

## Policy group – Disabled Children and Young people.

Monday 7th December 2009

### **Present**

Lynne Hill	Children in Wales - Chair
Catherine Lewis	Children in Wales . note taker
Debbie Green	National Deaf Children's Society
Nia Lloyd	NSPCC
Ann Shercliff	Family Fund
Viv Laing	Action for Children
Pippa Boss	Shared Care Network Cymru
Lynn Plimley	Autism Cymru
Nazia Akram	ABCD
Nicola Crews	RNIB Cymru

### **1 Welcome and apologies**

Lynne Hill welcomed everyone to the meeting, introductions made and apologies noted.

### **2 Minutes and matters arising**

Minutes of last meeting were agreed as a true record.

### **3. Issues regarding participation of disabled children to feed into the Participation Consortium**

Lynne clarified that the Consortium looks at participation for all children and has not until recently considered the issues of participation of disabled children or those from other groups. She had advised the Consortium that we would be discussing the participation of disabled children in the Disabled Children Policy Group and that she will feed any issues into the Consortium meetings.

- **Getting it Right 2009 – 5 year key action plan for Wales**

This report has been published in response to the Concluding Observations of the UN Committee on the Rights of the Child 2008 and lists 16 priorities that the Welsh Assembly Government are going to focus on. Priority 9 is about disabled children and highlights what the WAG have done and are going to do to work to eliminate discrimination against children and young people with disabilities, improving their access to services and support.

The UN Committee had highlighted their concern that children with disabilities continue to face barriers in the enjoyment of their rights under the Convention and recommends that devolved administrations should protect persons with disabilities through developing legislation and national strategies. These should be accompanied by raising awareness and providing training and support for the inclusion of children with disabilities within society. In response WAG states that they recognise the economic and social disadvantages that may follow from physical or other impairment. WAG also highlighted that they have been working with DCMW and that a

Ministerial Task Group has been established and a policy agenda called 'We are on the Way' has been published.

The rest of the 'What has happened' section and the 'What will happen' section in under priority 9 in 'Getting it Right', refers to areas that are in 'We are on the Way'. Comments made by members of the Policy Group after reading this particular section include 'Getting it Right is a taking stock rather than a moving forward document and that more vision is needed'. A member asked how coordinated Welsh policy is with the rest of the UK? Lynne referred to the document 'Working together, achieving more' a DCSF publication which looks at what each of the 4 nations are doing by working separately and together to implement the UNCRC.

Mair Watkins, Head of Additional Learning Needs Branch, Support for Learners Division at WAG who had joined the meeting, commented that disability as an issue was not devolved. She added that the Office for Disabilities is based in London but was not sure how much it links in with the rest of the UK while other people were not sure what it does.

Lynne acknowledged that a more coordinated approach was needed across the UK but pointed out she and Jim Crowe from Learning Disability Wales attends Council for Disabled Children meetings and that DCMW and the equivalent English, Scottish and Irish Campaigns have met together.

##### **5. Update by Mair Watkins on Welsh Assembly Government Policy for Disabled Children**

Mair distributed a document which listed the current issues for the Support for Learners Division which relate to additional learning needs. She talked through the document and any additional comments are recorded below.

- **Children's Rights to Appeal to the SEN Tribunal for Wales**

Mair commented that the Education (Wales) Measure had been controversial and she was concerned about how we could get learners to appeal to the Tribunal without causing problems for the young person. 2 Pilot areas had have been identified . Wrexham and Cardiff and they had acknowledged that child friendly information needed to be produced giving details about the process and appropriate training needed to be given to advocates.

- **Inclusive Schools Quality Award**

Mair commented that some schools were moving forward on this, but others were not. However WAG were working with the South West and Mid Wales Consortium to develop an Inclusion Quality Mark that is specific to Wales. Pauline Lewis coordinates the Consortium and Mair suggested that she be invited to speak to the Group. Mair added that there will be a new ESTYN Inspection Framework in 2010. A member enquired about the ASD Standards and Mair said that more guidance and training needed to be developed to support the implementation of the standards in schools.

- **Statutory Assessment and Statementing**

The ELLS Committee in the previous Assembly undertook a 3-part review into Special Educational Needs. Middle review was into Statutory Assessment and Statementing. It was found that the current system, including the Code of Practice, although good is not being implemented correctly and this is having

a detrimental effect on children's education. Also there was a lack of joined up working and access to resources and funding was a post code lottery. The first recommendation of the report said that it was important to have a consultation of all stakeholders before the system was changed. This included voluntary sector organisations and parents. The latter reported that they had to fight for a statement when all they wanted was for their child to have an appropriate education. A Legislative Competence Order (LCO) has been secured so that legislation can be used to change the process of delivery of special education in Wales and to bring in a rights based approach to education. A Statutory Reform group has been set up to lead the process of reform.

Four Pilot schemes have also been established to look at different aspects of the process.

- Pilot A is looking at quality assurance of Additional Learning Needs including outcome for learners and what is happening on the ground. Caerphilly and Flintshire are leading this Pilot.
- Pilot B is looking at the inter-disciplinary model for children with severe and complex needs. The term complex needs is still to be defined but in Scotland this includes children who need support from 2 or more services. Torfaen and Carmarthen, who already have a good interagency model, are leading this Pilot..
- Pilot C is looking at the model for children with less complex ALN. These children often get lost in the system and are labelled as having behavioural difficulties although we don't always know or find out why they present in this way. Bridgend, Pembrokeshire and Torfaen are leading this Pilot.
- Pilot D is looking the role of the Additional Learning Needs Coordinator in mainstream schools. The role needs to be defined and appropriate training provided. Cardiff and Newport are leading this Pilot.

The Pilots are for two years and an Action Research Project will run in parallel. Multi agency working is essential but how do we legislate for interagency working? Parents are concerned that the Statement will be taken away from them, but this is not the case. NDCS reported that they have brought a group together to look at this issue and monitor the progress of the Pilot Groups.

- **Transition**

Evidence from young disabled people and their parents has suggested that transition to adulthood is being left very late and that the best way to support disabled young people is by the provision of a transition key worker. The Care Coordination Network UK is supporting four-transition key worker Pilots have been established across Wales. Additionally three guides are being written to let professionals, parents and young people know about the transition process. The Parents Guide is being written by SNAP, professionals one by Welsh Centre for Learning Disability Studies and the young people one by Learning Disability Wales. WAG have also commissioned Skill Wales to look at employment opportunities for disabled young people. This needs to be viewed as part of the wider skills strategy and it is recognised that disabled

young people can easily become NEET . not in employment, education or training.

- **Early Support**

This is more about a way of working . in a multi agency way and the materials themselves are not the intervention. Consultants are now in place for all local authority areas and initial contact has now been made. The programme adopts a rights based approach. Early support implementation needs to be embedded in the Statutory Reform provision and contact will be made with Estyn etc.

- **Disabled Children Matter Wales**

The Welsh Assembly Government has worked with the DCMW Campaign to effect change and has managed to do a lot with a relatively tight budget. We are on the way, a policy agenda to transform the lives of disabled children and young people+ was launched in December 2008 and an update document The Journey So Farõ will be launched in 2010.

Members of the Policy Group acknowledged that WAG are doing what they can in terms of supporting disabled children and their families but that more resources need to be allocated. They also enquired what would happen when funding for the various pilots is finished? It was also acknowledged that the present funding streams that exist, currently there are up to 25, needs to be looked at. Also funding needs to follow the child and be coordinated.

### **Services for Children and Young People with Emotional and Mental Health Needs prepared by Wales Audit Office and Healthcare Inspectorate Wales.**

The report has made a large number of recommendations and some refer directly to the needs of children and young people with learning disabilities. Some of the recommendations are being implemented by the group felt that there was a long way to go with support that all disabled children and young people receive from the Child Adolescent and Mental Health Services (CHAMS). The NSPCC in particular have concerns with the safeguarding of disabled children and young people and a sub group is being formed to look at the CAMHS agenda as it affects this group of children and young people.

### **Disabled Children Matter Wales Campaign**

Disabled Children Matter Wales (DCMW) Steering Group has been strengthened and invigorated by the addition of new organisations. The group now has ten partner organisations that are Action for Children, Barnardo's Cymru, Children in Wales, Contact a Family, Cerebra, Family Fund, Learning Disability Wales, NDCS Cymru, Mencap Cymru and Scope Cymru. The group now has a Chair, currently Keith Bowen, Contact a Family, and a Secretary, Liz Walker, CCNUK and a constitution, which will include terms of reference, will also be draw up. Individuals in the various organisations have also volunteered to take the lead on national and local campaigning as well as policy and website development.

Representatives of DCMW met with Keith Towler, Children's Commissioner last September. Keith showed an awareness of the issues faced by disabled children and young people and expressed a willingness raise issues with WAG informally as appropriate and to meet with the campaign on a regular basis. DCMW has also been asked to meet Welsh Local Government Association and to produce a paper on the recommendations made in Children & Young People's plans. The Rights into Action Task Group is now chaired by David Hawker Director General of DCELLS, which gives the meetings a higher profile.

### **Information Exchange**

#### **RNIB**

A transition worker, Sophie Drummond, has been appointed to the team. She will be based in Neath and aims to develop partnerships with the college there. This is largely an information post and Sophie will be supporting students with allowances and also access to work. The aim will be to stop young blind people becoming NEET.

#### **Shared Care**

The Carers Network Forums are up and running. Some Forums have been run with Contact a Family, Autism resources are now available and a programme of training has been developed for England and Wales. Shared Care will be keeping a close eye on what happens to the short breaks funding when it forms part of revenue support. There are concerns that the voluntary sector provision around short breaks will be squeezed out as local authorities will be keen to hold onto the funding themselves.

#### **NSPCC**

A new Chief Executive started in January and a strategic review is / has taken place about the future direction of the organisations. The aim is to focus on seven specific areas one of which will be disability. Nia has started work on a Policy Review of Safeguarding of Disabled Children in Wales. This is not finished yet and NSPCC are keen to speak with other organisations on safeguarding.

#### **National Deaf Children's Society**

The Society is looking at the achievement of deaf children in Wales and it has emerged that in 2008 there was a 30% attainment gap in what deaf and non deaf students were achieving in GCSE. A Statement of Opinion has been laid in the Assembly where the AMs are being asked to make a commitment to closing the gap for deaf students. The Society has some concerns around how the Statutory Reform will affect deaf and other disabled students and they have brought together a small group to look at this issue. NDCS are still campaigning for better acoustics in schools.

#### **Autism Cymru**

The Welsh Assembly Government will be making an announcement on a Strategy for Adults with Autism and Professor Sue Leckham will carry out a

piece of research on older people and autism. A European Autism Group has been launched and this will encourage collaboration around this issue.

**Family Fund**

Funding is now available for disabled children up to the day before the 18<sup>th</sup> birthday and Family Fund Extra is available until 25 years of age.