

Autonomy, rights and children with special educational needs: The distinctiveness of Wales

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<http://bit.ly/CREID-seminar-autonomy-rights-sen-children>



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Autonomy, rights and children with SEN - Wales

- The interaction between SEN policies and the Welsh language strategy.
- Ascertaining the views of children with severe or profound intellectual disabilities or very severe communication difficulties in order to enable them to exercise their right to be involved in decisions which affect them



The distinctiveness of Wales-Terminology

- The 2018 *Additional Learning Needs and Education Tribunal Act* replaces Special Educational Needs (SEN) and Learning Difficulties and disabilities (LDD) with 'Additional Learning Needs' (ALN)
- The definition of ALN is identical to the previous definition of SEN



The interaction between SEN and Welsh language policies

SEN/ ALN Policies

- SEN Code of Practice Wales (2002)
- Inclusion and Pupil Support (WaG, 2006)
- Additional Learning Needs and Educational Tribunal Act (WG, 2018)



Welsh Language Strategy

- Iaith Pawb (Everyone's Language) A National Action Plan for a Bilingual Wales (WaG, 2003)
- A living language: a language for living - Welsh language strategy 2012 to 2017 (WG, 2012)
- Cymraeg 2050: A Million Welsh Speakers (WG, 2017)



ALN and Educational Tribunal Act – Children’s Rights Impact:

- “The Bill includes specific duties in relation to ALP through the medium of Welsh. Services must consider whether the child or young person needs ALP in Welsh. If they do, this must be documented in the IDP and services must take ‘all reasonable steps’ to secure the provision in Welsh.”



- Should children, including children with ALN, have a say in whether they are educated through English or Welsh?

Will the ALN and Education Tribunal Act make a difference?

Consultation workshops on the draft bill found that:

- Children with ALN were generally positive about the likely impact of the Act on their voices being heard.
- A few children were concerned about the potential for disagreement with their parents over aspects of their provision



ALN and Education Tribunal Act

- Person-centred approach
- Views of children and young people and their parents a core element
- Provision for the appointment of a 'case friend' to enable children to exercise their rights
- Provision of Independent advocacy services to children
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Whose voice is it?

- In England less than 2/3rds of EHC plans had the section which reports on the child's perspective completed in the 1st person
- Fewer than 20% of plans stated how the child's perspective had been obtained.
- Where this was stated it was often parents who had completed this section as the child's representative
- (Palikara et al. , 2018)



Silent voices?

- Advances in Augmentative and Alternative Communication and technology
- Need for investment in expertise, resources and training (Whitehurst, 2007) if the voices of those with profound and complex needs are to be heard.



References

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- Palikara, O., Castro, S., Gaona, C. and Eirinaki, V. (2018) Capturing the Voices of Children in the Education Health and Care Plans: Are We There Yet? *Front. Educ.*, 19 April 2018 | <https://doi.org/10.3389/feduc.2018.00024>
- WAG (2002) Special Educational Needs Code of Practice for Wales



References

- (WAG, 2003) *Iaith Pawb (Everyone's Language) A National Action Plan for a Bilingual Wales*
- WG, (2012) *A living language: a language for living - Welsh language strategy 2012 to 2017*
- WG, (2017) *Cymraeg 2050: A Million Welsh Speakers*



References

- Whitehurst, T. (2007) Liberating silent voices- perspectives of children with profound and complex learning needs on inclusion. *British Journal of Learning Disabilities*, 35(1), 55-61
- The Additional Learning Needs and Education Tribunal (Wales) Act 2018
<https://gov.wales/topics/educationandskills/schoolshome/additional-learning-special-educational-needs/transformation-programme/legislation-and-statutory-guidance/?lang=en>



Diolch!
Thank you!

