ymchwiliad byr i'r materion a godir yn y ddeiseb hon.
- Ysgrifennu at y prif ddeisebwr i ofyn iddi ymateb i lythyr y Gweinidog

(Gweler Atodiad 1 ar gyfer y darn perthnasol o'r trawsgrifiad o'r cyfarfod a gynhaliwyd ar 13 Ionawr 2009, ac Atodiad 2 ar gyfer ymateb y Gweinidog dros Blant, Addysg, Dysgu Gydol Oes a Sgiliau, ac Atodiad 3 ar gyfer y llythyr a anfonwyd at y Pwyllgor Menter a Dysgu)

10 Chwefror 2009

Ystyriodd y Pwyllgor ymatebion gan y prif ddeisebwr a'r Pwyllgor Menter a Dysgu a chytunodd i aros am ganlyniad ymchwiliad byr y Pwyllgor Menter a Dysgu i'r ddeiseb

(Gweler Atodiad 1 ar gyfer y darn perthnasol o'r trawsgrifiad o'r cyfarfod a gynhaliwyd ar 19 Chwefror 2009, ac Atodiad 3 ar gyfer ymateb y Pwyllgor Menter a Dysgu)

19 Mai 2009

Ystyriodd y Pwyllgor adroddiad y Pwyllgor Menter a Dysgu, a chytunodd i aros am ymateb Llywodraeth Cymru i adroddiad y Pwyllgor Menter a Dysgu a'r ddadl ddilynol yn y Cyfarfod Llawn.

(Gweler Atodiad 1 ar gyfer y darn perthnasol o'r trawsgrifiad o'r cyfarfod a gynhaliwyd ar 19 Mai 2009)

22 Medi 2009

Ystyriodd y Pwyllgor ymateb Llywodraeth Cymru i adroddiad y Pwyllgor Menter a Dysgu a chytunodd i ddod â'r broses o ystyried y ddeiseb i ben gan nad oedd modd mynd â'r ddeiseb ymhellach.

(Gweler Atodiad 1 ar gyfer y darn perthnasol o'r trawsgrifiad o'r cyfarfod a gynhaliwyd ar 22 Medi 2009, ac Atodiad 4 ar gyfer ymateb Llywodraeth Cymru i'r Pwyllgor Menter a Dysgu)

Clerc y Pwyllgor Deisebau Hydref 2009

Atodiad 1

Trawsgrifiadau o gyfarfodydd y Pwyllgor Deisebau

6 Tachwedd 2008

Val Lloyd: The next petition is about post-19 students with additional learning needs. The petition reads as follows:

'We the undersigned request that the National Assembly for Wales address the issues that are facing 19+ students who have complex physical and learning disabilities. For students who do not wish to attend residential, there is no appropriate College in Wales for them to attend that can meet their complex needs.'

We have some letters on this that the petitioner, Mrs Prosser, wrote to the Minister and the replies that she received.

Michael German: This is obviously a much more complex issue when you consider it. I wonder whether it would be helpful to have a paper for our next meeting outlining the current policy in respect of the broader issue that this petition raises so that we could then judge whether any further evidence needs to be heard.

Val Lloyd: Would this be a paper by the Members' research service?

Michael German: Yes.

Val Lloyd: I agree.

Michael German: I was not suggesting that Joanest should write this one.

Val Lloyd: She was looking at me, so I thought that I should check. [*Laughter.*] A working group has been established on this issue. Could we ask what progress it has made in order to widen our understanding of what I think is a complex issue, which probably needs to be addressed?

Andrew R.T. Davies: It is an immensely complicated and challenging issue, but that does not mean that we should turn away from it; we should seek to address it. I think that it would be a very valuable piece of work.

Michael German: We need to understand it before we can go forward.

Val Lloyd: I think that the committee would agree that we would like to have more detail on this.

13 Ionawr 2009

Val Lloyd: The next petition, P-03-179, is on post-19 students with additional learning needs.

Andrew R.T. Davies: It is a very complicated field, and I do not think that anyone underestimates the difficulties and challenges faced. That should not

deter anyone from trying to access the best possible help, however. Perhaps the Enterprise and Learning Committee would be best placed to address this petition as it undertakes an enormous amount of work to do with education, given that it falls within the committee's remit. It has examined the matter in a previous assessment, and it would be prudent to suggest that it considers a short inquiry into these matters as part of its workload. I suggest that we refer this petition to the Enterprise and Learning Committee and that we seek the lead petitioner's views on the Minister's remarks and whether she would like to draw anything to our attention and perhaps even appear before this committee to present evidence. In the first instance, we can invite her to respond to the Minister's formal response to our request.

Val Lloyd: That would be the way forward. I also agree with you about referring the petition to the Enterprise and Learning Committee. As I do not hear any opposing views, I take it that that is the committee's decision.

10 Chwefror 2009

Val Lloyd: The next petition is P-03-179, on post-19 students with additional learning needs. We await the outcome of the work of the Enterprise and Learning Committee.

Michael German: We are waiting eagerly.

Val Lloyd: I do not think that there is any action that we can take on this.

Michael German: How far off is it, Chair?

Andrew R.T. Davies: This has not formally come before the Enterprise and Learning Committee yet. We did not have a meeting last week, and looking at the date of Gareth's response, I think that this will be factored into the forward work programme. The Enterprise and Learning Committee has just started a big piece of work on the Welsh economy, which is scheduled to take the next four or five sessions, at least.

Val Lloyd: That is understandable, given the current situation.

Andrew R.T. Davies: It is certainly on the agenda, and as the Chair of that committee indicates, it is an inquiry that we will undertake. To be fair, this committee gives the Enterprise and Learning Committee a lot of work.

19 Mai 2009

Val Lloyd: We have two petitions that it might be beneficial to consider together. First is petition P-03-179 on post-19 students with additional learning needs. If you remember, for students who do not wish to attend residential courses, there is no appropriate college in Wales. The other petition, which is similar, is petition P-03-203 submitted by Scope Cymru.

Bethan Jenkins: There will be a Plenary debate on this. Do you think that we should keep it open until that Plenary debate takes place so that the Minister can respond?

Michael German: Perhaps we should consider it when the Plenary debate has taken place, and the committee's report and the Government's response have been published, and look at it again after that.

Val Lloyd: That is a very sensible idea. Is everyone in agreement? I see that you are.

Andrew R.T. Davies: I think that the Enterprise and Learning Committee has conducted a detailed inquiry. I know that the petitioner, in the first instance, was very grateful for the opportunity to present her own personal evidence.

22 Medi 2009

Val Lloyd: Andrew, the next petition is P-03-179, Post 19 Students with Additional Learning Needs, allied to another petition, P-03-203, on further education for young people with complex impairments from Scope. We considered this in November last year and in January, February and May this year. We have received an update from the Minister, in which she says that she has accepted the Enterprise and Learning Committee's recommendations in principle. A Plenary debate was held on 24 June.

Michael German: It seems to me that, once we have had a report from another committee and that that committee's recommendations have been accepted in principle, it is that committee's responsibility to pursue the implementation of the recommendations. I think that we should close this petition now, but perhaps, in some gentle way, we could say to the Enterprise and Learning Committee that we look forward to seeing it continuing to monitor the recommendations of its report, which resulted from this petition.

Val Lloyd: We will close the petition but perhaps we could send that closing letter to the—

Andrew R.T. Davies: To be fair, in his introduction, Gareth indicated that, when it came to Plenary, the committee would be revisiting this to see how many of the proposals have been implemented or what progress was being made. It seems almost common and good practice for committee Chairs to say that we will be revisiting these matters. It is easy to say that we accept recommendations in principle in the Chamber and then 18 months later we find that nothing has really happened.

Val Lloyd: Shall we ask him to apprise us of his review?

Andrew R.T. Davies: Yes, without a doubt.

Atodiad 2

Y Pwyllgor Deisebau

Petitions Committee

Jane Hutt AM
Minister for Children, Education,
Lifelong Learning and Skills
Welsh Assembly Government
Cardiff Bay
CF99 1NA

Bae Caerdydd / Cardiff Bay
Caerdydd / Cardiff CF99 1NA

Our ref: PET-03-179

20 November 2008

Dear Jane

Petition: Post 19 Students with Additional Learning Needs

At the meeting of the Petitions Committee on 6 November 2008 consideration was given to a petition calling on the National Assembly for Wales to address the issues that are facing post 19 students who have complex physical and learning disabilities but do not want to attend residential services.

In its consideration of the evidence the Committee resolved to write to you to ask:

- whether the current funding structures in place for the provision of post 19 education are prohibiting some young people from accessing services; and,
- what has been done to implement the recommendations of the National Assembly for Wales Education and Lifelong Learning Committee's report on Special Educational Needs, particularly the section on Transition which was published in March 2007.

Thank you for your consideration of this matter and I look forward to your response.

Yours sincerely



Val Lloyd
Chair, Petitions Committee

Jane Hutt AC/AM
Y Gweinidog dros Blant, Addysg, Dysgu Gydol Oes a Sgiliau
Minister for Children, Education, Lifelong Learning and Skills



Llywodraeth Cynulliad Cymru
Welsh Assembly Government

Eich cyf/Your ref PET-03-179
Ein cyf/Our ref JH/01618/08

Val Lloyd AM
National Assembly For Wales
Cardiff Bay
Cardiff
CF99 1NA

9 December 2008

Dear Val,

Thank you for your letter of 20 November relating to post 19 students with additional learning needs.

In securing reasonable provision of education and training for learners aged over 19 years, the Welsh Assembly's funding arrangements have been designed to take account of the needs of learners with learning difficulties and/or disabilities. Key features include:

- A weighting in the post-16 funding formula which recognises the additional relative cost to further education colleges of putting on courses designed specifically for learners with learning difficulties and/or disabilities;
- A supplementary contribution to the cost of additional learning support to assist further education colleges and work based learning providers secure the necessary human and technical support to make their mainstream provision accessible to people with learning difficulties and/or disabilities;
- Exceptional funding, allocated to further education colleges on a case by case basis, to enable them to secure appropriate additional learning support so that learners who would otherwise be funded to attend a specialist residential further education establishment can access college provision; and
- Funding for places at specialist residential colleges where an individual's learning needs are such that a residential component is essential to them being able to access further education or training. Residential or day places at these colleges are often joint funded with social services departments and local health boards.

Also, if a further education college, in order to deliver on its college plan, needs staff expertise, facilities, equipment and/or premises which it can't provide itself, it can, in consultation with the Welsh Assembly Government, choose to enter into an arrangement with a third party. These arrangements are formalised to ensure that the quality of education/training provided by the third party matches that available to learners on college led courses. Several existing third party arrangements have been made by FE colleges as

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part of the provision they make available for learners with learning difficulties.

Education and training is only part of the package of services required by disabled young people when they leave school. The ability of a young person with learning difficulties to access further education and training is often impacted upon by other factors such as the availability of transport, therapies, respite, personal care or social support. These issues were considered as part of a review of services for disabled young people undertaken by a former Assembly Equal Opportunities Committee and later, as you indicate, by the former Education and Lifelong Learning Committee in part three of its Review of Special Educational Needs which focussed directly on transition.

In fact I have very recently provided an update on progress on the implementation of the recommendations of part three of the review of SEN to Gareth Jones AM, Chair of the Enterprise and Learning Committee. I am enclosing a copy for your information.

I am copying this letter to Katherine Jenkins, Committee Clerk, Enterprise and Learning Committee to ensure the Committee is aware that the Petitions Committee is also looking at this issue.

Bert Wisker,

Jane

FORMER EDUCATION, LIFELONG LEARNING AND SKILLS COMMITTEE REVIEW OF ADDITIONAL EDUCATIONAL NEEDS (AEN) PART 3 – TRANSITION: AN UPDATE ON PROGRESS.

In March 2007 the then Minister for Education, Lifelong Learning and Skills made a preliminary response to the former Education, Lifelong Learning and Skills Committee's Review of Additional Educational Needs (AEN) Part 3 – Transition (March 2007).

The following represents the first update on progress in meeting the recommendations contained in the Committee's report and is set in the context of the Welsh Assembly Government's ongoing commitment to the provision of equal opportunities for all the people of Wales by ensuring policy making and service delivery is firmly focused on the needs of individuals.

Background

Transition for all young people moving within or between education and employment is a challenging time for both young people and their parents. When it involves children and young people with additional learning needs we recognise that transition can be particularly difficult.

It was clear from the evidence received by the former Education, Lifelong Learning and Skills (ELLS) Committee, and by the Equality of Opportunity (EO) Committee as part of its review of service provision for disabled young people (January 2007) that despite the existence of a considerable amount of guidance and examples of good practice there remains much room for improvement in the services received by young people making the transition to adulthood.

We recognise that it is important both to the futures of individuals and to the economy as a whole that individual talents aren't lost as a result of ineffective support at key stages of transition from school to further learning, training or work. We have, therefore, been working with other departments in the Assembly and in the UK government, stakeholders and others to make progress on transition, particularly in those areas identified by the ELLS Committee and accepted by the Welsh Assembly Government.

A Transition External Strategic Reference Group (which comprises representatives of young people with learning difficulties, Education, Health, Social Services, further and higher education, employers organisations as well as Careers Wales and Skill Wales) was established in October 2007 to consider how best to take forward the recommendations made by the ELLS Committee and those of the EO Committee which concern transition. This group is making steady progress and meets regularly.

Four sub-groups of the main group have been formed which are considering key aspects around:

- Transition Planning
- Key Working

- Education and Training
- Employment and Skills / Resources

Each group has devised an action plan. Each of these plans addresses both Committees' recommendations on transition and identifies steps towards ensuring improvements in service delivery.

Transition Planning

One of the main focuses of the Committee's recommendations is the particular needs of young people as they leave secondary education and move into further or higher education, training or work. I concur completely with the Committee's view that here, in the planning of support and service provision, we have to get it right to ensure that each young person is able to make the most of the educational opportunities available to them. By doing so, we will ensure that they are in the best position to find meaningful employment and are able to lead more independent and fulfilling lives.

There is currently a plethora of sometimes confusing guidance in place that set out many requirements to ensure a smooth transition between and across phases for children and young people with special educational needs (SEN) - in particular the SEN Code of Practice for Wales, the National Service Framework (NSF) for Children, Young People and Maternity Services and the Framework for the Assessment of Children in Need and their Families. Alongside these I know many authorities have developed their own planning guidance and methodologies which are working well.

Indeed, as part of the NSF, all local agencies are required to assess, using a Self Assessment Audit Tool (SAAT), the extent to which they are delivering against each key NSF action, and these findings are taken into account by Children and Young People's Partnerships in determining their priorities. The SAAT currently holds three years of information from local authorities, local health boards, NHS trusts, local safeguarding children's boards, Welsh Ambulance Trust, Health Commission Wales and the Welsh Assembly Government. The 2008/09 audit is expected by 31 March 2009.

Data from the SAAT shows improvement in each of the actions contained within the Disabled Children's chapter of the NSF between 2006/07 and 2007/08.

More generally too, members will be aware that the SEN Code of Practice for Wales is currently being reviewed as part of a statutory assessment and statementing consultation and issues relating to transition have been taken into account during the pre-consultation period with parents. Since then, the National Assembly for Wales (Legislative Competence) (Education and Training) Order 2008 has been approved by Privy Council (April 2008). The Assembly is now able to make changes, by way of an Assembly Measure, to the statutory assessment process in Wales.

Prior to making any amendments to primary legislation, officials have engaged in widespread consultation on options for the reform of the statutory assessment framework in Wales. The work involved in taking this reform

forward will inevitably include all the key stages of transition for all children and young people with ALN.

I am aware that despite these important levers, there remains a lack of co-ordination between agencies. Too often, I still hear, sometimes directly from young people themselves that they need more information, particularly with regard to available services and benefits and, more generally, that they feel unsupported in planning for their future.

That is why I agreed wholeheartedly with the Committee's recommendations for a review of existing guidance and data collection across the board with the ultimate aim of bringing it all together in a simpler, clearer way. Implicit in this is the premise that transition reviews must be person centred, that all parties, especially parents and carers, must be given in advance all the information they need to get the most out of the transition review process and that all relevant agencies are involved in the planning of services.

As indicated above, in October 2007, a Welsh Assembly Government led Transition External Reference Group was established specifically to take forward the recommendations of the ELLS Committee. One of its three sub-groups (the Transition Planning sub-group) is reviewing the various strands of guidance. Local authorities have been asked to submit their transition policies and eligibility criteria via the Disability Network Managers Group. Other members are working on the development of a transition handbook (based on a version jointly developed by practitioners and parents in Monmouthshire LEA) which will include examples of best practice. The proposed completion date for this work is April 2009.

Other important work being undertaken by this sub-group includes the development of a template for a multi-agency transition plan which can be used as a model of good practice across Wales. Currently we are aware of compatibility issues relating to data collection and sharing in terms of the Unified Assessment Process (UAP) and the Integrated Children's System (ICS).

The sub- group is also considering the development of a suitable process for ascertaining the wishes and aspirations of the young person through advocacy, software process and other means. Young people must always be involved in the drawing up of their own transition action plan which must arise from a person centred approach.

A differentiated version of the interactive website called 'My Future' has been established for disabled children and those with SEN by Careers Wales. The site contains interactive tools around transition planning and includes decision making and self awareness development around all aspects of post 16 choices. These include interests / skills / ideas for the future and what other people need to know about the young person. Young people using the site are able to choose sections they would like to publish and the aim is that it will replace the progress file and record of achievement. The site also contains information for parents which they can use prior to going to a transition planning meeting.

On the issue of data sharing, which was raised by the ELLS Committee, we have recently awarded a contract to Atkins Management Consultants to undertake a scoping study which will examine the options available for improving information sharing and data management relating to children and young people in Wales, including those with additional learning needs. Atkins has experience with ContactPoint in England, an extensive knowledge of the public sector in Wales and a collaborative, stakeholder-focussed approach.

The Atkins consultancy team is keen to engage with as many relevant people as possible in order to understand the processes, policies and challenges facing professionals working with information relating to children and young people. Their task is to understand and evaluate areas of best practice, opportunities to achieve improvement and the current barriers to improving information sharing.

The team will share their knowledge and expertise from across the UK to improve understanding, without preconceptions that the same overall solutions apply here in Wales. Their remit is to work with the information and views provided by Welsh Assembly Government policy leads, stakeholders and local partners through focussed, structured dialogue and collaboration. There will therefore be a period of consultation, open engagement and analysis jointly to determine practical ways of managing information in order to improve service delivery and positive outcomes for children and young people.

The Welsh Assembly Government is also very pleased to be working with the Transitions in Action (TIA) Group- a coalition of organisations working to improve the move into adulthood for young disabled people, which aims to promote good practice across social services, health, education and the voluntary sector.

On 29th November 2007 the Welsh Assembly Government sponsored a multi-agency conference focusing on transition to adulthood for disabled young people. Arranged by the Transitions in Action Group, the aim of the Conference was to improve future planning and provision of transition services. The morning was led by disabled young people who highlighted what the current situation is and suggested how this can be improved. The afternoon included workshops showcasing examples of good practice in Transitions. The conference was a great success, largely as a result of the input from the young people themselves and demonstrated in the clearest possible way the importance of participation by young people in the whole transition planning process.

In terms of advocacy, you will be aware that last year, the Welsh Assembly Government issued, on consultation, its proposals for the development of advocacy services for children. We have listened to the messages from that consultation and intend to ensure universal access to advocacy for all children. The four key elements will be: a National Advocacy and Advice Service offering a single point of contact for all children and young people, which will become operative in 2009-10; a local/regional integrated specialist advocacy service commissioned through Children and Young People's Partnerships; a National Independent Advocacy Board (that will include young

people); and an Advocacy Development and Performance Unit in the Assembly Government.

Other important work includes the Children's Right to Appeal/claim to the SEN Tribunal for Wales. The late Children's Commissioner for Wales, Peter Clarke, first proposed that children with special educational needs should have a right of appeal to the SEN Tribunal for Wales (SENTW). The Welsh Assembly Government supports the principle of giving children the right of appeal in relation to the existing grounds on which a parent can appeal under the Education Act 1996 and will shortly be looking to introduce an appropriate Assembly Measure to implement it.

A two part paper entitled **Voices and Choices** issued this year for consultation. The first part of Voices and Choices which issued between May and October 2008, explored the issues around such a right of appeal and the key questions that arise from it. Voices and Choices Part 2 issued between September and October 2008 and concerned extending to children the right to make claims of disability discrimination to SENTW. Two specific public consultation workshops were also undertaken. In order to obtain children's views for these proposals, both consultation documents were also issued in children and young people friendly format and a series of facilitated workshops were undertaken in schools across Wales.

Key Working

Even with the best planning tools available to them, I firmly believe that young people and their families still need help and support in terms of using the available materials. Most importantly, they need to know that there is a real person there to support them whenever that support is required. That is why I wholeheartedly agree with the Committee's primary recommendation on the recruitment of more key workers.

Indeed, to facilitate this and to establish an underpinning framework of guidance, professional responsibility and appropriate professional training, I announced, at the beginning of this year, a package of funding totalling £1.5m for the period 2009/10 to 2011/12. This funding is designed specifically to support the development of pilot projects to develop key working across Wales.

In all, multi-agency bids were received from seventeen LEAs. After careful assessment funding has been allocated to Gwynedd, Anglesey, Ceredigion, Pembrokeshire and Monmouthshire (with a bid covering the former Gwent Area). We are working closely with the voluntary sector and in particular with Care Co-ordination Network UK (the leading networking organisation promoting and supporting key working for disabled children and young people and their families in England and Wales) to help us in this regard.

I have already allocated £200k to CCNUK who are working closely with the pilot sites, and indeed with other LEAs across Wales who are wishing to develop key working. As part of its remit, in partnership with other key stakeholders, CCNUK has already commenced the development of strategic transition framework/guidance to ensure that transition key workers have a

clearly defined role in terms of structure, terms and conditions - including pay, supervisory and professional support and responsibility system, a training/continuous professional development programme, and a guide to transition key worker training.

In March next year a joint seminar will be staged by CCNUK and the Welsh Assembly Government. The event is open to all agencies and will focus on the principles of providing a seamless transition key worker service into adulthood, with an emphasis on person centred planning and the interface between the children's (Framework for Assessment of Children in Need and their Families) and adults (Unified Assessment) assessment processes during the 14+ transitional phase.

It will also outline how children and adult services policy and legislation can be disentangled to meet the needs of disabled young people, as well as look at the training requirements/workforce development of both transition key workers and other professionals working with disabled young people.

Education and Training

Post-school education and training can make a significant difference to a learner's adult future and it helps shape the contribution they can make to Welsh life and the economy.

In order that the benefits of post-school provision are accessible to young people with additional learning needs, it is essential that this provision matches the needs and aspirations of learners with ALN. I concur therefore with the Committee in its recommendations relating to education and training.

Part of getting the match between provision and individual need involves equipping post-school providers with a full and accurate prior assessment of individual learning need. Current developments aimed at reforming the statutory statementing and assessment process include the development of a continuously assessed record of need. The current role of Section 140 assessments, known as Learning and Skills Plans, which extend into post school provision, will be considered as part of these reforms. These assessments are conducted by Careers Wales on behalf of the Assembly and, based on available evidence, they set out the post-school provision that is necessary to ensure that individual learners' additional learning needs are met.

An effective means of tracking learners' skills and needs is also an important component of the match between provision and individual learning need, as it allows post-16 providers to gauge the extent to which their provision is meeting the needs of learners and employers. From 2008/09 amendments have been made to fields in the Pupil Level Annual School Census (PLASC) and the Lifelong Learning Wales Record (LLWR), as a first step towards aligning data around learners with additional needs. Work is continuing in this regard.

Ensuring a good match between learners skills and employers needs, was identified by the ELLS Committee, as important to ensuring good employment

outcomes for people with additional needs. Achievement of this match is a key theme of the Assembly Government's *Skills That Work for Wales* strategy, published in July 2009, which contains a number of relevant actions. In the context of work based training, these include piloting improvements to the delivery of the Skillbuild programme which supports post-16 people who are not in employment. Work on two pilots (in Pembrokeshire/Carmarthen and Swansea/Neath Port Talbot) has commenced and they will include measures to improve collaboration, support best practice, and encourage provider responsiveness to the needs of disadvantaged learners.

Local further education colleges are accessible to most learners on a day basis, but in some instances learners additional needs are such that they require specialist residential further education. Most of this specialist provision is provided by independent establishments. DCELLS are presently working with Esytyn to clarify the process that emerging independent specialist residential colleges would be required to follow in order to be eligible for DCELLS funding.

Access to higher education by learners with additional learning needs is greatly influenced by the availability of individual financial support, particularly in the form of the Disabled Student Allowance (DSA). In 2006/07 the Assembly Government became responsible for statutory student support, including support for disabled students. A number of consultative forums have been set up to consider issues relating to students with ALN. 2007/08 and 2008/09 saw marked increases in the amount of DSA available for non-medical helpers and further consideration is to be given to the way in which DSA is provided.

The Higher Education Funding Council (HEFCW) have incorporated transition into their Equality Action Plan and are working to identify national networks that can bring together appropriate staff within higher education institutions and other organisations with a view to improving liaison and sharing good practice.

Welsh Language

Our commitment to issues connected with the Welsh language is evident in its consideration of all aspects of policy. The barriers to provision faced by Welsh speaking learners with additional learning needs was considered by the ELLS Committee at all stages of its review of SEN. The Committee identified the need for improvements in the provision of materials, trained professionals, guidance and resources for those wishing to access provision in Welsh.

A key document in this regard is the Welsh Language Board's report 'Acknowledging Need' which concerns the provision of additional support for Welsh speaking learners with additional learning needs. The task group taking forward these recommendations advises on Welsh language aspects of provision in all sectors pre and post school.

Areas of development concerning materials and training include the production of a bilingual e-learning module on additional learning needs for inclusion in teacher training. Further bilingual e-learning modules are also

planned which will be available to all higher education institutions, teachers and teaching assistants in Wales.

Transport

Even the most inclusive provision at schools, colleges and higher education institutions can be wasted if learners with additional learning needs cannot access transport from home. The ELLS Committee identified the need for improvements in this area. The Assembly Government issued non statutory Home to School Transport Guidance this year to local authorities which complements the SEN Code of Practice for Wales. The guidance is intended to assist local authorities to put in place home to school transport that is suitable for SEN pupils.

Clarification of current arrangements regarding transport to post-school provision has been included in the Welsh Assembly Government's guidance to local authorities on Transport Policy Statements for Learners aged 16-19 2007/08 (Circular 05/2007). This guidance explains that although there is no requirement in the Education Act to provide any policy for disabled learners who are over sixth form age, 'LEAs must specify what transport arrangements can be made available for students with learning difficulties and/or disabilities. Good practice suggests that wherever possible, LEAs and their partners should provide support for learners with SEN until at least the age of 21, and ideally up to 25 wherever possible'

Employment and Skills / Resources

Employment and Skills

I fully agree with the Committee's assertion that the transition to employment is particularly difficult for people with additional learning needs, and that it is important that employers focus less on the 'additional need' and more on the 'person' and the value that they bring to the organisation.

Matters related to employment and welfare are not devolved to the Assembly Government and in these instances the Welsh Assembly Government works closely with the Department of Work and Pensions (DWP) to ensure that the employment and welfare interests of Welsh people are represented.

The DWP has recently issued a Green Paper entitled 'No One Written Off – Reforming Welfare to Reward Responsibility' and in its response to this Paper, the Welsh Assembly Government has highlighted the need for better support for young people with additional learning needs in employment.

The Welsh Assembly Government's involvement in the DWP's *Cities Strategy* which concerns the effective use of existing funding in deprived areas, is another means by which we ensure that UK policies support those of this Government.

Supported employment is a positive means of ensuring that people with additional learning needs gain meaningful and satisfying jobs and I endorse the Committee's tribute to the good work done by employment agencies and

voluntary organisations working in this field. In this area of provision, a common definition and examples of good practice are being sought, with a view to integrating these with our existing policies where possible, and those proposed in the aforementioned DWP Green Paper on Welfare reform.

Another potential key contributor to increasing the number of learners with additional learning needs in meaningful employment is the work based learning sector. This sector, which includes many further education colleges, offers a wide range of vocational training and employability skills. The ELLS Committee on the basis of evidence from Estyn, identified weaknesses in this provision for learners with additional needs and identified a need for clear guidance on what is expected of them in this regard. The Welsh Assembly Government is developing a Quality and Effectiveness Framework which will make clear the expectations on all post 16 providers to cater for learners with additional needs, as part of its requirements in relation to equality and diversity.

Work based learning providers currently operate to a three year contract. Consideration is being given to future contracting of work-based learning and how this might be strengthened to better meet the needs of learners with additional needs.

Careers Wales have a vital role in helping young people with additional learning needs make an effective transition to education, training and employment. The ELLS Committee recognised Careers Wales' current strong focus on supporting the transition of young people with additional learning needs, but felt that it should play more of a role in increasing the numbers of learners with additional learning needs in employment. The Committee also expressed its concern that Careers Wales had insufficient professional resource and expertise to meet the demand for its services across the spectrum of additional need.

An internal review of Careers Wales is underway which will take account of how well placed Careers Wales is to respond to policy developments and imperatives- particularly those in respect of work related education, learning pathways, skills agenda and changes proposed to the benefit system. It will make recommendations on what services will be needed in the future as well as the best means of resourcing and delivering these services. In doing so, it will have regard to the recommendations of the ELLS and EO Committees and the views of principal partners and stakeholders. The review of Careers Wales is expected to produce a report of findings and recommendations by the end of March 2009.

Other developments relevant to the provision of careers guidance to young people with ALN include:

- the development by Careers Wales of a differentiated version of "My Futures", an IT based resource on Careers Wales Online that provides support for young people with ALN, their parents and teachers
- the need to address training for careers advisers that assist young people with ALN in Wales has been raised with the Institute of Careers Guidance

as part of their UK wide review of the training and qualification needs of careers advisers

- all Careers Wales advisers have received specific training relating to the provision of advice and guidance on entrepreneurship, within a framework which ensures equality of opportunity
- an Employer Gateway is being developed which will include support for employers and staff training. Evidence of good practice and outcomes from UK and European projects will be used to promote the benefits to employers of employing individuals with ALN.

Work placements are an important feature of transition and are connected with the work of Careers Wales. The Employer Engagement Task Force established as part of 14-19 Learner Pathways reported in March 2007 concluded that greater exposure to work during 14-19 may be of assistance in increasing the number of people with disabilities in employment. This recommendation is also being taken forward in the context of the aforementioned review of Careers Wales.

We recognise that the expertise of the voluntary sector, not least in its project work, is important to helping individuals with additional learning needs access employment and in so doing helps to secure the objectives of the Assembly Government's Skills that Work for Wales.

The Assembly Government's strategic action plan for the voluntary sector scheme, entitled 'The Third Dimension', sets out how the voluntary sector can help the Assembly Government create stronger communities, build better public services and shape public services. The plan provides a framework for identifying Assembly Government actions which would support the voluntary sector in achieving this remit.

Resources

Another area of concern for the ELLS committee was the extent to which funding might be a barrier to effective transition.

Funding for further education provision in general was considered as part of the Webb Review of Further Education in Wales. The Webb Report, 'Promise and Performance' (December 2007), recommended the pooling of budgets to better meet the needs of disadvantaged learners. This approach has been made integral to the Children and Young People's Planning process.

In 2007/08 over £25m was allocated to further education colleges in Wales for provision for learners with learning difficulties and/or disabilities. The relative cost weighting attached to Independent Living Skills provision for disabled learners is the highest possible, and was determined in the context of all post-16 learner provision as part of the development of the National Planning and Funding System. Supplementary funding which supports FE colleges to make their mainstream provision accessible is reviewed annually in light of information arising from audit visits. The distribution mechanism for exceptional funding, which assists further education colleges to provide for learners who would otherwise be funded to attend specialist residential colleges, is to be revisited.

Conclusion

There is much work currently underway by the Transition External Reference Group, its four sub groups and others to address the Committee's recommendations, many of which deal with complex issues which require considerable unravelling to ensure effective change. The need for change and the importance of transition to the futures of disabled people is reflected in the enthusiasm of those involved in taking this work forward.

The United Nations has declared 3rd December 2008 the International Day of Persons with Disabilities. I would like to take this opportunity to alert committee members to a series of events which the Welsh Assembly Government will be hosting at the Senedd and Ty Hywel to mark this day. I would also like to highlight one event in particular, organised by Learning Disability Wales, which I will be attending with the First Minister. Following a question and answer session with disabled young people, we will be launching a policy agenda for disabled children and young people. Importantly, for the first time, we will be setting out what we have done and are planning to do, across Ministerial portfolios, to ensure that our disabled children and young people have equality of opportunity and the best possible chances in life.

Action for Subject Committee

The Committee is invited to note the contents of this paper.

Jane Hutt

Minister for Children, Education, Lifelong Learning and Skills

Contact point: Bethan Cowan, Support for Learners Division, ext 6082

Atodiad 3

Y Pwyllgor Deisebau

Petitions Committee

Gareth Jones AM
Chair, Enterprise and Learning
Committee
National Assembly for Wales
Cardiff Bay
CF99 1NA

Bae Caerdydd / Cardiff Bay
Caerdydd / Cardiff CF99 1NA

Our ref: PET-03-179

22 January 2009

Dear Gareth

PETITION - POST 19 STUDENTS WITH ADDITIONAL LEARNING NEEDS

The Petitions Committee is currently considering the above petition. At its meeting on 13 January 2009, the Committee considered a letter from the Minister for Children, Education, Lifelong Learning and Skills that included a paper she had provided to the Enterprise and Learning Committee on progress against the recommendations of the former Education, Lifelong Learning and Skills Committee's report on Transition and Special Educational Needs.

Following discussion of this response, the Petitions Committee agreed that this petition would benefit from consideration by the Enterprise and Learning Committee and, consequently, I would be very grateful if your Committee would consider undertaking a short inquiry into the issues raised by this petition, subject, of course, to your current workload.

I would like to thank you, and your Committee, for the consideration you have given to petitions to date and for considering this request. I have enclosed a copy of the petition wording and the Minister for Children, Education, Lifelong Learning and Skills' letter that I have referred to above. I look forward to your response.

Yours sincerely



Val Lloyd
Chair, Petitions Committee

Pwyllgor Menter a Dysgu
Enterprise and Learning Committee
Bae Caerdydd / Cardiff Bay
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Val Lloyd AM
Chair of the Petitions' Committee
National Assembly for Wales
Cardiff Bay
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28 January 2009

Dear Val

Petition – Post 19 Students with Additional Learning Needs

Thank you for your letter of 22 January 2009 requesting that the Enterprise and Learning Committee consider the petition on post 19 students with additional learning needs.

I am happy to confirm that the Committee is content to undertake a short inquiry into the issues raised by this petition. We hope to scrutinise the Minister for Children, Education, Lifelong Learning and Skills and other key stakeholders toward the end of this term.

I undertake to keep you informed of the progress of our inquiry and provide you with a copy of our report on its completion.

Yours sincerely,

Gareth Jones AM
Committee Chair

Atodiad 4

Written Response to the Enterprise and Learning Committee's Report On Provision for Post-19 Students with Additional Learning Needs by Jane Hutt, Minister for Children, Education, Lifelong Learning and Skills.

2 June 2009

Ensuring equality of access to education is a high priority for the Assembly Government and I welcome this report and the opportunities that have arisen leading up to it, to discuss post-19 provision for young people with additional learning needs.

The issues raised in connection with this provision are linked closely with the findings of the former Education and Lifelong Learning Committee's review of Special Educational Needs (SEN): in particular its review of arrangements affecting transition from school to further education, training, and employment. Transition to adulthood was also considered as part of a wider review by the then Equality of Opportunity Committee into service provision for disabled young people.

The recommendations in this report fit with our current work on transition and I am pleased to be able to accept them. Each recommendation will be furthered in the context of their intended outcome and integrated into our work on transition. I have set out below my response to the Report's individual recommendations.

Detailed Responses to the report's recommendations are set out below:

Further education provision for young people with profound and multiple learning difficulties (PMLD)

The Committee recommends that:

The Welsh Assembly Government develops policy in this area and implements it with appropriate levels of support as soon as is practicable.

Response: Accept

I accept this recommendation.

Welsh Assembly Government policies for young people extend to age 25 in recognition that individuals under the age of 25 may be more vulnerable than those over 25 and may need more support to enjoy their rights. This approach received cross party support and it was set out in an overarching document called 'Extending Entitlement: Supporting Young People in Wales'.

The former Education and Lifelong Learning Committee rightly described transition to adulthood as a process and not an event. It can begin for some as young as 13 and the need for transition support can continue well into adulthood. Our Transition Working Group includes representation from fforwm, which is the umbrella organisation working on behalf of further education colleges in Wales and Skill, a charitable organisation which works to promote equality of opportunity for disabled learners in post-16 further and higher education, training and employment.

In March this year I approved funding of £50,000 per annum for three years to enable Skill to develop their services to post-16 disabled learners in Wales and to represent the interests of these learners in the development of post-16 policy.

Whilst there is scope for improvement, it would be wrong to suggest that no provision is made for further education for young people with severe/profound learning difficulties and/or disabilities in Wales. The relative costs of provision designed to meet the needs of these learners are recognised within the National Planning and Funding System. There are two weights in the funding system, one for provision aimed at learners with moderate learning difficulties and another (the highest weight in the system) which is aimed at provision for learners with profound learning difficulties. In 2008-09, £8m was allocated for provision in the latter category. In addition to this, extra funding is available to colleges on a case by case basis to assist them to secure the additional support needed to make their provision accessible to individual learners who would otherwise be eligible for residential funding.

Under equality legislation, colleges themselves are under a legal duty to take equality into account in everything they do and to make reasonable adjustments to ensure they are not discriminating against anyone on grounds of disability, race, gender or religion. College equality and diversity committees work with college governors to take forward actions set out in the college's equality plan, which all colleges are legally required to publish each year. Individual learners who feel they have been discriminated against by the college on disability grounds can complain to the college and can pursue their case through the courts. The Commission for Equality and Human Rights operate an independent conciliation service which is intended to reduce the need to recourse to the courts.

In addition to providing independent living skills courses, some colleges have developed specialist provision. For instance, Bridgend College has an on site residential facility, called Weston House, which meets the needs of learners with learning difficulties and/or disabilities. From September 2009 this college will have a further 5 residential places available for learners with profound learning needs.

Barry College has a specialist provision called Earshot which supports learners with sensory impairment and Neath Port Talbot College is working closely with the RNIB to enhance its support for learners with visual impairments. Pembrokeshire College's cross college commitment and support for learners with a wide range of disabilities, including learners with severe learning difficulties and/or disabilities, won it a UK Mencap and RNIB Inclusive Beacon Award in 2005.

In recent months, the YMCA (Community College) has entered into partnership with the Touch Trust to trial a part-time course from September 2009 for 6 young people with profound and multiple learning difficulties. The Committee may be interested to note that this recent development, together with the new places planned at Weston House, Bridgend College has provided the petitioner with a workable option. All the details of the package are still to be finalised and Careers Wales are working with the petitioner to secure these.

Whilst some colleges are able to provide for learners with severe and profound learning difficulties, a very small number of these learners have needs which are so severe and complex that it is not possible to secure further education provision without also securing boarding accommodation. This is recognised in the Learning and Skills Act which requires Welsh Ministers to secure specialist residential accommodation for those learners aged up to 25 whose needs are such that further education cannot be provided without it. The numbers of learners requiring such provision is small and it is not possible to secure it all in Wales. In 2008-09 we funded specialist FE provision for about 200 learners in residential colleges in England and Wales.

We recognise that for learners with profound learning difficulties to access local further education provision, a multi-agency approach is essential. Our work on statutory reform of the current statutory assessment and statementing system includes a pilot aimed at meeting the needs of children and young people with complex needs through a multi-disciplinary model for securing provision for children and young people with complex learning needs. We will ensure that agencies involved in this pilot work closely with fforwm and Skill Wales in order that provision for the learning needs of young people up to the age of 25 with profound learning difficulties is fully accounted for.

Financial Implications – None. Any identified costs will be drawn from existing programme budgets.

Transition Planning and the Role of Careers Wales

The Committee recommends that:

Given that there is a convincing body of evidence on the need for transition planning to happen earlier than currently appears to be the case in most instances, and given that the Special Education Needs Code of Practice identified that the annual review of needs held in year 9 is particularly significant in preparing for the learner's transition to the further education sector, work-based learning, higher education and adult life, we recommend that the Welsh Assembly Government undertakes an immediate survey of the work of Careers Wales to determine where this is not happening and provides guidance and training to ensure best practice is implemented in future.

Response: Accept

I accept this recommendation.

Transition planning is an important part of the statutory statementing process which we are working to reform. As referred to previously, we have four statutory assessment and statementing pilot projects scheduled to start in September. Two of these pilots are concerned with provision for learners with non-complex and complex needs respectively, and a third is concerned with the role of the Additional Learning Needs Co-ordinator. The fourth pilot project concerns quality assurance, because it is important to ensure that there are effective processes in place to deliver improved outcomes for learners.

A timely multi-agency approach is essential to the transition process and we are mindful that effective communication between agencies needs to begin as soon as possible and that relevant agencies should all contribute to the Transition Plan in Year 9.

The Transition Stakeholders Group set up to take forward the former ELLS Committee recommendations on transition is made up of four sub groups - education and training; employment and skills; key workers and transition planning. Existing evidence and the work of these transition sub groups will be taken into account in the pilot projects, which will in turn inform the development of a reformed statutory assessment and statementing process, including SEN planning, review and transition.

The former ELLS Committee recommendations around transition included the need to strengthen the advice and guidance given by Careers Wales to young people with SEN. The Assembly Government is actively involved in steering the Institute of Career Guidance's UK review of the training and qualification needs of workers in the guidance sector. Through its involvement with this review we aim to ensure that the needs of Welsh learners, including those with additional learning needs, are accounted for.

Alongside other agencies, Careers Wales plays an important part in the transition process. The Welsh Assembly Government is committed to ensuring that all young people receive careers advice and guidance which is appropriate to their needs, career aspirations, and personal development.

Currently Careers Wales is required to attend all transition reviews for clients aged 14 years. Where this is not possible (eg due to timetabling) then Careers Wales is required to undertake an individual interview with the client and their parent/guardian and to send information to the review for inclusion in the package of support developed by professionals from all agencies involved in the transition process.

We are currently undertaking a comprehensive review of Careers Wales. In May this year the Deputy Minister for Skills published the first product of that review in the form of an independent assessment of how Careers Wales arrangements compare with careers information, advice and guidance systems in the UK and elsewhere by reference to OECD criteria of best practice. The independent assessment, undertaken by a leading expert in the field of careers guidance identified strengths and weaknesses in the current arrangements. It reported that Careers Wales was a strong and highly professional organisation of which the Assembly should be proud.

This review was also informed by an Estyn report, published at the same time, which gave an overview of Careers Wales companies' performance based on evidence of recent inspections. The initial findings recognised the need to broaden the scope of the review beyond Careers Wales so as to encompass the range of careers education and advice provided by schools, college HE and the voluntary sectors. This second phase of the Careers Wales Review will also include an examination of the particular requirements of different client groups, including those with additional learning needs, in helping individuals develop their career aspirations, learning pathways and career self-management and skills.

Financial Implications – None. Any identified costs will be drawn from existing programme budgets.

Funding Specialist Residential Further Education Provision

The Committee recommends that:

The Welsh Assembly Government establishes effective procedures whereby decisions on funding support are communicated to learners and families no later than 1 July each year.

Response: Accept in principle

I accept this recommendation in principle.

Applications for specialist residential colleges are informed by the transition planning process and are collated and submitted by Careers Wales.

Complete applications received by January each year for a September start should allow sufficient time for decisions to be made by 1 July. My officials are committed to ensuring that learners and their families receive decisions as soon as possible. However, it should be noted that many applications received for specialist residential FE placements are incomplete. In order that essential funding criteria are satisfied, the need to seek out relevant supporting information inevitably delays decisions. Procedures and criteria are available and published, targeting the specialists working in this field, along with a parents' guide which is made available through Careers Wales.

The transition process for learners with a learning difficulty and/or disability (LDD) should provide the opportunity for professionals working with the learner to identify why such provision is necessary and for this information to be recorded in the Transition Plan, at annual reviews and/or as part of a care plan. Unfortunately, this does not always occur and requests for confirmation must be sought from the professionals working with the learner; that is confirmation of a multi-professional recommendation that specialist residential provision is essential.

All applications receive an initial assessment to determine whether or not the evidence received with the application is sufficient to demonstrate that specialist residential provision is essential to enable the learner to access appropriate further education. In cases where there is sufficient evidence to support the application, further action may be required where a joint funding package is required. In these instances the appropriate local authority is contacted with a view to agreeing a joint-funding arrangement. Such agreements can take some time to negotiate. All applications are monitored closely to ensure that prompt action is taken where applications received are incomplete. The process of gathering further information to support the application may also highlight the need to secure joint funding for the placement, requiring negotiation with the relevant local authority and/or local health board.

In order to keep learners and their families informed of the progress of their application, a secure database has been established. This facility updates Careers Wales Special Needs Advisers on the progress of each application submitted, providing them with brief details of action taken. This allows advisers to keep learners and their families informed of progress. Advisers can contact officials directly if they need more detail.

The Assembly Government have also offered workshops to new and existing Careers Wales Special Needs Careers Advisers, which have been well received.

Where the Assembly Government is unable to support an application for a specialist residential college placement, learners and/or their families can appeal to an independent panel.

Financial Implications – None. Any identified costs will be drawn from existing programme budgets.

Transition Key Workers

The Committee recommends that:

We would wish to be apprised of the outcomes of this pilot and request that the Minister provides us with a report as soon as practicable. We recommend that the Welsh Assembly Government, as a result of this pilot and the evidence in this report, develops a fully funded strategy, including funding necessary training, for the use of key workers in transition planning.

Response: Accept

I accept this recommendation.

Key workers are an important component of the Welsh Assembly Government's work to improve transition from school to further education, training and employment.

The National Service Framework for Children, Young People and Maternity Services (NSF) recognises the role of the key worker. Among the NSF's key actions is the appointment of a transition key worker to all disabled young people at age 14, who would be responsible for co-ordinating the planning and delivery of services before, during and after the process of transition and who will continue to monitor and have contact with the young person until the age of 25 years.

In order to facilitate the development of transition key working, the Welsh Assembly Government has allocated £500,000 per annum for three years to the establishment of five pilot projects across Wales. The Assembly has secured the assistance of Care Co-ordination Network UK (CCNUK) in taking forward work on transition key working. The pilot projects are currently at an early operational stage.

The Assembly pilot key worker scheme has been allocated a further £1.6m of match funding from the European Social Fund and is operating as part of the 'Reaching the Heights' initiative. This additional funding will enable expansion of the project across the convergence area.

Appropriate training for key workers is essential to their effectiveness and CCNUK are developing key worker training in the context of requirements and provision in Wales. CCNUK will also be developing a transition key worker framework to provide guidance on developing and sustaining transition key working in Wales.

I note the Committee's wish to be appraised of the outcomes of the pilot projects and I too am anxious to see the results. The pilot projects are, however, financed to run for three years and development is therefore at an early stage. My officials are currently considering the need for an external evaluation of each pilot site on a case study basis. An early measure of success will come in the establishment of a benchmark in the form of revised key worker standards. Pilot sites will, later this year, complete a self assessment using a revised toolkit devised for this purpose. Together with regular progress reports this will give us an early indication of the success of the pilots. I look forward to making these available to the committee when they are received.

Financial Implications – None. Any identified costs will be drawn from existing programme budgets.

Capacity of Further Education Colleges

The Committee recommends that:

We recommend that the Welsh Assembly Government identifies a sustainable number of further education colleges throughout Wales to act as hubs, so that there could be a transfer of staff between specialist schools and the colleges to build expertise in the FE sector.

Response: Accept in Principle

I accept this recommendation in principle.

If an FE college does not have the appropriate expertise, facilities or equipment needed to meet certain of its stated strategic objectives, that college can enter into an arrangement with a third party to put on that FE provision on their behalf. Several further education colleges in Wales have third party arrangements with small learning providers in Wales some of which make particular provision for learners with learning difficulties and/or disabilities. Coleg Glan Hafren, for example, has a long standing third party arrangement with Vision 21.

It is possible for a college to enter into a third party agreement with a special school. However, the level of funding that an FE college has available would not match that required to sustain the level of support a special school would normally expect to be able to provide. In order to meet the full cost of such provision the college would have to make

cuts in what it currently makes available. A third party arrangement is only one way of working together. Partnerships are used by some post-16 providers and a college and a school can also collaborate formally through the use of 'joint committees' (Circular 007/2009 refers).

In the schools sector, special schools have been able to share their expertise with local mainstream schools under an Assembly-funded initiative called 'Unlocking the Potential of Special Schools'. This initiative has been very successful and is about to enter a second phase. Any extension of this initiative beyond the schools sector would, however, require careful consideration as further education is not just an extension of the type of provision available at school, and it would inevitably impact on the extent to which special schools' current resources can be stretched.

The benefits of expert support to mainstream education providers are significant as they help make more mainstream provision accessible. Some further education colleges, such as Llandrillo College and Pembrokeshire College have developed cross college staff development programmes aimed at raising awareness of additional learning needs among all its employees and promoting greater inclusiveness.

In the area of transition, there are examples where colleges and schools work together to ease transition. Link provision is the most common example, whereby learners in their final year at school are offered one day a week at the local college in order to give those learners a clearer idea of what college life is like. This provision is funded by the school and learners are accompanied and supported by school staff. As well as link provision there are examples of more innovative practice. Trinity Fields special school in Caerphilly, for instance, has led a European funded project called 'Promoting Independence' involving Coleg Gwent at Crosskeys. This project supports local schools and the college to set up and deliver peer mentor support programmes designed to suit individual needs. These programmes include support for transition from school to college. Coleg Gwent has recently used the training it received on a European peer educator course to develop and deliver training designed to meet the particular needs of learners attending independent living skills provision at Crosskeys and give these learners the confidence, communication and social skills to make a success of their forthcoming work experience placements.

It is important to recognise existing good practice and I agree that such examples need to be captured and shared in order to build on existing expertise. I have, therefore, asked my officials to explore what good practice is available and to take it forward as part of their work on transition.

Financial Implications – None. Any identified costs will be drawn from existing programme budgets.

Transport

The Committee recommends that:

We recommend that the Welsh Assembly Government undertakes a survey of current practice in local authorities to determine to what extent good practice is followed and where necessary, further disseminates guidance and information.

Response: Accept

My colleague, the Minister for the Economy and Transport has accepted this recommendation and asks the Committee to note that the advice contained in Circular 5/07 has now been superseded by the Learner Travel Operational Guidance, issued in April 2009.

When the current administration was formed, the provision of learner travel transferred from the Minister for Education, Lifelong Learning and Skills to the Deputy First Minister and Minister for the Economy and Transport.

In March 2007, DCELLS issued Circular 5/07 which provided guidance for local authorities on the publication of Transport Policy Statements for learners aged 16-19 for 2007-08. Paragraph 15 of the circular addressed the issue of best practice regarding support for learners with disabilities beyond that age range, i.e. up to the age of 25.

In April 2009, the Deputy First Minister issued the Learner Travel Operational Guidance that superseded Circular 5/07. The Operational Guidance is statutory, and relates specifically to the legislative requirements of the Learner Travel (Wales) Measure. This Measure repealed Section 509AA of the Education Act 1996 that required local authorities in Wales to publish separate transport policy statements for learners aged 16-19. Because of the statutory nature of the Operational Guidance, it does not include suggestions as to best practice such as that made in paragraph 15 of Circular 5/07.

Under the Measure, local authorities are still able to use their discretion on whether or not to provide free transport or assistance with travel costs for those in post-16 education up to the age of 19. Although a provision at Section 6 of the Measure allows Welsh Ministers to make regulations about travel arrangements for learners in post-16 education or training, Ministers have no plans to do so at this time. Any decision to use these powers will need to be given careful consideration in view of the financial implications. Whilst there is no statutory responsibility for local authorities to make provision for learners with disabilities up to the age of 25, we will contact all 22 local authorities to establish what their existing policies

are and assess whether it is necessary to disseminate any further information.

Financial Implications – None. Any identified costs will be drawn from existing programme budgets.