

Additional Learning Needs (ALN) System Gwynedd and Anglesey Local Authority



What should I do if I disagree with a decision made by a school regarding additional learning needs (ALN)?

1. Use disagreement resolution arrangements

If you are dissatisfied with a school's decision about ALN or an Individual Development Plan (IDP), the first step is to **discuss it directly with the school**. You can ask the school to look into the matter.

We encourage the child, the child's parent or young person to raise any concerns as soon as possible. The school should consider any problems and address them appropriately, for example, explain any other decisions or issues or, if appropriate, revise an IDP.

You can contact the school's ALN Coordinator or the Headteacher. The relevant contact details can be found in the ALN Notice(s) that you will have received from the school.

You can also use the local authority's arrangements for resolving disagreements. You can **discuss the matter with your school's ALN Quality Officer**. You can also e-mail the Area ALN Quality Officer directly using the e-mail address noted in the table below, or telephone 01286 679007.

Quality Officer (Area)	Contact Details
Non Samuel	GweinyddolADYaCh@gwynedd.llyw.cymru
Haf Roberts	GweinyddolADYaCh@gwynedd.llyw.cymru
Lora Glynwen Williams	GweinyddolADYaCh@gwynedd.llyw.cymru
Clare Trappe Roberts	GweinyddolADYaCh@gwynedd.llyw.cymru
Heather Melton	GweinyddolADYaCh@gwynedd.llyw.cymru
Sioned Hughes	GweinyddolADYaCh@gwynedd.llyw.cymru
Falmai Ellis	GweinyddolADYaCh@gwynedd.llyw.cymru
Sian Emlyn Jones (Post-16)	GweinyddolADYaCh@gwynedd.llyw.cymru

You can **contact the Additional Learning Needs Information and Support Service, SNAP Cymru** on 0808 801 0608 for independent advice or assistance. They may also put you in touch with the informal arrangements available to resolve or prevent any disagreement between you and the local authority.

Using the local authority arrangements for resolving disagreements is not compulsory and entering into disagreement resolution arrangements does not affect any rights to appeal to the Tribunal

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WOULD YOU LIKE TO VOICE A CONCERN?

Have you contacted the...?

School

ALN Co-ordinator

Headteacher / Senior Team

Class Teacher
Head of Year
Class Tutor

Educational
Psychologist

Area
ALN&I Quality
Officer

ALN Manager

For independent support you can contact SNAP Cymru:
0808 801 0608 enquiries@snapcymru.org

Complaints: If you have a complaint, see the
School's Complaints Procedure

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2.(a) Request the local authority to reconsider the school's decision or reconsider a School IDP

Otherwise, or in addition to using arrangements for resolving disagreements - **if you continue to be dissatisfied** children, their parents and young people can request the local authority to reconsider the school's decision

- If a child, the child's parent or young person is dissatisfied with the maintained school's decision about whether the child or young people has ALN
- If the child, the child's parent or young person is dissatisfied with an IDP that is maintained by a maintained school, and believes that an IDP should be revised
- If a child, the child's parent or young person is dissatisfied with the maintained school's decision. A school may decide that a pupil no longer has ALN (that could lead to not maintaining the IDP)

Although there is no right to appeal to the tribunal in relation to ALN decisions made by a school, it is possible to appeal against a local authority decision when reconsidering a decision by a school on ALN or an IDP that it maintains.

2.(b) Request the local authority to take over the responsibility for an IDP that is already maintained by a maintained school – School IDP.

Children, their parents and young people can request the local authority to take over responsibility for an IDP that is already maintained for them by the school.

If you do not believe that the school is capable of fully meeting their needs, or believe they require further or alternative additional learning provision (ALP) which the school cannot provide, you can request to the local authority to reconsider the IDP with a view to revising it, and a request to the local authority to take over responsibility for an IDP.

2.(c) Request the local authority to reconsider a school's decision not to maintain an IDP

Children, parents or young people have four weeks to request the local authority to reconsider the maintained school's decision not to maintain an IDP. The four weeks begin when the notice of the school's decision is issued.

3. Send a request for reconsideration to the local authority

Your written observations can be submitted with the additional evidence to support your appeal on the decision or on the IDP to the responsible local authority.

The contact details for your local authority are:

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E-mail: GweinyddolADYaCH@gwynedd.llyw.cymru

Telephone: 01286 679007

Address:

Request for Reconsideration
ALN&I Service,
Council Offices,
Caernarfon
Gwynedd LL55 1SH

Website: www.adyach.cymru

4. What happens after the local authority receives a request for reconsideration or to take over responsibility?

The local authority will inform the school and invite the school to submit its representations before making a decision.

The local authority will consider all the relevant information available, and will seek further information, as appropriate, in order to form a decision. This will include the child, the parents or the young person.

Here are some examples of the possible outcomes of reconsideration by the local authority

- Decide that there is ALN - an Individual Development Plan (IDP) will be prepared
- Decide that there is no ALN
- Decide that an IDP needs to be revised – direct the school to maintain the IDP (School IDP)
- Decide that an IDP needs to be revised - Local authority takes over the responsibility for maintaining the IDP (Authority IDP)
- Decide not to revise the IDP
- Decide that the IDP should be maintained
- Decide that a pupil no longer has ALN and that the IDP should cease to be maintained

EITHER The local authority will inform the child, the child's parent or the young person and (depending on the case) the school, about the decision and the reasons behind it.

OR If there is a decision that the IDP should be revised, you and --- will receive a copy of the amended IDP

Action will be taken within a seven-week timescale from the date that the local authority receives the request to reconsider.

The local authority does not need to comply with the requirement to deliver these actions within the seven-week period if it is impractical to do so due to circumstances beyond its control

5. What can you do if you remain unhappy following reconsideration?

The right to request the local authority to reconsider a matter allows children, their parents and young people to

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- challenge a school decision or a school's failure to make a decision
- challenge the contents of an IDP maintained by a school

If the child, parent or young person in question is unhappy with the local authority's decision, they can appeal to the Education Tribunal for Wales. Once made, the local authority's decision replaces the school's decision and is appealable to the Tribunal

Clear and consistent rights of appeal is one of the aims of the Additional Learning Needs and Education Tribunal (Wales) Act 2018. Where disagreements about ALN decisions or the contents of an IDP cannot be resolved at the local level, the Act ensures that children and young people (and their parents/carers in the case of those that are under 16 years) have a right of appeal to a tribunal.

Refer to the Information Leaflet: Local Authority's arrangements for resolution of disagreements and right to appeal for more information about the right to appeal to the Education Tribunal

6. What should I do if I am unhappy with the health provision within the Individual Learning Plan (IDP) or Individual Health Care Plan?

If it is an NHS matter (Health Board), i.e. a concern about care, a service or treatment provided by an NHS body (either described in section 2C of the IDP, or other care or treatment), speak to the relevant NHS staff as soon as possible. If you do not feel comfortable speaking to them directly, or if you feel that the matter has not been resolved you can contact Betsi Cadwaladr Health Board Complaints Team, or use the NHS Wales complaints procedure 'Gweithio i Wella / Putting Things Right'

Contact Details: Betsi Cadwaladr University Health Board Complaints Team

On-line Form Submit your complaint online (SmartSurvey website)

<https://www.smartsurvey.co.uk/s/BIPBCffurflenpyrderion/>

Telephone: 03000 851234

E-mail: BCU.ComplaintsTeam@wales.nhs.uk

Address: Complaints Team, Ysbyty Gwynedd, Bangor, Gwynedd, LL57 2PW

<https://bcuhb.nhs.wales/contact-us/contact-us/make-a-complaint/>

Designated Education Clinical Lead Officer (DECLO)

(the officer responsible for coordinating the functions of Betsi Cadwaladr Health Board in relation to children and young people with ALN)

As part of the role, the Designated Education Clinical Lead Officer is responsible for supervising any complaint or dispute that relates to the implementation of Betsi Cadwaladr Health Board's functions under the ALN Act 2018. This could include taking direct steps to resolve the complaint or dispute, or ensuring that there is a robust system in place to bring the parties together in an attempt to resolve the problem at an early stage.

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Contact details: Designated Education Clinical Lead Officer (DECLO) Betsi Cadwaladr Health Board

Liz McKinney

Ffôn: 03000 846993

E-bost: BCU.DECLO@wales.nhs.uk

Information about other means of challenge

In addition to appeals to the Education Tribunal for Wales, there are several other means by which learners and their families can challenge a public body if they feel that that body has failed to carry out their public duties, including those duties made under the ALN Act 2018.

The school's complaints procedure

Refer to your child's School Complaints Procedure regarding the school's complaints procedure.

Local authority's complaints procedure

You can submit a complaint to the Council if you are unhappy with the standard of the service that you have received from the Council, or if you are unhappy about something that the Council or a member of its workforce may or may not have done.

Website: Submitting an online complaint:

www.gwynedd.llyw.cymru/en/Council/Contact-us/Formal-complaint.aspx

E-mail: cwynion@gwynedd.llyw.cymru

Telephone: 01766 771000

View a copy of [Gwynedd Council Concerns and Complaints Policy](#) or [Gwynedd Council Concerns and Complaints Policy in an easy-read format](#)

Public Services Ombudsman for Wales

The Public Services Ombudsman for Wales can consider procedural complaints about a public service provider in Wales, including local authorities and NHS bodies.

Website: www.ombudsman.wales

E-mail: ask@ombudsman.wales

Telephone: 0300 790 0203

Children's Commissioner for Wales

The Children's Commissioner for Wales has a free investigation and advice service that can provide assistance with complaints and issues relating to the ALN system.

Website: www.childcomwales.org.uk

E-mail: post@childcomwales.org.uk

Telephone: 01792 765600 / Freephone: 0808 801 1000

The Welsh Language Commissioner

The Welsh Language Commissioner can consider complaints about organisations in Wales how fail to adhere to the appropriate Welsh language standards.

Website: www.welshlanguagecommissioner.wales

E-mail: post@cyg-wlc.cymru

Telephone: 0345 6033 221