This article describes how children and young people with special educational needs [1] and disabilities are supported in mainstream education. It covers the age range 0-25.

The legal framework, which covers all special educational needs provision in both mainstream and special education settings, is described in the ‘Introduction [2]’ to this chapter.

The framework of support for children and young people with special educational needs is changing following the passing of the Additional Learning Needs and Education Tribunal (Wales) Act 2018 [3]. This provides the statutory basis for the introduction of the term additional learning needs (ALN) [4] to replace the terms special educational needs (SEN) and learning difficulty or disability (LDD), and introduces a single legislative framework to support children and young people aged 0-25 with ALN. The new ALN system will be introduced in phases from September 2020, replacing the two separate systems (for SEN and LDD) which are described below.

**Definition of the target group(s)**

Until the Additional Learning Needs and Education Tribunal (Wales) Act 2018 [3] is implemented (see the subheading ‘Reforms’ below), the Education Act 1996 [5] and the Learning and Skills Act 2000 [6] continue to define special educational needs (SEN) for children and young people up to the age of 16 and post-16 learners (respectively).

Learners must not be regarded as having SEN or a learning difficulty solely because the language in which they are or will be taught is different from that spoken at home. This is set out in the Education Act 1996 [5] for learners of compulsory school age (5-16) and younger, and in the Learning and Skills Act 2000 [7] for post-16 learners.

Additionally, being more able and talented is not regarded as a category of SEN – see the article on ‘Support Measures for Learners [8]’.

**Early childhood and school education**

Section 312(1) of the Education Act 1996 [5] states that children have special educational needs (SEN) if they have ‘a learning difficulty which calls for special educational provision to be made’ for them.

A child of compulsory school age (5-16) is defined by Section 312(2) of the Act as having a learning difficulty if he or she:

- ‘has a significantly greater difficulty in learning than the majority of children of the same age;
- has a disability which either prevents or hinders him or her from making use of
A child under compulsory school age has a learning difficulty if he or she falls within the above definitions, or is likely to, if special educational provision is not made for him or her.

The Act also states that, for children aged 2 or over, special educational provision is provision that is additional to, or different from, that made generally for children of the same age in maintained schools (other than special schools) in the area. For children under 2, it is educational provision of any kind.

Statutory guidance for LAs, schools and early years settings is provided in the *Special Educational Needs Code of Practice for Wales*, which came into effect on 1 April 2002. While recognising that there are no hard and fast categories of special educational need, the Code takes account of needs and requirements in the following four broad areas:

- communication and interaction
- cognition and learning
- behaviour, emotional and social development
- sensory and/or physical needs.

It also acknowledges that, in practice, individual children often have needs that cut across these areas and that their needs may change over time.

In addition, schools use the following categories to report pupils’ SEN in the *Pupil Level Annual School Census (PLASC)*:

- moderate learning difficulties
- general learning difficulties
- severe learning difficulties
- profound and multiple learning difficulties
- dyspraxia
- dyscalculia
- dyslexia
- attention deficit hyperactivity disorder (ADHD)
- autistic spectrum disorders
- physical and medical difficulties
- hearing impairment
- visual impairment
- multi-sensory impairment
- speech, language and communications difficulties
- behavioural, emotional and social difficulties.

Schools report as many SEN for a pupil from this list as required; they do not ‘rank’ pupils’ needs or identify one need from this list as a major need.

The data on pupils’ SEN from the PLASC is used to ensure accurate targeting of funding and in the monitoring and development of SEN policy.

**Post-16 learners**

Until the *Additional Learning Needs and Education Tribunal (Wales) Act 2018* is implemented (see
the subheading ‘Reforms’ below), the Learning and Skills Act 2000 continues to define special educational needs (SEN) for post-16 learners. Section 41(5) of the Act defines young people as having a learning difficulty or disability (LDD) if he or she:

- has a significantly greater difficulty in learning than the majority of persons of their age, or;
- 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.

Reforms

The National Assembly for Wales is implementing a new legislative framework to improve the planning and delivery of special educational needs provision for children and young people between the ages of 0-25. The Additional Learning Needs and Education Tribunal (Wales) Act 2018 was passed by the National Assembly in December 2017 and received Royal Assent in January 2018. It creates a single unified system of additional learning needs (ALN) provision to replace the system of SEN provision for children under 16, and learning difficulties and / or disabilities (LDD) for post-16 learners. This unified system is intended to improve the transition between school and post-16 provision for learners with ALN.

Section 2 of the 2018 Act defines ALN as ‘a learning difficulty or disability [...] which calls for additional learning provision’. It states that a child of compulsory school age (5-16), or a person over that age, has a learning difficulty or disability if he or she:

- has a significantly greater difficulty in learning than the majority of others of the same age, or
- has a disability [...] which prevents or hinders him or her from making use of facilities for education or training of a kind generally provided for others of the same age in mainstream maintained schools or mainstream institutions in the further education sector.

The Act also states that, for children aged 3 or over, additional learning provision is education or training provision that is additional to, or different from, that made generally for others of the same age in mainstream maintained schools, in mainstream institutions in the further education sector, or in places at which nursery education is provided. For children under 3, additional learning provision is educational provision of any kind.

The Act establishes the requirement for a statutory individual development plan (IDP) for each learner with ALN between the ages of 0-25, regardless of the level or complexity of his or her needs. This will contain a description of the person’s ALN and of the additional learning provision (ALP) that the individual’s learning difficulty or disability calls for. It will replace individual education plans (IEPs) and statements of special educational needs in schools, and non-statutory Learning and Skills Plans (LSPs) in post-16 education and training.

The 2018 Act also requires that learners’ views are always considered as part of the planning process, along with those of their parents. It will be supported by:

- secondary legislation, in the form of regulations;
- statutory guidance and mandatory requirements in the form of a Code of Practice on ALN, the ‘ALN Code’. 
The draft Code and some of the draft regulations were published for public consultation in December 2018 by the Welsh Government. The consultation will run until March 2019 and it is intended that introduction of the new system will be carried out in phases from September 2020.

Further information on the new Act is available from the Welsh Government and in the ‘Introduction’ to this chapter.

**Specific support measures**

In Wales, there is an explicit expectation that high quality, differentiated teaching in early years education, schools and colleges is the first step in supporting all children and young people as individuals and responding to their needs. This applies whether or not the individual learner has identified special educational needs (SEN) (up to age 16) or learning difficulties or disabilities (LDD) (post-16).

For children and young people with SEN under the age of 16, under the *Special Educational Needs Code of Practice for Wales*, there is also the expectation that this support will normally be provided in mainstream schools or settings, offering access to a broad, balanced and relevant education. For young people in post-16 education with LDD, the Welsh Government expectation is that they are offered equitable access to further education at a local mainstream institution, which offers inclusive options that meet their education and training needs.

The subheadings which follow provide further information on the support provided in mainstream schools and early years settings and in further education. They describe the arrangements currently in place, which will change under the provisions of the *Additional Learning Needs and Education Tribunal (Wales) Act 2018* (see the subheading ‘Reforms’ above).

**Specific support measures in schools and early years settings**

For children and young people with special educational needs (SEN) under the age of 16, the *Special Educational Needs Code of Practice for Wales* sets out three graduated tiers of intervention:

- **School Action** (Early Years Action for children in early years settings) is additional support provided by schools themselves;
- **School Action Plus** (Early Years Action Plus for children in early years settings) is additional support provided by schools, together with the involvement of external agencies;
- **a Statement of SEN** provides a legal entitlement to a specified package of support, and includes the type and name of the setting where the support is to be provided.

Local authorities and schools must have regard to the *Code of Practice* and, while they may choose exactly how to fulfill their statutory duties, must do so in light of the guidance it provides.

**School Action / Early Years Action**

The *Special Educational Needs Code of Practice for Wales* defines School Action (or Early Years Action for children in early years settings) as additional, in-school help for children and young people who have been identified as showing signs of:

- difficulties in developing literacy or mathematical skills;
- persistent emotional or behavioural difficulties;
- sensory or physical problems;
- communication and interaction difficulties.
The support provided can include one-to-one support / tuition, the provision of different learning materials or special equipment, or small group teaching. It should be recorded in a child’s individual education plan (IEP), which should include information on:

- the short-term targets set for or by the child;
- the teaching strategies to be used;
- the provision to be put in place;
- a date for review of the plan.

**School Action Plus / Early Years Action Plus**

The Code defines School Action Plus (or Early Years Action Plus for children in early years settings) as additional external support provided to schools or early years settings for children and young people who, despite having received support under School Action, show signs, for example, of:

- continuing to work at levels substantially below that expected of children of a similar age;
- continuing to have difficulty in developing literacy and numeracy skills;
- having emotional or behavioural difficulties which substantially and regularly interfere with the child’s own learning or that of the class;
- requiring additional specialist equipment, or regular advice or visits from a specialist service because of his / her sensory or physical needs;
- having ongoing communication or interaction difficulties that cause substantial barriers to learning.

This external support is either provided by the local authority and / or outside agencies, which may:

- work with the school in an advisory capacity;
- work with the school to consider a range of different teaching approaches and appropriate equipment and teaching materials, including the use of information technology;
- provide additional specialist assessment;
- be directly involved in teaching children.

An individual education plan (IEP) should set out the strategies to be employed to support the child’s progress.

**Statement of SEN**

A statement of special educational needs (SEN) is a document that identifies all the pupil's SEN and the arrangements needed to meet those needs. A local authority (LA) will issue a statement of SEN in instances where it considers that the special educational provision necessary to meet a child’s needs cannot reasonably be provided within the resources normally available to mainstream schools and early years settings in its local area. In accordance with the Special Educational Needs Code of Practice for Wales, an LA is likely to draw up a statement of SEN if it concludes, for example, that a child’s learning needs call for:

- regular and frequent direct teaching by a specialist teacher;
- daily individual support from a learning support assistant;
- a significant piece of equipment, such as a computer with appropriate ancillaries and software;
- the regular involvement of non-educational agencies;
- a day or residential special school placement.

This statement must include:
- details of the child’s SEN as identified by the LA during statutory assessment;
- details of the SEN provision that the LA considers necessary to meet the child’s SEN;
- the objectives the SEN provision should aim to meet;
- the arrangements to be made for monitoring progress towards the objectives;
- the type and name of school where the SEN provision is to be made, or the arrangements for educational provision to be made otherwise than in school;
- details of the non-educational provision required to meet the non-educational needs of the child (as agreed between the health services and / or social services and the LA).

**Note**: when the new additional learning needs (ALN) system is introduced from September 2020, statements of SEN will be replaced by individual development plans (IDPs). All learners with ALN between the ages of 0-25, regardless of the level or complexity of their needs, will have an IDP. See the subheading ‘Reforms’ above for further information.

**Special educational needs coordinator (SENCO)**

A special educational needs coordinator (SENCO) is the member of staff designated to oversee special educational needs (SEN) provision in mainstream schools and early years settings.

In **early years settings**, the role of the SENCO involves:

- responsibility for the day-to-day operation of the setting’s SEN policy and for coordinating provision for children with SEN;
- ensuring liaison with parents and other professionals in respect of children with SEN;
- advising and supporting other practitioners in the setting;
- ensuring that appropriate individual education plans (IEPs) are in place;
- ensuring that relevant information about individual children with SEN is collected, recorded and updated.

All publicly funded mainstream early years settings are expected to identify a member of staff as the SENCO. Pages 33-4 of the *Special Educational Needs Code of Practice for Wales* [12] provide further information.

In **schools**, the role of a SENCO is similar and includes:

- contributing to the strategic development of SEN policy and provision in the school;
- taking day-to-day responsibility for the operation of the SEN policy and coordinating provision for individual children with SEN;
- working closely with staff, parents, carers and other agencies;
- liaising with and providing professional advice and guidance to colleagues, with the aim of securing high quality teaching for children with SEN;
- contributing to the in-service training of staff;
- overseeing the records of all pupils with SEN.

All mainstream maintained schools are expected to designate a member of staff to be the SENCO. In a small school, the headteacher or deputy may take on the role; in larger schools, there may be an SEN coordinating team.

Further details on the role of the SENCO in primary and secondary schools are provided on pages 49-50 and 64-65 respectively in the *Special Educational Needs Code of Practice for Wales* [12].

**Note**: when the new additional learning needs (ALN) system is introduced from September 2020, the role of the SENCO will be replaced with the statutory role of Additional Learning Needs Coordinator.
This follows the passing of the Additional Learning Needs and Education Tribunal (Wales) Act 2018 [3]. See the subheading ‘Reforms’ above.

Inclusion in curriculum and assessment arrangements

Part 7 of the Education Act 2002 [20] requires maintained schools in Wales (both mainstream and special schools) to offer a curriculum which is balanced and broadly based. There is an expectation that, where possible, all children with special educational needs should follow the statutory curriculum and associated assessment arrangements. However, the Act allows for these arrangements to be modified or disapplied under specific circumstances, or for individual children with statements of special educational needs. Timetables can also be adjusted under the Equality Act 2010 [21] to allow for the inclusion of children with disabilities.

Inclusion in the curriculum

For 3-to 7-year-olds, the Foundation Phase Framework sets out that practitioners / teachers must plan an appropriate curriculum that takes account of children’s developmental needs, their prior learning and attainment, and of any barriers to learning caused by physical, sensory, communication or learning difficulties. This statutory framework also sets the expectation that practitioners / teachers will challenge children with care and sensitivity, encourage them and move their learning along. It is planned as a progressive framework intended to meet the diverse needs of all children, including those who are at an earlier stage of development and those who are more able. For children with disabilities, in particular, practitioners / teachers are expected to improve access to the curriculum; make physical improvements to increase participation in education; and provide information in appropriate formats. See pages 3-5 of the framework [22].

For pupils aged 7-16, in Key Stages [23] 2-4, the programmes of study [24] of the National Curriculum for Wales are also designed as an inclusive continuum of learning, which is intended to enable progression for all learners. Teachers are expected to set high expectations for all pupils and to teach the curriculum in line with pupils’ specific and individual needs, making reasonable adjustments where necessary.

The Special Educational Needs Code of Practice for Wales [12] provides detailed guidance on approaches to support and planning to ensure that access to the curriculum is ensured and pupils’ needs are met.

Inclusion in statutory assessment arrangements

Statutory assessment arrangements in maintained schools involve:

- baseline assessment on school entry,
- statutory teacher assessment at the end of the Foundation Phase [25] and at the end of Key Stages 2 and 3,
- compulsory national tests in reading and numeracy – under the National Literacy and Numeracy Framework [26] – in each of Years 2 to Year 9 (ages 6-14).

The assessment arrangements are intended to assess all pupils’ abilities in a fair and comparable way and are designed so that most pupils with special educational needs (SEN) can participate.

The Statutory Assessment Arrangements for the Foundation Phase and End of Key Stages 2 and 3 [27] (2018) describe the assessment requirements in detail, including those for baseline assessment. They also detail the exceptional circumstances in which these assessments may be disapplied or modified (pages 20-25). These can include, for example, instances where:
children have a statement of special educational needs;
children have recently arrived in Wales and require a period of adjustment to the national curriculum [28];
pupils have had spells in hospital, have been educated at home or been excluded from school and need time to adjust;
pupils have temporary and severe emotional problems.

Special arrangements may be made for the statutory national tests in reading and numeracy, introduced under the National Literacy and Numeracy Framework. Although these tests have been designed to be accessible to the majority of learners, for a proportion of them some form of special arrangement may need to be made to enable them to demonstrate their best attainment in the tests. Adjustments made before the assessment based on evidence of individual pupil need and on a pupil’s normal way of working are known as ‘access arrangements’. For example, scribes, readers or technical aids may be used, providing that these are based on normal classroom practice for the pupil and so do not provide an unfair advantage. Access arrangements may also include modified tests in braille or large print. Detailed guidance is provided in Annexes 5 and 6 of the National Reading and Numeracy Tests - Test administration handbook 2018/19 [29].

Alternative assessment arrangements

For learners with severe and complex special educational needs (SEN) who are unable to access the statutory assessment arrangements, the Welsh Government has developed the Routes for Learning [30] materials. Routes for Learning aim to support settings in assessing the early communication, social interaction and cognitive skills essential to future learning for learners with profound learning difficulties and additional disabilities. They are supported by Routes to literacy and numeracy [31], which are skills statements intended to support schools in identifying progression for learners with complex needs, by providing a continuum of development for literacy and numeracy skills. Routes to literacy and numeracy form part of the National Literacy and Numeracy Framework [26].

Access to external qualifications

Access arrangements allow students with special educational needs (SEN), disabilities or temporary injuries to access external qualifications. Such arrangements, which may involve readers, scribes or Braille question papers, aim to allow candidates to demonstrate what they can do without changing the demands of the assessment or disadvantaging other students. The Joint Council for Qualifications (JCQ) [32] produces guidance [33] on access arrangements, reasonable adjustments and special consideration which applies to all qualifications offered in schools.

Assessment at the end of compulsory education (Key Stage 4) and in post-16 education is through external qualifications such as GCSEs [34] and A Levels [35].

For learners judged not ready for GCSEs, there are Entry Level [36] qualifications, which constitute the first levels on the Credit and Qualifications Framework Wales (CQFW) [37] and aim to encourage progression, for example to Level 1 [38] or Level 2 [39] qualifications such as GCSEs. See the subheading ‘Certification [40]’ in the article on ‘Assessment’ for more information on GCSEs and Entry Level qualifications.

External services - education, health and care

Schools have access to external services provided by the local authority. These might include:

- educational psychology services (see the subheading ‘Educational psychologists [41]’ in the
Specific training for staff focused around the needs of particular pupil(s) may be commissioned. Similarly, it may be necessary to regularly access specialist advice to provide effective provision for a pupil.

Where schools make use of external SEN teachers to support pupils with hearing impairment, visual impairment or multi-sensory impairment, these teachers must hold - or be undertaking training to gain - a specialist ‘Mandatory Qualification’. This specialist qualification is in addition to Qualified Teacher Status (QTS) \[42\]. Circular 34/2005 \[43\] provides further information.

External services provided by the National Health Service (NHS Wales) include speech and language therapy and Child and Adolescent Mental Health Services (CAMHS) (see the subheading ‘CAMHS’ \[44\] in the article on ‘Guidance and Counselling’).

Chapter 10 of the Special Educational Needs Code of Practice for Wales \[12\] provides further information on the range of external education, health and social care services available for pupils with SEN in schools.

**Support for pupils with medical conditions**

Welsh Government guidance \[45\], published in March 2017, provides statutory guidance and non-statutory advice to schools and local authorities on meeting the educational needs of children and young people who have medical / healthcare needs. This includes those who are physically ill or injured and those with mental health problems. The guidance emphasises the need for continuity in education and the impact medical conditions can have on a child or young person’s education, health and well-being.

Local authorities have a duty to provide education other than at school (EOTAS) where it is necessary to do so. This can be provided in a variety of ways, for example through the provision of a hospital school or hospital tuition service; home tuition; an integrated hospital / home education service; or a designated pupil referral unit (PRU) \[46\]. See the article ‘Support Measures for Learners’ \[8\] for further information on EOTAS.

**Specific support measures for post-16 learners outside of school**

Sections 31 and 32 of the Learning and Skills Act 2000 \[6\] determine that the Welsh Ministers have a general duty to support learners aged 16+ with learning difficulties and / or disabilities (LDD) by providing ‘proper provision’ for education and training for 16- to 19-year-olds with LDD, and ‘reasonable facilities’ for education and training for those aged over 19 but under 25.

The Welsh Government operates an inclusive education policy that applies equally to mainstream schools and institutions providing further education (FE) \[16\]. The expectation is that young people aged 16+ with LDD wishing to leave school are offered equitable access to FE at a local mainstream FE institution, and that this mainstream institution will normally be able to meet the education and training needs of the majority of young people with LDD.

In supporting young people with LDD, mainstream FE institutions may provide:
discrete specialist provision, which can help young people to develop independent living skills, prepare for work, or move on to other mainstream learning opportunities, such as vocational programmes, to prepare them for work in their chosen field;

- a range of support, such as one-to-one staff support, to enable young people with LDD to access vocational or general education programmes alongside their peers.

In addition, special arrangements may be put in place to enable young people with LDD to access the wide range of general and vocational qualifications available. For further information, see the subheading ‘Access to external qualifications’ above and the guidance on access arrangements, reasonable adjustments and special consideration produced by the Joint Council for Qualifications (JCQ).

Where a young person’s needs are too complex to be met by a mainstream further education institution alone, local agencies such as social services, or a specialist FE institution (see the article on ‘Separate Special Education Needs Provision’) may also provide support.

Learning and Skills Plan

A Learning and Skills Plan (LSP) is a document which identifies a young person’s education and training needs and the provision required to meet those needs. It is developed, under Section 140 of the Learning and Skills Act 2000, for those individuals aged 16+ with more complex needs who are likely to require specialist provision, and is a requirement for access to that provision. The LSP is produced following an assessment carried out by Careers Wales on behalf of the Welsh Government. It identifies:

- the young person’s needs and the reasonable and realistic provision required to meet these needs, including a recommendation for a specific placement and the duration of this provision;
- the young person’s prior education and training achievements;
- the reasons why a specific FE institution has been recommended as being able to meet a young person’s needs;
- the young person’s desired outcomes linked to his / her future aspirations.

Assessments are usually undertaken in accordance with the transition planning arrangements for young people with statements of special educational needs (SEN) who are approaching the end of compulsory education (age 16). The Welsh Government has a duty to arrange assessments for these young people. Assessments may also be undertaken for young people who appear to have a learning difficulty, and who are over compulsory school age but under the age of 25, to enable them to access appropriate post-16 education or training.

For further information on specialist provision / specialist colleges, see the article on ‘Separate Special Educational Needs Provision’.

Note: when the new additional learning needs (ALN) system is introduced from September 2020, LSPs will be replaced by individual development plans (IDPs). All learners with ALN between the ages of 0-25, regardless of the level or complexity of their needs, will have an IDP. See the subheading ‘Reforms’ above for further information.

Article last reviewed February 2019.