
WELSH STATUTORY INSTRUMENTS

2020 No. 1351 (W. 299)

EDUCATION, WALES

The Additional Learning Needs Co-ordinator (Wales) Regulations 2020

Made - - - - 25 November 2020

Coming into force - - 4 January 2021

The Welsh Ministers in exercise of the powers conferred on them by sections 60(4) and 98(2) of the Additional Learning Needs and Education Tribunal (Wales) Act 2018(1) make the following Regulations.

In accordance with section 98(3) of that Act, a draft of this instrument was laid before and approved by resolution of Senedd Cymru.

Title and commencement

1.—(1) The title of these Regulations is the Additional Learning Needs Co-ordinator (Wales) Regulations 2020.

(2) These Regulations come into force on 4 January 2021.

Interpretation

2.—(1) In these Regulations—

“the 2014 Act” (“*Deddf 2014*”) means the Education (Wales) Act 2014(2);

“the Act” (“*y Ddeddf*”) means the Additional Learning Needs and Education Tribunal (Wales) Act 2018;

“further education learning support worker” (“*gweithiwr cymorth dysgu mewn addysg bellach*”) means a person who is registered with the Education Workforce Council in the category of further education learning support worker as described in table 1 of Schedule 2 to the 2014 Act;

“further education teacher” (“*athro neu athrawes addysg bellach*”) means a person who is registered with the Education Workforce Council in the category of further education teacher as described in table 1 of Schedule 2 to the 2014 Act;

“relevant services” (“*gwasanaethau perthnasol*”) means—

(1) 2018 anaw 2. See section 99(1) for the definitions of “prescribed” and “regulations”.

(2) 2014 anaw 5.

- (a) advice or assistance in relation to additional learning provision,
- (b) the management of additional learning provision,
- (c) the assessment of additional learning needs,
- (d) advice or assistance in relation to additional learning needs, and
- (e) the management of pupils or students (as the case may be) with additional learning needs;

“school learning support worker” (“*gweithiwr cymorth dysgu mewn ysgol*”) means a person who is registered with the Education Workforce Council in the category of school learning support worker as described in table 1 of Schedule 2 to the 2014 Act;

“school teacher” (“*athro neu athrawes ysgol*”) means a person who is registered with the Education Workforce Council in the category of school teacher as described in table 1 of Schedule 2 to the 2014 Act and does not include a person registered on a provisional basis under section 9(5) of that Act;

“special educational needs co-ordinator” (“*cydlynnydd anghenion addysgol arbennig*”) means a person having responsibility for co-ordinating the provision for pupils identified as having special educational needs under Part 4 of the Education Act 1996(3).

(2) Words and expressions used in these Regulations have the same meaning as they have in the Act except so far as a contrary intention appears.

Prescribed qualification or experience of an additional learning needs co-ordinator at a school

3. The governing body of a school may designate a person as an additional learning needs co-ordinator under section 60(2) of the Act only if that person is—

- (a) a school teacher, or
- (b) a special educational needs co-ordinator within the school immediately prior to the coming into force of these Regulations.

Prescribed qualification of an additional learning needs co-ordinator at an institution within the further education sector

4. The governing body of an institution within the further education sector may designate a person as an additional learning needs co-ordinator under section 60(2) of the Act only if that person is a further education teacher.

Additional learning needs co-ordinator functions at a school

5. The tasks an additional learning needs co-ordinator at a school is responsible for carrying out, or ensuring are carried out, are—

- (a) identifying a pupil’s additional learning needs and co-ordinating the making of additional learning provision that meets a pupil’s additional learning needs,
- (b) securing relevant services that will support a pupil’s additional learning provision as required,
- (c) keeping records of decisions about additional learning needs and individual development plans,
- (d) promoting a pupil with additional learning needs’ inclusion in the school and access to the school’s curriculum, facilities and extra-curricular activities,

- (e) monitoring the effectiveness of any additional learning provision made,
- (f) advising school teachers at the school about differentiated teaching methods appropriate for individual pupils with additional learning needs,
- (g) supervising and training school learning support workers who work with pupils with additional learning needs, and
- (h) contributing to in-service training for school teachers at the school to assist the additional learning needs co-ordinator in carrying out the tasks referred to in paragraphs (a) to (e).

Additional learning needs co-ordinator functions at an institution within the further education sector

6. The tasks an additional learning needs co-ordinator at an institution within the further education sector is responsible for carrying out, or ensuring are carried out, are—

- (a) identifying a student's additional learning needs and co-ordinating the making of additional learning provision that meets a student's additional learning needs,
- (b) securing relevant services that will support a student's additional learning provision as required,
- (c) keeping records of decisions about additional learning needs and individual development plans,
- (d) promoting a student with additional learning needs' inclusion in the institution within the further education sector and access to the institution within the further education sector's curriculum, facilities and extra-curricular activities,
- (e) monitoring the effectiveness of any additional learning provision made,
- (f) advising teachers at the institution within the further education sector about differentiated teaching methods appropriate for individual students with additional learning needs,
- (g) supervising and training further education learning support workers who work with students with additional learning needs, and
- (h) contributing to training for further education teachers at the institution within the further education sector to assist the additional learning needs co-ordinator in carrying out the tasks referred to in paragraphs (a) to (e).

25 November 2020

Kirsty Williams
Minister for Education, one of the Welsh
Ministers

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations supplement section 60 of the Additional Learning Needs and Education Tribunal (Wales) Act 2018 (anaw 2) which requires governing bodies of maintained schools (except special schools) and further education institutions in Wales to designate a person (or persons) as the additional learning needs co-ordinator to be responsible for co-ordinating additional learning provision for pupils or students with additional learning needs.

These Regulations set out the qualifications or experience that additional learning needs co-ordinators must have (regulations 3 and 4) and confer functions on additional learning needs co-ordinators relating to the additional learning provision for pupils or students with additional learning needs (regulations 5 and 6).

These Regulations do not affect the governing body's ability to confer further responsibilities upon the additional learning needs co-ordinator.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained from the Welsh Government at Cathays Park, Cardiff CF10 3NQ and on the Welsh Government website at www.gov.wales.