



**Y PWYLLGOR ANSAWDD, DIOGELWCH A PHROFIAD
QUALITY, SAFETY AND EXPERIENCE COMMITTEE**

DYDDIAD Y CYFARFOD: DATE OF MEETING:	05 December 2024
TEITL YR ADRODDIAD: TITLE OF REPORT:	Compliance with Additional Learning Needs Act
CYFARWYDDWR ARWEINIOL: LEAD DIRECTOR:	Mr James Severs Executive Director of Allied Health Professions and Health Science
SWYDDOG ADRODD: REPORTING OFFICER:	Dr Luke Jones, Designated Education Clinical Lead Officer

Pwrpas yr Adroddiad (dewiswch fel yn addas)

Purpose of the Report (select as appropriate)

Er Sicrwydd/For Assurance

ADRODDIAD SCAA

SBAR REPORT

Sefyllfa / Situation

The purpose of this report is to provide the Quality, Safety and Experience Committee (QSEC) with assurance that appropriate actions are progressing to ensure the Health Board is meeting its statutory responsibilities in relation to the Additional Learning Needs and Education Tribunal (Wales) Act 2018 (the ALN Act).

This report provides an update, following a paper presented to QSEC in April 2024. At the time of the April 2024 report the Health Board was unable to provide assurance that its statutory duties were being met. However, the Committee was asked to note progress and to receive assurance regarding improvements with regard to executive leadership, governance and a workplan (shared in draft) to enable increased oversight and monitoring of the Health Board's compliance with its statutory duties under the ALN Act.

Cefndir / Background

ALN: The national context

The ALN Act is Education legislation that aims to transform the outcomes and experience of children and young people with ALN aged 0-25, and their families. The Act introduced new legal duties on Health Boards, in recognition of the fact that many children with additional learning needs have significant healthcare needs, and that effective Health – Education collaboration is critical for these children to make progress. A number of national reports over the past year have raised concerns about the extent to which Health Boards are fulfilling their duties under the ALN Act, for example most recently an Interim Report by the Senedd's Children and Young People Education Committee. Issues highlighted in this report included concerns about the extent to which Health Boards are providing information requested by Local Authorities to support their decision-making and planning, limited health involvement in person-centred planning meetings for children with ALN, and the impact of lengthy NHS waiting times.

At present there is no national reporting framework for the Health Boards' compliance with their statutory duties, although a framework for national assurance is in development, to help address the concerns raised regarding compliance. Nationally, not all Health Boards are currently able to provide assurance that they are fulfilling their duties. Hywel Dda University

Health Board is one of those unable to provide assurance, as a result of delays in implementing consistent operational processes and not having an infrastructure to enable reliable data capture. This leaves the Health Board vulnerable to challenge and criticism.

Governance structure

The Health Board's ALN governance structure has been established and is operational, ensuring progress within a structure that enabled the multi-agency collaboration that is central to ALN reform. The ALN Strategic Group is chaired by the Deputy Director for Allied Health Professions and comprises senior representation from each Directorate impacted by the ALN Act, the Designated Education Clinical Lead Officer (DECLO), and representatives from each of the Health Board's Local Authority partners. This group provides strategic direction and oversees the work of the ALN Operational Group. The Operational Group is chaired by the DECLO and comprises representatives from relevant operational services and Local Authority partners.

Workplan

An ALN workplan, co-ordinated by the Operational Group and supported by Programme Management capacity put in place by the Executive Director of Allied Health Professions and Health Sciences has been finalised to ensure progress with the activity required for the Health Board to meet its statutory duties. While there has been some slippage against timescales initially set (in the draft plan shared with the April 2024 report), there has been significant progress in a number of areas including:

- Full operational implementation and refinement of the operational processes through which the Health Board delivers on key statutory duties to support effective person-centred planning for children and young people with ALN
- Development of a digital infrastructure providing timely and accurate data regarding Health Board compliance. This work is close to completion.
Establishing a process through which the Health Board collaborates with Education partners to participate in appeals made to the Education Tribunal for Wales.

The workplan is available on request

It was noted in the April report that previous ALN workplans had been developed but that progress against these had been limited. Programme Management support has been a key enabler of improved progress with the ALN workplan over the past months. This has had to be withdrawn to support other priority areas of work in Allied Health Professions and Health Sciences, but activity is ongoing to ensure that appropriate support is in place to facilitate continued progress

Asesiad / Assessment

Assurance regarding compliance with statutory duties

The Health Board remains unable to provide assurance with regard to compliance with its duties under the ALN Act. However, through the ALN Workplan there has been significant progress:

- To strengthen implementation of the operational processes through which these duties are fulfilled;
- to establish a digital infrastructure that will enable reporting.

It is anticipated that by February 2024 this digital infrastructure will be in operation. This means that from April 2025 the Health Board will be able to provide robust assurance regarding compliance with its statutory duties under the ALN Act.

Workplan progress

Overall progress with the workplan has been positive. Progress has been greatest for priority areas of work that are essential in order for the Health Board to be able to provide assurance regarding its statutory compliance. As activity has progressed it has been necessary to reset timescales for completion, often because complexities and challenges that have been identified. The withdrawal of Programme Management support presents risks to continued progress, but activity is in train to ensure that the workplan continues to be appropriately supported.

Governance

Governance arrangements (via the ALN Strategic and Operational Groups) are now in place and there is visible executive leadership to ensure oversight of progress and, once data is available, compliance with statutory duties. Should compliance issues become apparent once data is available, these arrangements support a collaborative multi-agency approach to problem-solving and ensure that there is ownership at a senior level within each Directorate impacted by the ALN Act to take mitigating actions.

Argymhelliad / Recommendation

NOTE ongoing progress, since the April 2024 update
RECEIVE assurance that the Health Board will be able to report on its compliance with its statutory duties under the ALN Act from April 2025 onwards.
RECEIVE assurance that as a result of improved governance structures and executive leadership relating to the ALN Act, should compliance issues be identified, appropriate mitigating actions will be taken.

Amcanion: (rhaid cwblhau)

Objectives: (must be completed)

Committee ToR Reference: Cyfeirnod Cylch Gorchwyl y Pwyllgor:	
Cyfeirnod Cofrestr Risg Datix a Sgôr Cyfredol: Datix Risk Register Reference and Score:	Risk 1414 – Risk Score = 16
Parthau Ansawdd: Domains of Quality Quality and Engagement Act (sharepoint.com)	3. Effective 5. Equitable 6. Person-Centred 2. Timely
Galluogwyr Ansawdd: Enablers of Quality: Quality and Engagement Act (sharepoint.com)	6. All Apply Not Applicable
Amcanion Strategol y BIP: UHB Strategic Objectives:	All Strategic Objectives are applicable
Amcanion Cynllunio Planning Objectives	4 Planned care, diagnostics and cancer Recovery

Amcanion Llesiant BIP: UHB Well-being Objectives: Hyperlink to HDdUHB Well-being Objectives Annual Report 2021-2022	4. Improve Population Health through prevention and early intervention, supporting people to live happy and healthy lives 8. Transform our communities through collaboration with people, communities and partners
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Gwybodaeth Ychwanegol: Further Information:	
Ar sail tystiolaeth: Evidence Base:	
Rhestr Termiau: Glossary of Terms:	<p>Additional Learning Needs and Education Tribunal (Wales) Act (ALN Act) Education legislation that aims to transform the outcomes and experience of children and young people with additional learning needs through early identification of needs, early help, a person-centred approach and effective Health – Education collaboration within a new statutory framework.</p> <p>Additional learning needs (ALN) – children and young people (0-25) have ALN if they experience significantly greater difficulties in learning than the majority of their peers and require support that is additional to or different from their peers to make progress. Many children and young people have healthcare needs that impact directly on their learning</p> <p>Designated Education Clinical Lead Officer (DECLO) – statutory role within Health Boards to ensure co-ordination, leadership and direction for Health Boards to fulfil their duties under the ALN Act</p>
Partïon / Pwyllgorau â ymgynhorwyd ymlaen llaw y Pwyllgor Ansawdd, Diogelwch a Phrofïod: Parties / Committees consulted prior to Quality, Safety and Experience Committee:	Not applicable

Effaith: (rhaid cwblhau) Impact: (must be completed)	
Ariannol / Gwerth am Arian: Financial / Service:	Not applicable
Ansawdd / Gofal Claf: Quality / Patient Care:	Included within the report

Gweithlu: Workforce:	Included within the report
Risg: Risk:	Included within the report
Cyfreithiol: Legal:	Included within the report
Enw Da: Reputational:	Included within the report
Gyfrinachedd: Privacy:	Not applicable
Cydraddoldeb: Equality:	Included within the report