



Summary of the Senedd Children, Young People and Education Committee report on whether disabled children and young people have equal access to education and childcare

On 16 July 2024, the Senedd Children, Young People and Education Committee published a [report](#) following their inquiry into whether disabled children and young people have equal access to education and childcare. The report was stark and concerning concluding that ‘a significant number of children and young peoples’ right to an education is being denied throughout Wales’.

This summary documents highlights key messages from the report and notes recommendations with relevance for the SLT profession. We have also produced a summary of the committee [interim report on the implementation of the education reforms](#) which was also published on 16 July.

Background

The primary purpose of the report is to set out the evidence and make recommendations to the Welsh Government. Challenges faced by children, young people and their families in accessing both childcare and education regularly feature in Senedd Members constituency inboxes. When agreeing committee priorities for this Senedd term, members felt there was an urgent need to look at what was happening across Wales, and what needed to change. The inquiry was envisaged as being broad covering both pre-school childcare provision and school, and physical, sensory, learning disabilities and additional learning needs. It was also seen as timely following the introduction of the new Curriculum for Wales, and the new Additional Learning Needs (ALN) system. The inquiry was framed through the prism of the UN Convention on the Rights of the Child (“UNCRC”).

RCSLT Wales provided written evidence to inquiry in Summer 2023 and Head of Wales Office, Pippa Cotterill, gave oral evidence before the committee last November You can read more about our key messages to the inquiry in this [article](#).

The report has also been informed by the Senedd long work on the implementation of education reforms, and in particular scrutiny of the ALN reforms. Evidence gathered in this inquiry has been used to inform that work, and vice versa. Interim findings on the implementation of the education reforms have been published in tandem with this report.

Key messages from the report

In addition to recommendations, the committee has included 5 key conclusions within the report. The committee has asked the Welsh Government to set out its views in relation to these findings.

Conclusion 1. A significant number of children and young people's rights to an education as set out in Articles 28 and 29 of UN Convention on the Rights of the Child are currently being breached in Wales. These children and young people are being fundamentally let down.

Conclusion 2. Denying children and young people their rights to an education can have significant impacts on their emotional and mental well-being, as well as their physical health. It can impact on their educational attainment, and opportunities, thereby creating barriers to them being able to make choices that best suit their ambitions as they become adults. These impacts are often lifelong and far-reaching.

Conclusion 3. The impact of denying children and young people their rights can be immeasurable on their family, particularly on parents, carers and siblings, although the committee recognises it extends to the wider family and community. Families are often on their knees having to fight for basic rights, which the families of nondisabled and / or neurotypical children and young people rightly take for granted. This has an impact on their own emotional, mental and physical health and wellbeing, as well as often also having an impact on their ability to work, and therefore household incomes.

Conclusion 4. While there is some inclusive provision which meets the needs of children, young people and their families, this provision is patchy and inconsistent across Wales. There are additional challenges faced by those accessing Welsh medium provision. There is clearly a postcode lottery for all provision. There are many barriers to inclusive provision. Childcare and education providers are not best supported to deliver inclusive childcare and education. Good provision is often because of the determination of individuals, rather than a structural approach which supports inclusive provision which meet the needs of all children, young people and their families in their area. The committee is very clear this is not a criticism of childcare or education staff, who are often working very hard to try and deliver inclusive provision.

Conclusion 5. The barriers to delivery of inclusive childcare and education are complex and interlinked. Some of them are very broad and relate to societal approaches to disability and difference while others are quite practical.

Recommendations

There are 32 key recommendations in the report. We have highlighted below those of most pertinence to the profession.

Recommendation 7. The Welsh Government confirms the scope of the review into the ALN Act and Code, and outlines the timeline for completion of this review, and whether the findings of the review will be published

Recommendation 8. The Welsh Government should explore the feasibility of the development of a suite of training, guidance and resources for childcare settings on the ALN Act and Code. As part of the feasibility work, the Welsh Government should give specific consideration to how childcare providers would be able to access and fund such training

Recommendation 9. The Welsh Government should issue guidance for all childcare providers about what they are expected to do in supporting local authorities in discharging their duties in the ALN Act and Code. This guidance should provide concrete examples of what providers are expecting to do. This guidance should be regularly updated to ensure it remains up to date, relevant and useful.

Recommendation 12. The Welsh Government should undertake a comprehensive review into how non-teaching staff both within schools and local authorities can best support inclusive provision across Wales.

Recommendation 15. The Welsh Government identifies the most common conditions, which would benefit from universal provision and support being developed and provided to all schools.

Recommendation 17. The Welsh Government should revise the criteria for ITE to strengthen the requirements around disability and additional learning needs.

Recommendation 18. The Welsh Government provides an update on its work around ITE provision for the special school sector

Recommendation 19. The Welsh Government commissions the development of a mandatory training module for all school staff on disability awareness. This should cover the social model of disability, and equip all staff in a school with a Do disabled children and young people have equal access to education and childcare? 12 basic level of awareness, as well as signposting them to other resources if they want to develop their skills and expertise.

Recommendation 24. The Welsh Government undertakes further work to ensure a streamlining of services to deliver fully on a no wrong door approach across all public services, but with particular reference to the interaction between health and education services.

Recommendation 25. The Welsh Government must ensure that services align and adjust their timelines when working across different services and professions to ensure support is holistic and best supports access to childcare and education.

Recommendation 26: The Welsh Government reviews the current numbers of key allied health professionals, identifies where there are current gaps, how these gaps will be addressed and the numbers needed to support future likely level of need, including the number of training places needed. This should then be supported by a clear delivery plan.

Key themes within the report with relevance for the profession

Below we have considered key issues raised and specific references to speech and language therapists highlighted in yellow.

Do disabled children have equal access to Childcare?

- Within the childcare section of the report, there is a significant focus on childcare staff having the right skills, knowledge and experience. Early Years stakeholders told the committee that there has been an increase in childcare practitioners having additional or specialist training in supporting ALN. PACEY Cymru (the Professional Association for Childcare and Early Years) called for a “nationally consistent approach to the training, guidance and resources for all childcare, early years and play settings” . The National Day Nurseries Association agreed that there was a need for “further clarity from the Welsh Government on the requirements, expectations, and role of the non-maintained providers in supporting local authorities to fulfil their statutory obligations.”
- Stakeholders highlighted that practitioners wanted specialist guidance and support to help meet the needs of individual children rather than more generalised training. They suggested including case studies of best practice within resources and guidance. The National Day Nurseries Association said that “nearly all settings” felt they would “benefit from additional support from their local authority / multi agency teams”, and advocated bitesize sessions “on strategies to support children would be beneficial, to aid settings to cater to children’s individual needs.”
- Mudiad Meithrin were also concerned about a lack of Welsh medium training which is “essential” for staff in Welsh medium and bilingual provision. They also felt that there was insufficient expert advice to help provisions’ best support children. They called for experts visiting provisions to provide “advice, guidance and ideas about suitable activities and resources.
- PACEY Cymru raised concerns about the amount of funding for training, in particular for ALN. They said that while “general” funding has improved, there “is still a big gap in the ability to access the funding for the training that’s needed.

- One of the key issues raised within evidence sessions was a lack of inclusive Welsh medium provision. Compounding these issues, is the lack of Welsh language health care, according to Mudiad Meithrin. They said a lack of Welsh speaking healthcare staff is one of the “weaknesses” in Welsh medium provision. They said it has a “direct impact on the choices of parents and carers.” They were particularly concerned about shortages in Welsh medium speech and language support.
- Mudiad Meithrin said that there appears to be a “significant increase in the number of children with ALN in all-ages childcare settings”. This, they said, was in line with “practitioners’ perception” but that it was “unclear” if increases were because of ALN reforms. They called for a “better understanding” of the data, along with “better information” which help non-maintained settings to offer equal access.
- Good practice examples highlighted included the Welsh Government’s “Talk with Me” programme and a multi-agency playgroup where OTs, speech and language, educational psychologists and portage are all involved in getting to know families from a really young age—15 months and upwards—and the focus on that is providing support there on what’s needed.
- The committee also heard that there is a lack of deaf friendly provision in particular, there are issues around childcare settings being able to use technological support or having the right communication adjustments. NDCS queried whether Flying Start leads are engaging with the needs of deaf children and their needs. Auditory Verbal UK said it was particularly important for deaf children born into hearing families with no experience of hearing loss, that there was “skilled and sensitive early support” so that children can develop the language and communication skills so they can start school with their hearing peers

Do disabled children have equal access to schools?

- The committee heard a consistent message from children, young people, families, professionals and representative organisations, that the UNCRC right to an education was being breached. Discrimination, either direct or indirect is rife. Families told the committee that they felt their children were being set up to fail every day because schools are not willing to make reasonable adjustments. While other families told the committee that even when children and young people are able to access education, their experiences and opportunities are far more limited than those of their non-disabled and neurotypical peers.
- The committee heard repeated experiences of families having to change schools before finding the right support. Parents were concerned that discussions about support only starts when children are failing rather than being put in place from the outset to prevent this happening. Families told the committee that the inclusivity of the school is more dependent on the staff, rather than the systems underpinning the school system.
- Another consistent theme the committee heard was about children and young people who may be classed as having an intermediate level of need, not getting the support they need. The Royal College of Paediatrics and Child Health described these children and young people as “the ‘Missing Middle’” and called for the committee to consider how both education and health can better support their needs.

Inclusive education

- The ALN Act includes a duty to favour education for children at mainstream maintained schools, although there are a number of possible exceptions. The Equality and Human Rights Commission said in evidence that Wales does not have a fully inclusive system, and that the numbers of children in specialist provision is increasingly “significantly” arguing that this means “Wales isn’t really moving in the direction the UN would recommend”. Learning Disability Wales said there are “various versions” of inclusive education, and queried whether there was a full understanding of what it means in Wales.
- NDCS said that deaf children’s rights under the UNCRC were not being met, and that they are being “let down.” There were concerns that in mainstream settings, there can be heavy reliance on specialist communication support staff, and that if these staff leave they are not replaced.
- The committee concludes within the report that mainstream settings cannot currently deliver on fully inclusive provision and that there is a need for more specialist provision.

Special schools

- The Children’s Commissioner said that the capacity of special schools “is just not sufficient at the moment. A number of stakeholders raised the differences in support and education received in a special school as opposed to mainstream schools. Swansea Bay University Health Board said that for those with “obvious” needs “often have a great support” in special schools, (although noting it can be school dependent), while those in mainstream settings “often have less support.” They also flagged that when mainstream schools have support available, some might not want to access the support for fear of being identified by their peers as being “special/different.”
- The report includes our comments that advances in medicine and technology mean that people are living longer “often with more complex needs.” They said this means there is both increased complexity and diversity. The report referenced our response which stated that our members were “concerned” that the increase in demand from special schools and specialist placements has not been met with an increase in the health time provision set aside to support these increases.
- With demand outstripping supply in terms of special schools, children and young people who might have previously been in these settings are now in mainstream settings. We were further quoted in stating that this is happening at the same time as increasing pressures on teaching staff and fewer support staff. This means that schools will have less capacity to get support from healthcare professionals. This creates a “vicious circle” where schools feel unable to support some children which can then result in actions such as reduced timetables and “increased pressure on local authorities to offer more specialist placements.

Elective home education

- The committee were told that there have been increases in the number of children being electively home educated, the EHRC said that while “national data” is not currently collected that there is “evidence” that suggests that certain groups of children and young people may be “over represented” including children and young people with ALN. They said that, while for many, elective home education is a “positive choice”, others may feel forced into it because children and young people are not receiving adequate support in schools. This chimes with the evidence heard by the committee as part of their work on pupil absence.

Absence

- The EHRC raised concerns about persistent absence, saying there was a “particularly high rate among children with additional learning needs. Learning Disability Wales had concerns that children with ALN were “disproportionately likely to be excluded from schools and ‘special schools’ have the highest rate of fixed-term exclusions of all types of school.” The National Education Union (NEU) said that both a lack of funding and staff training was a factor in the number of exclusions, saying schools cannot always put in adjustments, or provision to prevent exclusions.

Implementation of the ALN reforms

- Numerous stakeholders and organisations were supportive of the approach set out in the ALN Act and Code, but had concerns about the implementation. A key issue raised was inconsistencies in implementation and interpretation across Wales.
- The education unions raised concerns about “an imbalance of duties within the legislation, which means the health bodies are essentially in a voluntary arrangement, and do not have to support schools or local authorities.” NEU said that schools needed to have health e access to “information and specialist services, such as **speech and language therapy**, CAMHS and educational psychologists” to enable them to support children. The importance of the DECLO role was emphasised but there were concerns about the extent which Health Boards took the role seriously.
- Health stakeholders raised concerns that the ALN reforms had not been accompanied by increases in health service resources.
- The Welsh Government accepted that more work is needed to “establish a consistent approach” to implementation across Wales. They said the Estyn review on implementation of the ALN Act and Code would be “crucial” in understanding where improvements are needed. This review found that while learners are receiving the support they needed, there are differences in the interpretation and application of the legislation. There will be a second thematic review undertaken by Estyn in 2024, alongside “formative evaluation” of implementation.

- Welsh Government have also begun a review to consider how better to encourage collaboration between different parts of the system. This will look at how local authorities and schools are working together and also how local authorities and health boards work together. DECLOs are also currently identifying “some key performance indicators, which are there to both support and report on the collaboration between authorities and health boards.

Welsh language provision

- Estyn told the committee there was particularly limited Welsh medium provision for children and young people who had additional learning needs or are neurodiverse. Additionally there are “limitations on the assessments, resources and staffing of specialist support and services through the medium of Welsh across Wales.” Families also told the committee about the challenges of accessing suitable Welsh medium provision.
- The committee concludes that there are currently far too many families whose choice is restricted, because they cannot access Welsh medium education. **The committee heard a wide range of reasons for this, including a lack of Welsh language staff (both in schools but also other key professionals such as speech and language therapists)** and a lack of Welsh language resources

Funding

- The committee concluded that securing the funding to support children and young people is particularly challenging for schools in the current climate, despite additional funding being made available by the Welsh Government. UCAC said there simply was not sufficient school funding, while NASUWT said there are “huge” funding issues. They also argued that the challenges faced in education are compounded because other statutory and non-statutory services that they need to help deliver holistic support are also facing significant budget reductions.

Teaching assistants

- The issues around recruitment and retention of teaching assistants was a clear theme across the information the committee gathered. The committee feels strongly that schools and local authorities need to have sufficient funding to maintain the teaching assistant workforce which is so critical to the delivery of a more inclusive education system. This may mean that the Welsh Government should be providing extra funding.

School staff training

- The committee heard from both families and education professionals that there is a need for more training for all staff. In particular, there are concerns about the scope of initial teaching education (“ITE”) and that it does not cover issues around additional learning needs and disability in sufficient detail. Concerns were raised that ITE does not cover child development or developmental milestones. This then makes it more challenging for teachers when teaching children and young people with additional needs, because they are unable to place these needs within the wider context of developmental milestones. The allied health professional resource to support broadening of ITE was also questioned. **The committee alluded to our comments that ITE should include information about speech, language and communication development, speech, language and communication needs and how to support those needs.**
- Swansea University Health Board said the varying levels of knowledge and experience within school staff can affect both the confidence and ability of staff “to support inclusivity with all activities.” They highlighted that this can be a particular issue for those with non-visible needs, and that these groups of children are “VERY often not understood and not supported.” said this lack of expertise can then affect children’s participation and may lead to disengagement from school because of the lack of the right support.
- **The report also referred to our mention of the possibility of an accredited training programme for teaching assistants and our examples of existing good practice in which schools have service level agreements with health services so that speech and language therapists support “the whole school environment” not in doing individual assessments.**
- **The report also references the Equality and Social Justice Committee which showed that there is an over-representation of young people with communications challenges in the criminal justice system. 60% of children and young people in the criminal justice system have speech, language or communication difficulties, compared with 10% for children and young people as a whole in discussing the need for CPD around SLCN.**
- The then Minister for Education and Welsh Language talked about “strengthening requirements in the initial education, and also strengthening the offer and availability of provision in the early years after qualifying and throughout the career. He also talked about the then forthcoming review of professional standards. The aim of this, he said, was to “identify the gaps in the understanding and skills of the workforce”

Impact of the pandemic

- In evidence, The EHRC said that during the pandemic, children and young people “lost out” in terms of school provision that they were eligible for. Early Years Wales also highlighted these particular pandemic impacts, saying that the impact is in “**speech, language and communication**, behaviour and emotional and physical literacy...” They called for immediate action to help mitigate “a very difficult start for their first 1,000 days.”

- The committee acknowledged that there had been additional funds to help with the recovery from the pandemic but noted that the “pandemic babies” are now starting to enter into early years education and school. Their very first days, weeks, months and years were spent in lockdowns, and schools are reporting the impact this has on social, emotional and physical development. They called for additional funds to continue to be available so schools can help support the pandemic babies.

Barriers to providing inclusive provision

- The committee heard of the challenges of schools receiving support from outside bodies from Estyn and school visits. A special school told the committee that they have no speech and language therapist, and occupational therapists rarely come. They said one of the challenges is a lack of specialists, and that this is the case for both Welsh and English speaking specialists. A particular challenge is the lack of trained sensory processing disorder specialists in their area, despite a rise in the number of children and young people with these types of disorders. They have had to buy-in this specialist support from England. UCAC also raised concerns about a lack of Welsh medium support in areas such as speech and language therapy, and educational psychology.
- Families told the committee that access to speech and language therapists and occupational therapists would help improve accessibility and education inclusion. The committee heard of a lack of specialists across Wales. Our call for sustained increases in speech and language therapists was noted.
- The report refers to a number of good practice examples including the Communication Intervention Team (ComIT) the long established service within the Sensory and Communication Support Service set up for children with SLCN in the 5 local authorities in Gwent. It also references the Cardiff and Vale University Health Board joint referral process with Cardiff Local Authority Speech, Language and Communication team.
- The British Psychological Society highlighted that with the right sort of collaboration and tailoring of services, some support and capacity could be freed up. “... We've got some children that are being referred for support across a number of different professionals, all at the same time, which takes up quite a lot of resources. It might not be that they need all of those people at the same time either. So, it's really trying to think around what is right at the right time.
- The committee also heard that the timeframes between different support services are not aligned alluding to our response.
- The committee reveals that it is clear that waiting times for assessment and support are a critical barrier to children and young people being able to access childcare and education. The committee was told that waiting times for initial neurodevelopmental assessments “regularly fail to hit the government-set wait target of 26 weeks.” These waits can be up to twenty four months. While the Royal College of Paediatrics and Child Health said that waiting times for autism and ADHD assessments can range “between 47 weeks to 166 weeks across Wales. Some of the waiting times the committee heard about were shocking, including for speech and language therapy.

- The committee reported that they had been told by various different allied health professions about capacity concerns, as the number of children and young people needing support continues to rise. In particular, they touched on concerns about the numbers of people training to become healthcare professionals arguing ‘It is clear that delivery of inclusive childcare and education provision is dependent on the professional expertise from these different groups of professionals. Insufficient workforce capacity can also affect waiting times. We think it is imperative that there is a more detailed understanding of the workforce needs and capacity to help support inclusive education.’

Availability of information

- The committee concludes that information about childcare and education needs to be available in accessible format. The teaching unions highlighted that parents and carers may also have challenges accessing information, if they are not non-disabled or neurotypical themselves. Our comments that that approaches to sharing information often do not take into account the different ways people may best receive and interpret information” with information often provided in writing, were also included.
- The committee recommends that more needs to be done to improve the consistency of how information is presented across Wales and believes that this would be best done by the Welsh Government issuing guidance setting out core principles for publishing and sharing information. At the heart of this guidance should be that information is provided pro-actively to families wherever possible, that the presentation of information is co-produced with families; and setting out the basic level of information that all local authorities should provide. Additionally, information needs to be provided in a range of formats which can meet the needs of the widest number of families. It is not sufficient for a local authority to believe that putting information on their website is enough.

Further information

If you have any questions about this summary, please do not hesitate to get in touch on caroline.walters@rcslt.org