

A guide to

RECONSIDERATIONS

made by Cardiff Local Authority



Cardiff Local Authority actively encourages partnership working between learners, parents, school, settings and professionals.



If you disagree with a decision that school has made regarding additional learning needs (ALN), you will need to speak to your School ALNCo, or class teacher in the first instance.

Decision of ALN:

What if I don't agree with the school's decision of ALN?

Where a school has made a decision about whether a learner has ALN, or has refused to make such a decision, the child or their parent may request that the Local Authority responsible for the child, reconsider the matter.

When such a request is made, the Local Authority must inform the school and invite representations from it before reaching a decision.

If a Local Authority receives such a request, it must decide whether the child or young person has ALN, unless any of the following circumstances apply;

- (a) the Local Authority has previously reconsidered the matter and is satisfied that the child or young person's need have not changed or that there is no new information that affects the decision since then.
- (b) the request relates to a child who has become looked after by a Local Authority.
- (c) the request relates to a child or young person who has come subject to a detention order.



Content of the IDP:

What if I am unhappy with the content of my child's Individual Development Plan (IDP)?

Where a child, young person or their parent/carer is unhappy with the content of the Individual Development Plan (IDP), they may in the first instance discuss their concerns with the designated coordinator (ALNCo) in the school. If the child, their parent or young person still have concerns after speaking to school, they are able to request that the local authority reconsiders the IDP with the view to it being revised.



The Local Authority must then reconsider that IDP and decide whether or not to revise it, unless any

- of the following circumstances apply;
- The local authority has previously reconsidered the IDP and is satisfied that the pupil's needs have not changed and that there is no new information that affects that decision since then.
 - the request relates to a child that has become looked after
 - the pupil has become subject to a detention order.



What happens if the Local Authority decides not to revise the IDP?

If the Local Authority decides not to revise the IDP, they will have to notify the learner and their parent of the decision and reason for it. They will also give a copy of the notification to the school.

Naming a provision:

Reasons that the Local Authority will secure and name an education provision

In most cases, children with Additional Learning Needs (ALN) will be able to receive the support they need in any maintained mainstream school and the LA will therefore not name a school in the Individual Development Plan (IDP). The child will be admitted to a school through the admission process that applies to all pupils.

The ALN Code specifies that the Council must not exercise this power unless:

- the local authority is satisfied that the child's interest requires ALP (Additional Learning Provision) identified in his or her IDP to be made at the school named, and
- it is appropriate for the child to be provided with education or training at the school.



- When considering whether to name a school in an IDP for the purpose of securing admission, the Council will consider the following factors:
- Whether specific characteristics of the school make it especially good at making the required ALP (Additional Learning Provision) compared to other maintained schools the child could attend, for example, the school's physical characteristics.
- Whether the school has members of staff with specialist expertise or training, or specialism in a low incidence need such as hearing or visual impairment.
- It would be unreasonable for a more local school to provide the child's ALP (Additional Learning Provision). Any other factors the local authority considers to be relevant to the particular case.



What next?

The Local Authority has 7 weeks to consider your request and make a decision.

- The LA will gather the learner and parent's views including any relevant documentation.
- During this time the LA may seek further information from the school, health professionals and children services.
- The LA will inform you directly about the outcome and this will be confirmed in writing at the end of the period.
- If you are still dissatisfied with the outcome you have the right to appeal to the Education Tribunal for Wales. This must be done within 8 weeks.

Further information around this process can be found at;
<https://educationtribunal.gov.wales>



If you require further information about a reconsideration or an issue relating to ALN, you can contact our help and advice line on;
Phone: 02920 872 731 Email: ALNHelpline@cardiff.gov.uk

If you would like independent advice, you can contact SNAP Cymru. This is a free service which provides information, advice, and support for parents of children and young people who have/or may have additional learning needs. You can contact them on;
Tel: 0808 8010608 or at www.snapcymru.org