

# The Additional Learning Needs (ALN)

Code of Practice  
(Guernsey & Alderney)



States of Guernsey  
Education

**JULY 2024**

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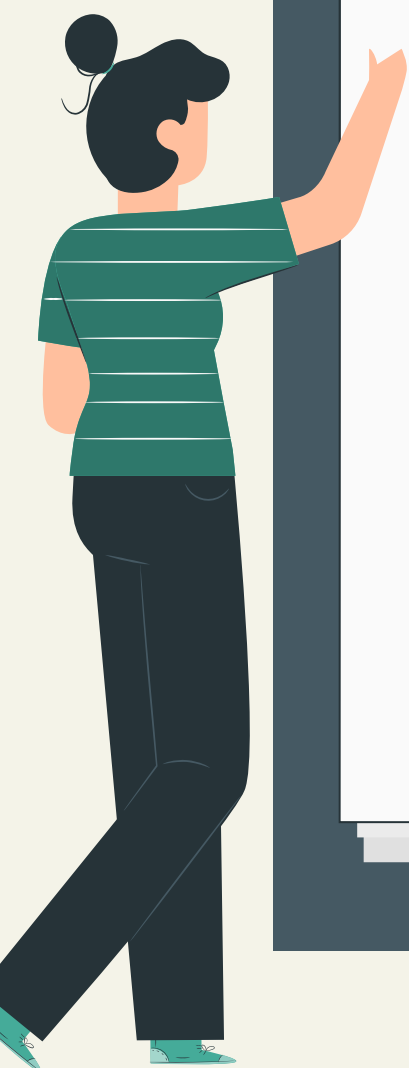
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# Foreword

I am delighted to introduce the Additional Learning Needs Code of Practice. This represents a seminal moment for our children & young people, and their families, and is the culmination of extensive and dedicated work by officers from across a range of service areas, alongside significant input from many other stakeholders and partners.

When we were elected to the Committee *for* Education, Sport & Culture in October 2020, one of our first activities was to put in place our Education Strategy. A Strategy that would give us a common language when we talk about our vision and our aspiration to achieve an excellent education system that will help all learners fulfil their potential. It is no coincidence that, via our Strategy, we aspire to meet the needs of the community via high quality learning, leading to excellent outcomes, and that we place equity, safety and inclusivity at the centre of our thinking.

As a new Committee we inherited the SEND\* Review workstream from our predecessors. We quickly recognised the importance of the SEND Review in shaping future provision, and we welcomed nasen's final report when it was presented to us in early 2021. The report, which recognised the good work that was already taking place to support children and young people with additional learning needs in our islands, provided 18 recommendations about how to build on those solid foundations and develop a truly inclusive education system. The implementation of this new Code of

Practice was a key recommendation.

It is not a cliché to say that it takes a village - or perhaps in our case an island - to raise a child. I am hugely grateful to the 'village' that has come together to develop this Code of Practice so that, in turn, it can shape operational practice and shape – for the better – the lived experience of so many children & young people and their wider families.

It will do this because it brings together resources and a commitment from multiple service areas and various committees, and in doing so enables these resources to be used to best effect – in a way that makes their impact bigger than the sum of their parts - to better meet the needs of our children and young people. This means earlier intervention, more inclusive practice, and a child-centred approach that, ultimately, leads to better outcomes and life chances for some of the most vulnerable members of our community.

Going forwards, we will continue to be part of that 'village' helping to raise countless children, with a wide range of needs and vulnerabilities. From the very beginning of their lives, right through to early adulthood, we all need to be there working with them and working and advocating for them. It is this action that will bring this Code of Practice to life, and it is us who, through our words and deeds, will inspire others to do the same.

**Deputy Andrea Dudley-Owen**

President, Committee *for* Education  
Sport & Culture

\*Special Educational Needs & Disability (SEND)

# ① Introduction

# Why do we need a Code of Practice?

1.1

Every learner has a right to education that supports and develops their personality, talents and abilities to their fullest potential.<sup>1</sup>

1.2

Each learner is unique with different strengths and aspects of learning that they may find more difficult. They all need support to help them learn, but how much and what type of support differs. Most learners are able to make good progress and do well if they attend their place of learning (their 'education setting'<sup>2</sup>), there is high quality inclusive practice in place and an appropriate curriculum. However, any learner may experience barriers to learning and participation that make it more difficult for them to learn: to overcome these, they need additional support from the adults around them.

1.3

The Committee *for* Education, Sport & Culture ('the Committee') is committed to an inclusive<sup>3</sup> education system where all learners have genuine learning opportunities and the unique contribution that each learner brings to their educational setting is valued. An inclusive approach and equity of opportunity in all educational settings enables learners to be included, engaged and involved in the life of their educational community. This ensures that learners feel they are supported and treated with respect.

1.4

Some learners will have additional learning needs (ALN)<sup>4</sup> at some point in their education. Barriers may be short or long-term, and the support needed may change over time. This Code of Practice is intended to ensure that, whatever their individual circumstances, learners:

- are treated with respect,
- have their needs recognised, and
- are given the support they need to help them develop towards their fullest potential.

<sup>1</sup> The United Nations Convention on the Rights of the Child: Articles 28 and 29 and The Children (Guernsey and Alderney) Law 2008.

<sup>2</sup> An education setting is where a learner receives their education. Examples include (but are not limited to) pre-schools, schools, further education colleges, etc.

<sup>3</sup> Inclusion is defined as the participation of all learners in learning which leads to the highest possible level of achievement, whatever setting they are in, and the participation of learners in the full range of social experiences and opportunities once they have left education. It is about providing effective learning opportunities for all learners. Inclusion may be facilitated through early intervention, removing barriers to learning, raising expectations and achievement and improving partnerships with learners, their families and other services.

<sup>4</sup> Chapter 2 outlines this terminology.

# What is the Code of Practice?

1.5

The Additional Learning Needs Code of Practice (Guernsey & Alderney), 2024 ('the Code') is the framework within which the Committee identifies, assesses and makes provision for learners with ALN from birth to the age of twenty-five<sup>5</sup>. The Committee *for* Health & Social Care works in partnership with the Committee to support this.

<sup>5</sup> While they are at a further educational provision. (This is education beyond secondary level, but excludes the 'higher' education offered in universities and other academic institutions.)

1.6

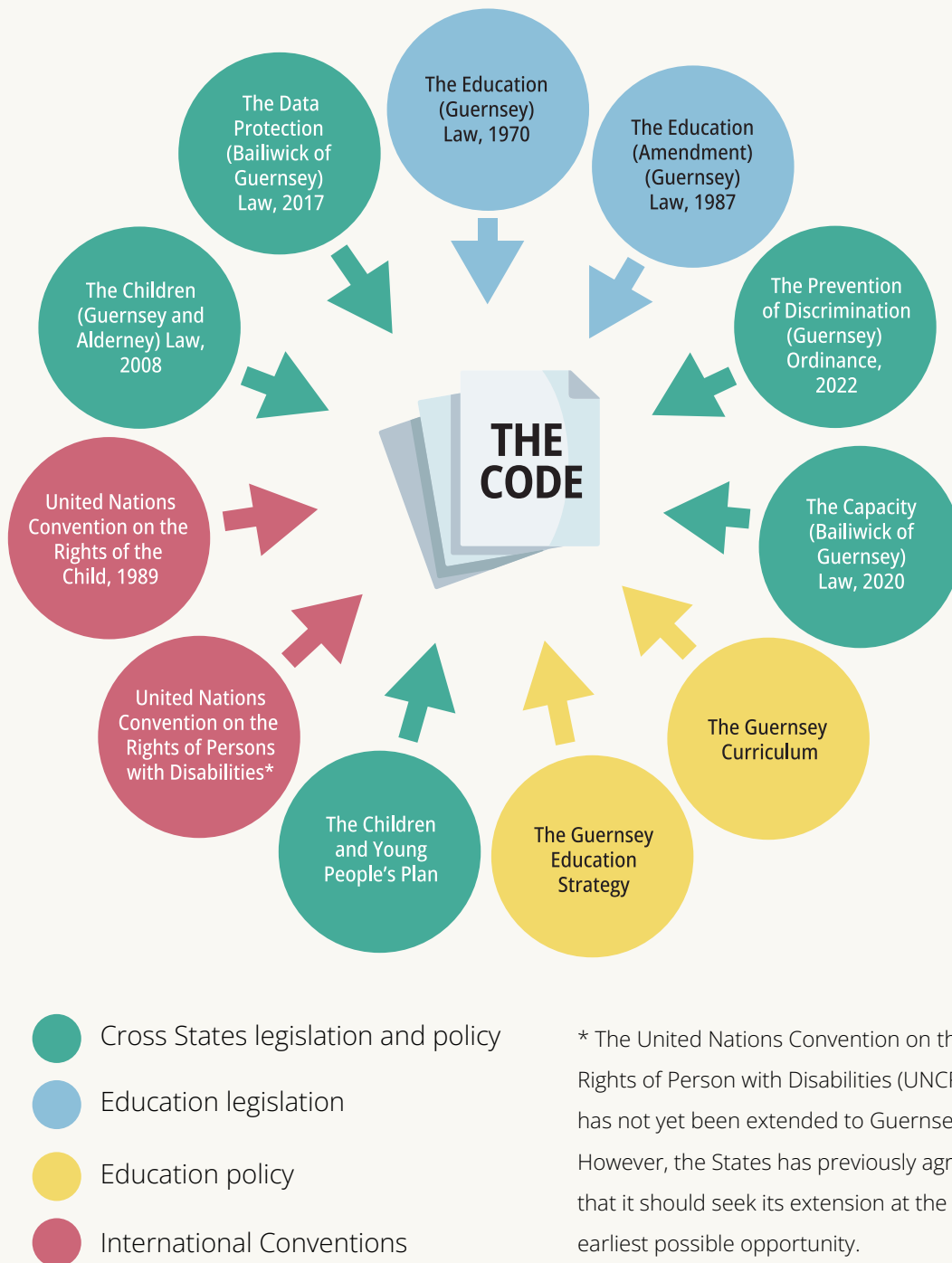
There are several pieces of legislation, as well as States-wide and Education policy, that influence how learners with ALN and their families should be supported (see Figure 1, on the next page). The Code aims to bring these together. It explains duties and responsibilities for the Committee, education settings, services and others that are involved.

1.7

The Code is effective from September 2024. It replaces The Special Educational Needs Code of Practice (Guernsey) 2004.



**Figure 1.** The documents that underpin the guidance in this code



**1.8**

The Code reflects the continuing commitment of the Committee to education that provides equity<sup>7</sup> and promotes high achievement for all learners. It extends beyond the current legal framework, seeking to promote the progressive removal of barriers to learning and participation across a wider range of learners, including:

<sup>6</sup> November 2013.

<sup>7</sup> Equity entails each learner being enabled to achieve their academic and social potential.

- Extended age-range<sup>8</sup>: 0-25. This recognises the importance of a learner's early years in creating a firm foundation for future learning. It also recognises that a learner with needs might require continuing help to successfully transition to adult life.
- Recognition that high-quality inclusive teaching is good for all learners and can itself reduce or overcome some barriers to learning and support a wide-range of low-level needs. The Code therefore includes a 'universal' foundation level, which any further support should build upon.

<sup>8</sup> In 2021, an organisation called 'nasen' reviewed Special Educational Needs in Guernsey and Alderney - <https://www.gov.gg/article/182953/Guernsey-and-Alderney-SEND-Review>. It recommended expanding the age-range for access to provision to 0-25. The States of Deliberation accepted that the nasen recommendations should be implemented.

### 1.9

The following terms are used throughout this document:

- **Must** will be used where there is a legal requirement in legislation<sup>9</sup>, and a footnote will indicate where the requirement comes from.
- **Should** will be used where policy is that something should be done as good practice to ensure the best possible support and outcomes for learners. It is important to follow this practice unless there is a significant and justifiable reason not to.
- **May** will be used where there is a discretionary power to do something arising from legislation (which will be accompanied by a footnote), or the point is a general recommendation worthy of serious consideration.
- **Parent** is used where that is the word included in the law being referred to. **Parent/Carer** is used to describe what might be a wider group of individuals who it would ordinarily be good practice to involve, but may include individuals who are not assigned certain rights/duties under the relevant laws.

<sup>9</sup> This may be in Law, Ordinance, Regulations etc. Further direction may arise from Case Law.

### 1.10

The Code provides the framework for a consistency of approach to meeting learners' additional learning needs. It describes:

- how learners with ALN are identified;
- a continuum of support, which recognises there are different levels of need and that the provision required by any individual learner can change and
- guidance on how provision should be reviewed, taking a learner-centred approach.

1.11

The Code is designed to help support effective decision making in meeting the ALN, but does not, and could not, prescribe the action to be taken in each individual case.

1.12

Duties around ALN can differ depending on where a learner is educated. The extent of application of this Code within settings that are not maintained by the States will be influenced by the type and status of the setting (including any registration requirements, agreements in place, etc.). Where an element described is not directly applicable, settings may still wish to consider the practice set out in the Code. Specific information can be seen in Chapter 7 – Early Years; Chapter 15 – Learners in Specific Circumstances.

## Who should read the Code?

1.13

It is important that the following groups of people are familiar with the Code. This is to ensure that there is a common understanding and to encourage joined-up working that places the learner at the centre.

- **Learners and their families** may choose to refer to the Code for information. Further information about ALN and the ALN system is published by the Education Office – [see Chapter 14](#));
- **Staff in education settings** who are involved in supporting an inclusive education environment. This includes (but is not necessarily limited to) all educators<sup>10</sup>, learning support staff, the Additional Learning Needs Coordinator and the setting leadership team;
- **All central Education staff** who are supporting inclusive education environments. This includes staff from central Education support services who work directly with learners and central Education officers;
- **States of Guernsey staff** who support learners with their needs (this particularly includes, but is not limited to, relevant staff from the Committee *for* Health & Social Care);
- **Commissioned services and voluntary services** who may support learners with their needs.

<sup>10</sup> Educators are people who have the responsibility to teach learners in an educational setting, from Early Years to Post-16. This includes (but is not necessarily limited to) Early Years practitioners, teachers and lecturers, etc.

1.14

The Code contains three specific phase chapters – one each for Early Years, School-age and Post-16. The majority of content in these three chapters is the same, but there are age-specific differences. This duplication increases the size of the Code but is considered to be more practical for settings and families when accessing the Code for their specific needs.

## What do we want the Code of Practice to achieve?

1.15

The Code of Practice aims to:

- ensure learners have a positive experience of learning and achieve positive outcomes;
- promote consistency of experience across education settings;
- close the performance gap between learners with and without ALN;
- ensure compliance with relevant legislation;
- ensure that the education workforce is knowledgeable and skilled in supporting learners with ALN and
- ensure accountability at all levels to deliver appropriate support for learners with ALN.

1.16

The following diagram outlines what it is intended this Code will support learners with ALN to be:

**Figure 2.** The outcomes sought by the Guernsey Curriculum and the Children and Young People’s Plan, for all learners.



②

Additional  
Learning Needs

# What are additional learning needs?

2.1

Education Law includes requirements about ‘special educational needs’ (SEN) for children in certain age-groups. Under the Law<sup>11</sup>,

- A child has SEN if they have a learning difficulty which calls for special educational provision to be made for them.
- A child has a learning difficulty if –
  - (a) they have a significantly greater difficulty in learning than the majority of children of their age, or
  - (b) they have a disability which either prevents or hinders them from making use of educational facilities of a kind generally provided in schools<sup>12</sup> for children of their age, or
  - (c) they are under the age of five years and are, or would be if special educational provision were not made for them, likely to fall within paragraph (a) or (b) above when over that age

[A child does not have a learning difficulty solely because the language in which they are, or will be, taught is different from a language which has at any time been spoken in their home.]

2.2

**However, this Code uses the terms ‘additional learning needs’ (ALN) and ‘additional learning provision’ in place of SEN terms.**

(The definition otherwise remains as shown above.) This is to better reflect that in order to develop towards their fullest potential some learners require provision that is additional to and different from the high-quality teaching that should be available to any learners.

The cause of a learner’s difficulty, or barrier to learning, may include a disability or medical condition (see sections 2.3 and 2.12).

<sup>11</sup> Section 1 of the Education (Amendment) (Guernsey) Law, 1987.

<sup>12</sup> Although this is the wording in the legislation, this Code extends this to education settings generally.

# Disability

2.3

In terms of disability (see (b) in section 2.1 above) this Code is guided by the definition set out in The Prevention of Discrimination (Guernsey) Ordinance, 2022 ('the Ordinance'):

- A person has a disability if the person has one or more long term impairments.
- A long-term impairment is an impairment which
  - (a) has lasted, or is expected to last, for not less than six months, or
  - (b) is expected to last until the end of the person's life.

## An impairment means:

- (a) the total or partial absence of one or more of a person's bodily or mental functions, including the absence of part of a person's body,
- (b) the presence in the body of organisms or entities causing, or likely to cause, chronic disease or illness,
- (c) the malfunction, malformation or disfigurement of a part of a person's body,
- (d) a condition or malfunction which results in a person learning differently from a person without the condition or malfunction, or
- (e) a condition, illness or disease which affects a person's thought processes, perception of reality, social interactions, emotions or judgement or which results in disturbed behaviour.

**13** There are different types of discrimination. These are set out in the Ordinance and also explained in guidance from the Committee for Employment & Social Security/Employment and Equal Opportunities Service <https://eeos.gg/resources-organisations-my-issue-about-providing-service-discrimination-and-rights/service-0>. In general, a person suffers a detriment, and the cause of that detriment is associated with a protected ground (for example, disability.)

**14** It is expected that the education provisions will come into force in September 2025. Until that time, schools and education providers should endeavour to work in line with the principles of the legislation. (The requirement to not discriminate already applies to education providers and schools in the context of provision of vocational training (training for employment) and in circumstances when they might be deemed to be a service provider).

The Ordinance requires schools and education providers to not discriminate<sup>13</sup> against, harass or victimise learners on the grounds of disability.<sup>14</sup>

2.4

**Not all learners who have a disability (as defined above), will**

**have ALN.** They only have ALN if the disability prevents or hinders them from making use of educational or training facilities of a kind generally provided for others of the same age in education settings, and they need additional learning provision. (The term 'facilities' refers to more than just the physical premises, and extends to any aspect of the ordinary education provision.)

2.5

To amount to ALN, a disability need not affect access to educational facilities in all areas of learning. It might be, for example, a physical impairment that only affects access to physical education facilities and calls for additional learning provision in relation to physical education only. It might also be a non-physical impairment that hinders participation in education. A learner may even be performing well across all areas of the curriculum but still have ALN because they have a disability that is preventing or hindering them from making full use of educational facilities unless additional learning provision is made for them. Reasonable adjustments are relevant where a learner is at a substantial disadvantage due to their disability – see below. ('Substantial' is defined as 'more than minor or trivial'.<sup>15</sup>)

<sup>15</sup> Section 32(11) of the Prevention of Discrimination Ordinance, 2022.

## Reasonable adjustments

2.6

Discrimination legislation includes duties for schools and education providers to make reasonable adjustments when providing education.<sup>16,17</sup> It is expected that these duties will apply from September 2025 (when schools and education providers must make adjustments). Until that time, schools and education providers should endeavour to make reasonable adjustments. The following information is intended to provide a basic summary. More detail can be seen in guidance published by the Employment and Equal Opportunities Service.<sup>18</sup>

<sup>16</sup> Section 32 of the Prevention of Discrimination (Guernsey) Ordinance, 2022.

<sup>17</sup> Section 33 of the Prevention of Discrimination (Guernsey) Ordinance, 2022.

<sup>18</sup> <https://eeos.gg/resources-organisations-my-issue-about-providing-service-discrimination-and-rights/service-0> – Chapters 3 and 5.

# Proactive reasonable adjustments

2.7

Reasonable adjustments are changes that a setting makes to remove or reduce a substantial disadvantage<sup>19</sup> that a disabled learner might face in comparison with learners who are not disabled. The need for an adjustment may arise where there is a substantial disadvantage which is:

- caused by a provision, criterion or practice (policies or rules);
- caused by a physical feature; or
- able to be removed by an auxiliary aid.<sup>20</sup>

Adjustment may include, for example:

- adapting the curriculum;
- agreeing a different way to undertake learning;
- providing equipment, resources or specialist support and
- making changes to the physical features of the educational setting to improve accessibility. (The duty to make reasonable adjustments that involve changes to physical features will not come into force before October 2028.)

2.8

What is 'reasonable' will depend on the circumstances. It is important that the adjustments should meet the individual's particular needs. The education setting must consult with the learner (and parents/ carers as necessary) to ask what would help them. They should also seek advice from other people as appropriate, such as those with relevant specialist knowledge. Other aspects to consider include available resources and the impact on other learners.<sup>21,22</sup>

2.9

Not making an adjustment to avoid a substantial disadvantage to a learner is not discrimination if:

- making the adjustment would be a disproportionate burden (see the paragraph above and 3.9), or
- the school or education provided does not know, and could not be reasonably be expected to know, that the learner is disabled.<sup>23</sup>

<sup>19</sup> More than minor or trivial (section 32 (11) of the Prevention of Discrimination (Guernsey) Ordinance, 2022.)

<sup>20</sup> An auxiliary aid means equipment or a service that is used by the disabled person, which provides assistance that compensates for or removes any disadvantage or inequality connected with their disability. This does not include any item of personal equipment which the person would reasonably be expected to own. (Section 32 (4) of the Prevention of Discrimination (Guernsey) Ordinance, 2022.)

<sup>21</sup> It is not discrimination if an identified potential adjustment is not made because it would be a disproportionate burden (section 32(6)).

<sup>22</sup> See section 3.2 of the Employment and Equal Opportunities Service Providers guidance to the Prevention of Discrimination Ordinance <https://eeos.gg/resources-organisations-my-issue-about-providing-service-discrimination-and-rights/service-0>.

<sup>23</sup> Section 32(6) of The Prevention of Discrimination (Guernsey) Ordinance, 2022.

## 2.10

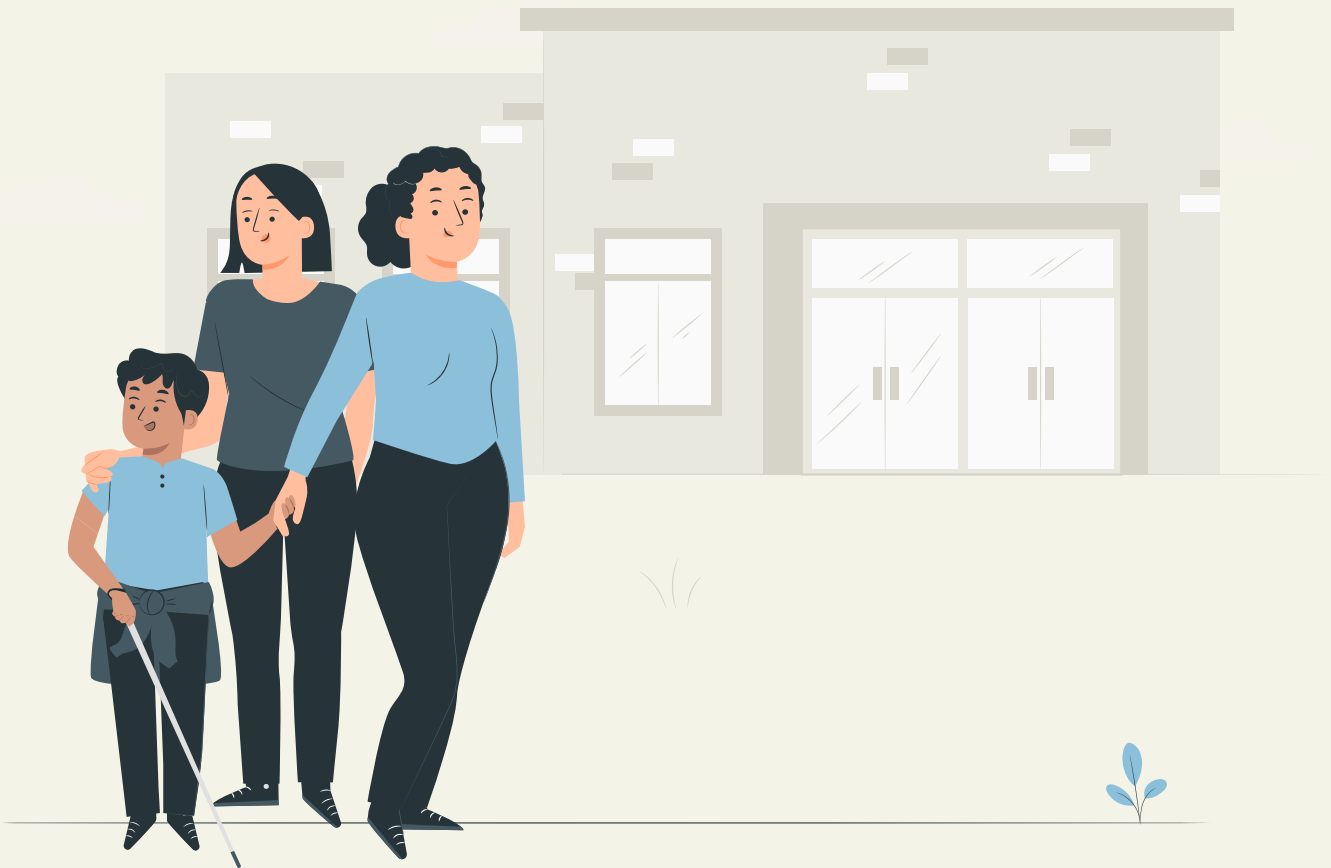
In addition to making reasonable adjustments for particular individuals, education settings will also have a duty to be proactive in making reasonable adjustments that would benefit disabled people generally. Two important tools to help with this are:

- The High Quality Inclusive Practice document [publication expected Autumn 2024]
- Accessibility action plans (see below).

## Accessibility action plans

## 2.11

Preparing an accessibility action plan helps to identify things that can be barriers for disabled learners and to consider what improvements can be made. These plans should be prepared with input from the education setting community, and specialist advice as appropriate. It is expected that States-maintained education settings will be required to have plans in place by October 2028.



# Medical conditions

2.12

It is important that education settings are aware of a learner's medical needs. Medical needs should be identified, recorded and supported in line with setting policies and procedures that deal with medical matters.<sup>24</sup> (Also see section 2.14 below).

<sup>24</sup> Health data constitutes special category data under the Data Protection (Bailiwick of Guernsey) Law, 2017, and particular care should be taken when storing and using this kind of information.

2.13

In some cases, medical conditions may result in ALN. This may be because of:

- The direct impact on a learner's
  - cognitive abilities
  - physical abilities and/or
  - emotional state.
- The impact could also, or alternatively, be indirect, for example:
  - disruption to education through the side effects of treatment and/or
  - the psychological effects that serious or chronic illness or disability can have on a learner.

2.14

If a learner's medical condition does not result in significantly greater difficulty in learning or a disability that requires additional learning provision, they will not have ALN. Where the medical condition does result in ALN, this Code applies in addition.

2.15

Where the Committee has formally 'determined' the additional learning provision that a learner requires ([see Chapter 12](#)), the Determination in place should include reference to any health needs that are relevant to the ALN and the additional learning provision that would be appropriate to support it.

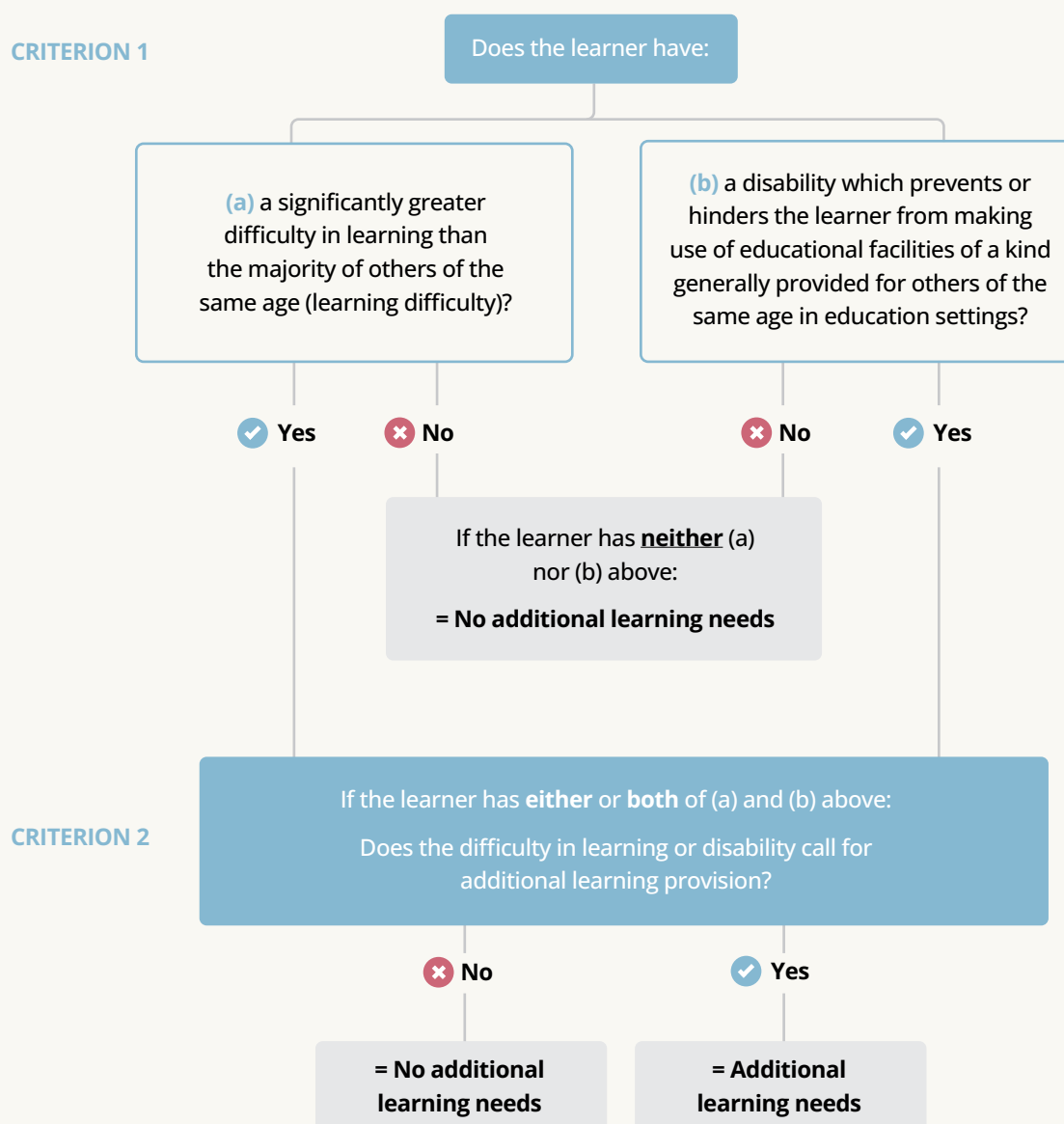
# How to tell if a learner has additional learning needs

2.16

A learner only has ALN if both of the criteria shown in Figure 3 (below) are satisfied.<sup>25</sup>

<sup>25</sup> This diagram reflects the legal definition of 'SEN' (referred to as 'ALN' in this Code).

**Figure 3.** The two criteria as to whether there are ALN. These criteria assume that high quality inclusive practice is already in place.



These criteria are also described in words on the next page.

## Criterion 1

Does the learner have either or both of the following (which may or may not arise from a medical condition):

- (a) either a significantly greater difficulty in learning than the majority of others of the same age (learning difficulty) or
- (b) a disability which prevents or hinders the learner from making use of educational facilities of a kind generally provided for others of the same age in education settings?

## Criterion 2

Does the learner's learning difficulty or disability call for additional learning provision?

(Additional learning provision can take many forms; it might include any support that is additional to, or different from, high quality inclusive practice made generally for others of the same age. High quality inclusive practice expectations are set out in a separate document [publication expected Autumn 2024]. Additional learning provision might also be delivered outside of the education setting by external professionals.)

# Short term issues with learning

2.17

Some learners are likely at some point to experience short term issues with their learning. For example, this may be because of a period of absence from an education setting caused by a temporary illness, or some other challenging life event. In these circumstances, education settings may need to take action to help the learner catch up and/or to prevent the issue from escalating. These situations would not ordinarily amount to ALN on their own; but it is possible that in some cases, such events could result in a difficulty in learning which calls for additional learning provision (e.g. where a temporary illness has a lasting detrimental effect).

## High prior attainers and high learning potential

2.18

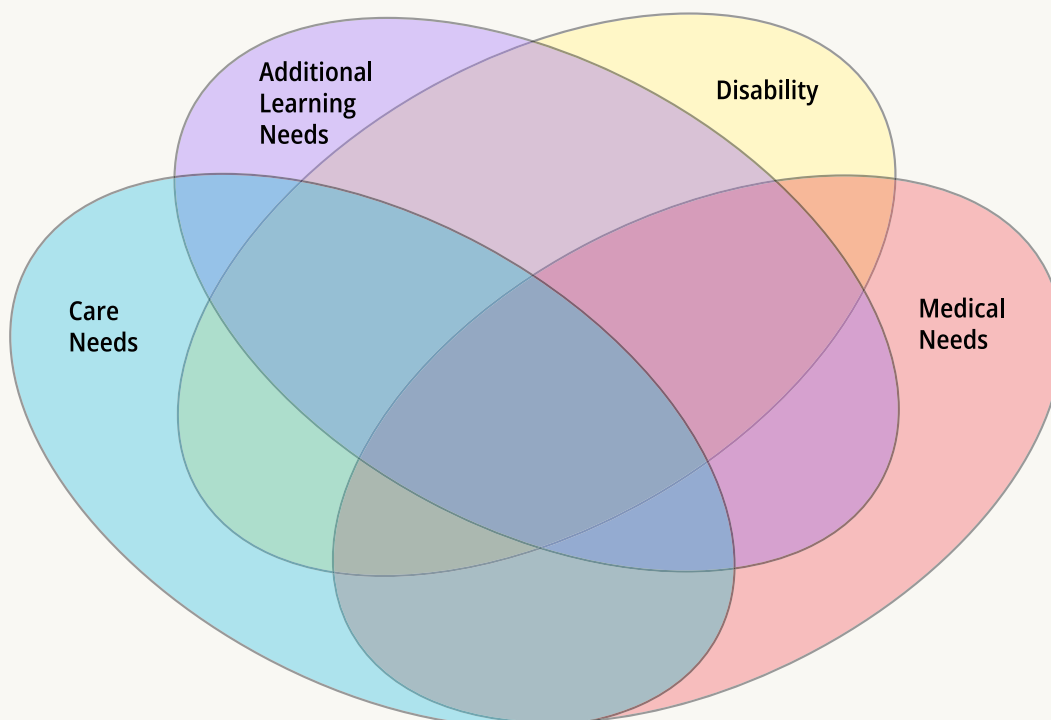
Learners who are considered to be high prior attainers and/or have high learning potential do not have a difficulty in learning on the basis of their enhanced ability or talent. However, in order to realise their potential, they should be provided with appropriate enhanced opportunities and challenge. This should be provided as part of adapted teaching.

## A holistic approach for needs that go beyond ALN

2.19

This Code is focused on ALN. However, as explained throughout this chapter, learners might have other needs beyond ALN, as shown in the following diagram below. These needs could be around their wider health and development, or family or environmental factors.

**Figure 4.** Learners' needs might fall into one or more of these definitions:



2.20

The principle of early identification and intervention to support needs extends across the States of Guernsey and relevant third sector organisations. Where education professionals think other (non-ALN) needs might exist and that the learner could potentially benefit from early support from other services which are not already involved, they should consider, in partnership with parents/carers, if an Early Help Assessment would be relevant. This is a simple, impartial and honest assessment of strengths, opportunities and challenges that is undertaken with a family, with their consent.<sup>26</sup>

<sup>26</sup> Early help is a way of working effectively across agencies and services that supports families, children, and young people to overcome difficulties and build their resilience so that problems do not escalate, and they are able to thrive, live and engage happily in their communities. More information will be available at <http://iscp.gg> (expected Q3 2024).

2.21

Non-ALN needs should be supported through systems and processes relevant to those other need(s).



## ③ Principles

There are some core principles that underpin this Code of Practice.

3.1

**High quality inclusive practice as the foundation:** The starting point for educating learners with ALN is the same as for any learners. Knowledgeable and skilled educators should be aware of each learner's abilities, have high aspirations for them, and be able to identify ways to provide them with appropriate access to the curriculum.

3.2

**Inclusive education that focuses on removing barriers to learning:** All learners should be able to access common opportunities in ways relevant to their needs and which ensures that they fully belong to the community within the education setting. The needs of learners with ALN should be met alongside learners without ALN where possible.<sup>27</sup> The needs of most learners will continue to be met without the need for a Formal Assessment under the Law.<sup>28</sup> ([Chapter 12](#) outlines the Formal Assessment process.)

<sup>27</sup> Section 2(2) of the Education (Amendment) (Guernsey) Law, 1987.

<sup>28</sup> Section 5 of the Education (Amendment) (Guernsey) Law, 1987.

3.3

**A rights-based, learner-centred, approach:** In line with the United Nations Convention on the Rights of the Child, the views, wishes and feelings of the learner, along with those of parents/carers, are central to the planning and provision of support. Information should be provided to them at every stage and they should be enabled to participate as fully as possible in decision-making.

3.4

**Early identification, intervention and review:** Needs should be identified, planned for, and provision put in place at the earliest opportunity. The impact of the provision should be reviewed.

3.5

**Joined-up working and clear responsibilities:** At every opportunity, everyone supporting a learner (individuals and organisations) should endeavour to work together to achieve coordinated support that is in the best interests of the learner. A culture of collaborative working and understanding of each other's contexts and processes underpins the success of interagency working. Information sharing must be in line with data protection legislation and principles ([see 3.16 for guidance on this](#)).

3.6

**Effective preparation for the future:** Professionals should work towards helping learners achieve the best possible educational and other outcomes at every stage. Learners should be effectively prepared for adulthood. Transitions should be planned well in advance and tailored to match the learner’s ALN regardless of their level of need.

## Resource constraints

3.7

The States of Guernsey is responsible for providing a wide range of public services for the benefit of islanders. It has a responsibility to taxpayers to ensure that public resources are used in an efficient and effective way. This extends to how learners with ALN are supported.

3.8

The principles described (above) have to operate within a system that respects the resources available – money, staff, services, equipment etc. – aiming to provide appropriate support for learners at responsible and sustainable cost.<sup>29</sup>

**29** For example, Section 34 of the Education (Guernsey) Law, 1970 and Section 2(3) of the Education (Amendment)(Guernsey) Law, 1987.

3.9

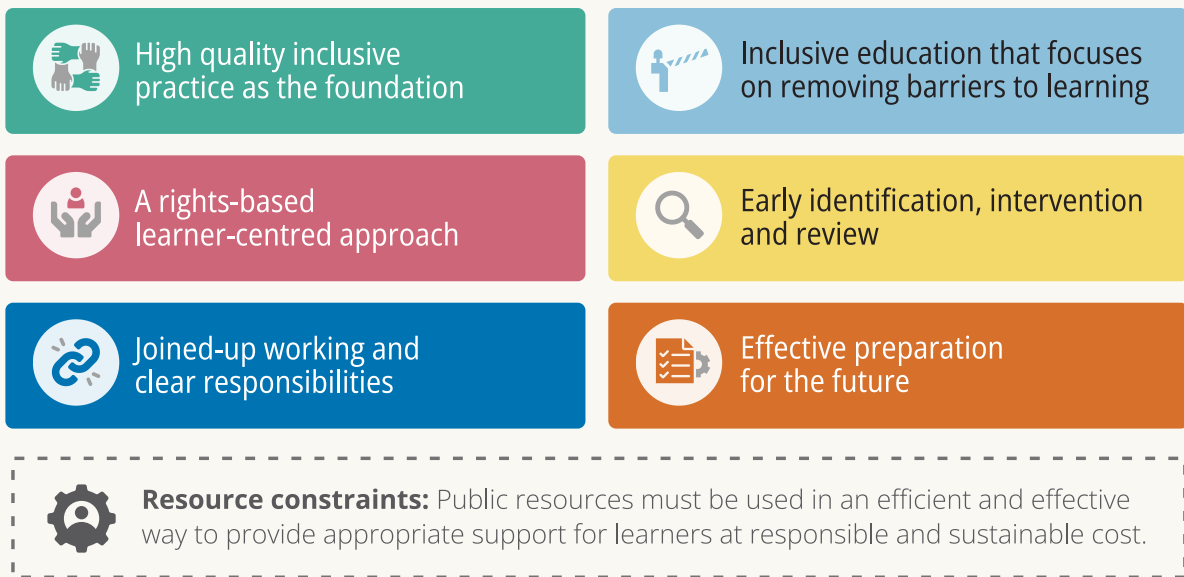
Prevention of discrimination legislation agreed in 2022 introduces the concept of reasonable adjustments.<sup>30</sup> Consideration of whether something is reasonable should be objective. Factors can include, but may not be limited to, how effective an adjustment would be to reduce or remove the disadvantage that the disabled person would otherwise experience, practicality, cost, resources, and impact on other learners, etc. (See also [section 2.6.](#))

**30** See section 3.2 of the Employment and Equal Opportunities Service Providers guidance to the Prevention of Discrimination Ordinance <https://eeos.gg/resources-organisations-my-issue-about-providing-service-discrimination-and-rights/service-0> for what is 'reasonable'.

3.10

Education settings beyond the States will also have resource considerations.

**Figure 5.** The core principles underpinning this Code.



## Joined-up working

3.11

Everyone involved in supporting a learner with ALN should work closely together, in partnership with learners and parents/carers. Everyone should respect the processes set out in this Code and engage appropriately, regardless of the level of need. They should be committed to working collaboratively, taking responsibility for their own areas of input.

3.12

Many needs can be supported within the normal resources of a learner's education setting (staff complement, teaching and pastoral practices etc.) However, the nature of some needs may mean that other specialist services should be involved to enable a learner to work towards their potential.

3.13

Where a learner needs additional services<sup>31</sup> to achieve or maintain a reasonable standard of health or development (physical, intellectual, emotional, social or behavioural development), the States has a duty to provide them, to promote the learner's upbringing. Some services fall under the remit of the Committee *for* Education, Sport & Culture. Others fall under, for example, the Committee *for* Health & Social Care.

**31** Services additional to the health, social, child care and educational services normally provided by the States to, or in respect of, any family or learner – Children (Guernsey and Alderney) Law, 2008, sections 23-24.

3.14

The Committee *for* Education, Sport & Culture and the Committee *for* Health & Social Care have both committed to cooperative working, to improve the experience and outcomes of learners with ALN. The Committees' officers are working toward achieving greater strategic and operational alignment<sup>32</sup>, as far as is practicable. Support available/ provided will be in line with the remit, resources and standards applicable to the individual service organisation(s). However, whichever services are involved, it is vital that everyone works together in the best interests of the learner to support needs. This should include clear and timely cooperative communication, and joined-up and proportionate processes which limit duplication and acknowledge the stress that families can feel.<sup>33,34</sup>

**32** Recommendation 15 of the nasen review: <https://www.gov.gg/article/182953/Guernsey-and-Alderney-SEND-Review>

**33** Section 27 of the Children (Guernsey & Alderney) Law 2008.

**34** Parents/carers of children with a disability may have 'Carer status' under section 3 of the Prevention of Discrimination Ordinance 2022. This is a protected ground.

3.15

Where a learner moves between stages of education and education settings, there should be planned and effective transition that suits their needs, including timely transfer of relevant information.

## Information sharing

3.16

When handling personal data, all processing should be in line with the Data Protection (Bailiwick of Guernsey) Law, 2017. Information relating to an individual's health, inclusive of disability and ALN, constitutes special category data and therefore extra care should be taken when handling, processing or sharing this type of data. The Law enables fair and proportionate data sharing, providing that there is lawful basis to do so, and various conditions are met (such as gaining consent where appropriate). What is shared should be relevant, accurate and proportionate to the sensitivity of the information and the circumstances. For further advice on the lawful sharing of personal data, please see the [Office of the Data Protection Authority's guidance](#).<sup>35</sup>

**35** <https://www.odpa.gg/information-hub/guidance/data-sharing/>

3.17

If a child is believed to be at risk and data sharing is required to protect the health and safety of a child, the Island Safeguarding Children Partnership has produced [information sharing guidance](#).<sup>36</sup>

**36** See the ISCP website - <http://iscp.gg>.

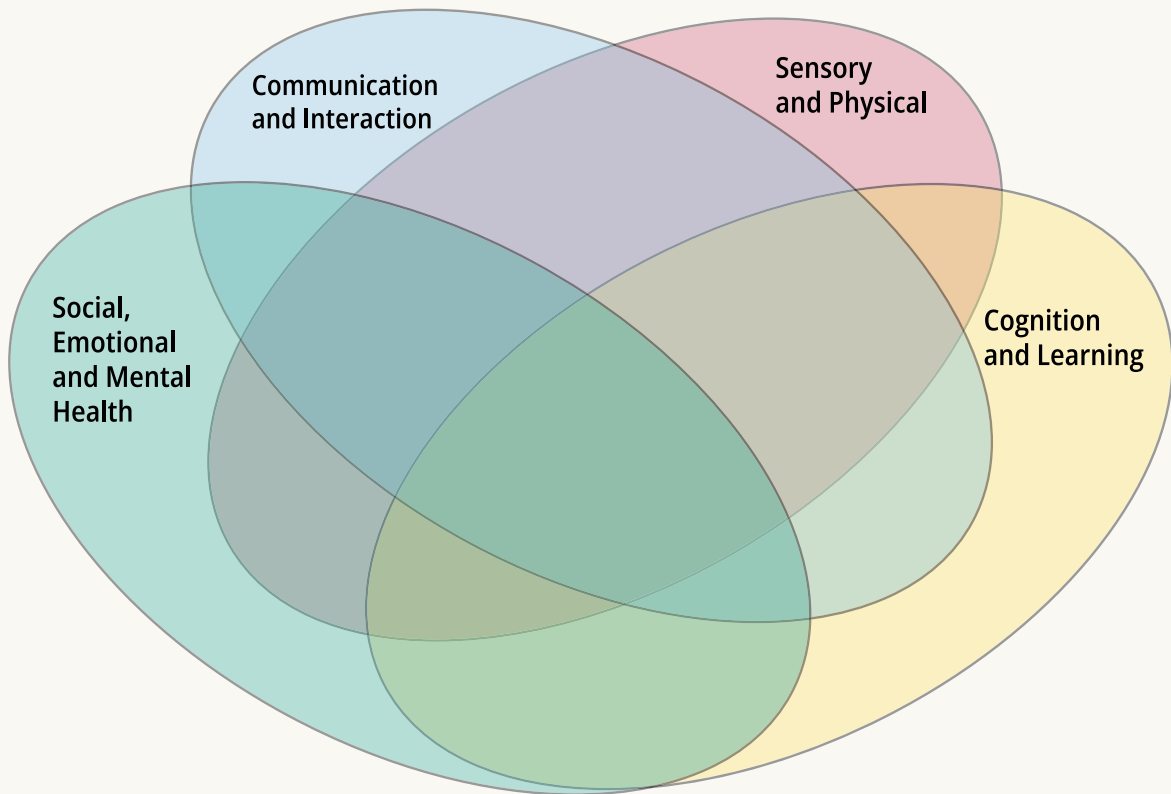
④

## Broad Areas of Support

4.1

Generally, needs that might require support through additional learning provision can be captured under four broad area headings – these are shown in the diagram below, and described at 4.8-4.11.

**Figure 6.** A diagram to illustrate how provision for each individual might intersect according to the broad areas of support.



4.2

It is important to understand that the four broad areas of support are to help to give a framework for the provision that might be put in place for individuals.

4.3

The diagram above shows how areas can overlap: learners often have needs that may fall into one or more of these areas. Every learner is different - identifying a learner's type(s) of need may help plan approaches that may work for them, but any support that is put in place should carefully consider their specific individual needs and what will help them to be successful in their learning.

4.4

It is important to understand that even where a particular condition is involved, it must not lead to standardised 'one size fits all' responses. Each learner is unique and this requires an individualised response. For example, two learners who have been diagnosed with autism may have very different needs, requiring provision of very different support.

4.5

Education professionals should endeavour to understand individual characteristics of learning needs and how these relate to their learning environment and what they teach. They should be proactive in seeking support and guidance to help them do this as appropriate. They must make reasonable adjustments to remove barriers to learning and participation.<sup>37</sup> They should be supported to do this through access to appropriate training, resources and specialist expertise. Discussion with learners and their parents/carers should also enable deeper understanding.

<sup>37</sup> Duties under the Prevention of Discrimination Ordinance (expected to take effect in education from September 2025) require reasonable adjustments – see section 2.6 of this Code.

4.6

This chapter links to the High Quality Inclusive Practice guidance to suggest ways that settings might support the development of inclusive spaces for learning and teaching. (See [Chapter 5](#) for more information on high quality inclusive practice.)

## Emphasising strengths and positives

4.7

This Code encourages a strengths-based approach to supporting learners and acknowledges that they are diverse and think about the world and communicate with others in many different ways. The term neurodiversity is often used to include conditions such as, but not limited to, autism, attention deficit disorder (ADD), attention deficit hyperactivity disorder (ADHD), specific learning differences and Tourette Syndrome.

## Communication and interaction

4.8

Some learners may have barriers to learning and participation as a result of speech, language and communication needs. Their learning difference may result in a difficulty in understanding or processing language. It may be that the use of spoken language or non-verbal communication is a challenge. There may be barriers with social communication and interaction. The learner's neurodiverse approach should be supported as appropriate to enable them to progress in their learning.

# Cognition and learning

4.9

Some learners may learn at a slower pace than their peers. They may experience barriers to learning due to a specific learning difference that has an impact on one particular aspect of their learning (for example, in literacy or numeracy). They may need support with organisation or memory skills. It may be that there is a more generalised difficulty in learning.

## Social, emotional and mental health needs (SEMH)

4.10

Social, emotional and mental health (SEMH) needs arise from difficulties with making/maintaining positive social relationships, managing/regulating emotions, and/or mental health needs. These difficulties may mean the individual presents with unhealthy/dysfunctional adaptive/coping behaviours. Support/assessment should target these areas, and consider any possible underlying neurodevelopmental difficulties.

## Sensory and / or physical needs

4.11

This area of need includes the wide spectrum of sensory, multi-sensory and physical difficulties. Some learners may have a sensory processing difficulty. The sensory range extends from profound and permanent hearing or visual impairment through to lesser levels of loss, which may only be temporary. Physical impairments may arise from physical, neurological or metabolic causes that only require appropriate access to educational facilities and equipment; others may lead to more complex learning and social needs. Some learners will have multi-sensory difficulties with associated physical difficulties.

5

## Continuum of Support

5.1

Inclusion<sup>38</sup> requires that learners' needs are identified as soon as possible so that barriers to learning and development are removed. Following a staged approach will ensure that learners achieve the best possible outcomes.

5.2

All learners should have access to a broad and balanced curriculum and high quality inclusive practice. This forms the foundation of this Code of Practice. The quality of teaching for all learners should be monitored to ensure that it is high quality and therefore inclusive.

5.3

The early identification of ALN should be part of the education setting's progress monitoring approaches. The type and level of need(s) can change as the learner grows and develops.

5.4

There is a continuum of response to meeting the ALN of learners. This allows for change in the type and level of support to reflect the learner's needs. Where a learner is located on the continuum depends on their identified needs at that time.

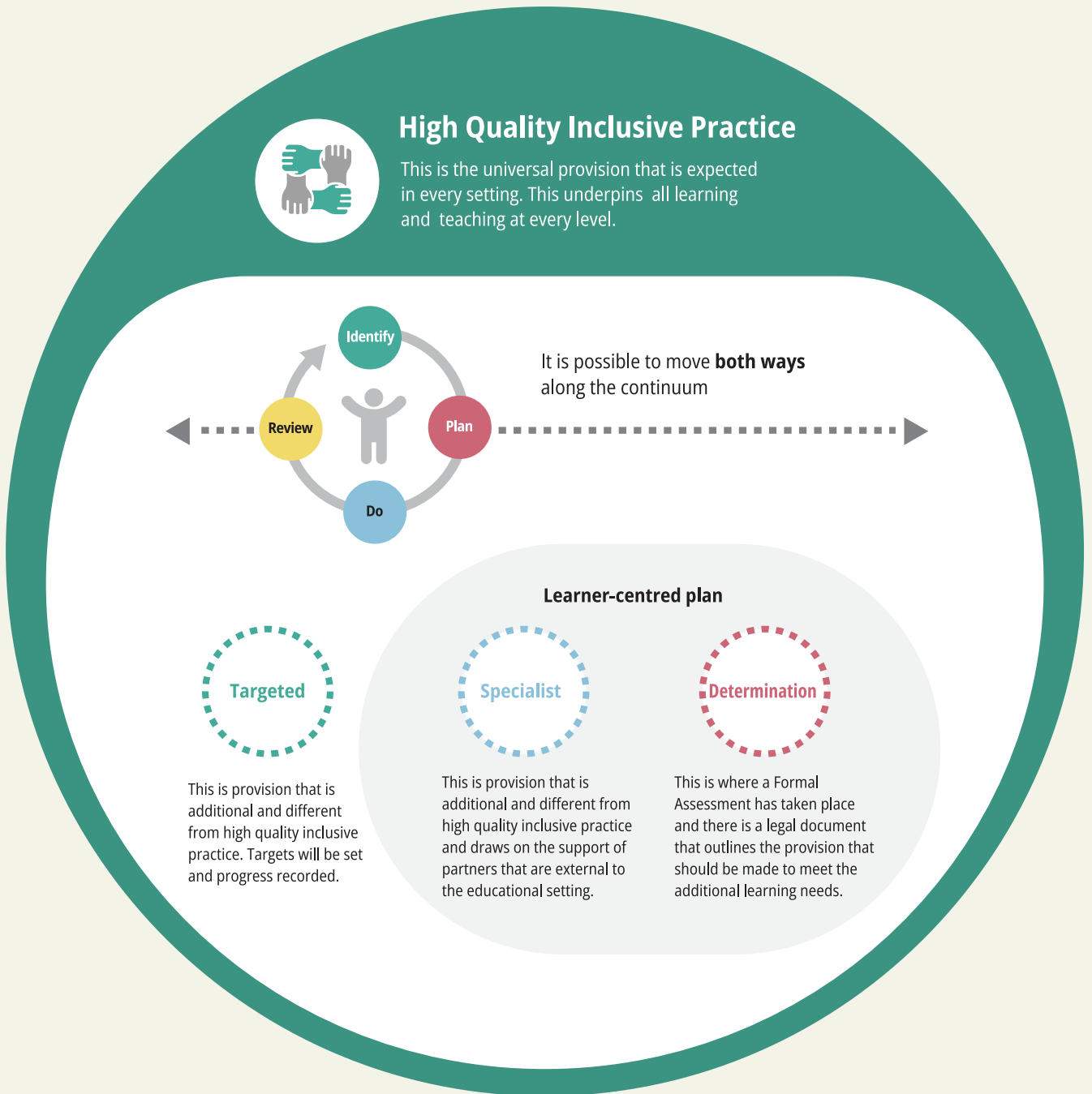
5.5

The diagram overleaf shows the continuum of support and, wherever they are in the model, every learner is subject to the continuous cycle of 'identify, plan, do and review' to ensure they make progress towards achieving positive outcomes.

**38** Inclusion is defined as the participation of all learners in learning which leads to the highest possible level of achievement, whatever setting they are in, and the participation of learners in the full range of social experiences and opportunities once they have left education. It is about providing effective learning opportunities for all learners. Inclusion may be facilitated through early intervention, removing barriers to learning, raising expectations and achievement and improving partnerships with parents/ carers, learners and other agencies.



Figure 7. Continuum of support



## High quality inclusive practice

5.6

High quality inclusive practice, based on established teaching standards, is essential to ensure that all learners achieve the best outcomes. An appropriate education to meet all learners' needs will enable them to be confident individuals who flourish and are able to make a successful transition to adulthood.

5.7

Educators have the responsibility to meet the needs of learners in their learning environment. Every educator should expect and be prepared to be an educator of learners with ALN. Educators are the main support for a learner with ALN. Any interventions and strategies introduced must be in addition to high quality inclusive practice and not replace it.

5.8

It is important to understand how learners learn and what support they might require to enable them to do this. High quality inclusive practice includes:

- knowing the learners;
- being sensitive to anything that might indicate struggles and reacting appropriately;
- carefully listening to any concerns from learners and their parents/carers, recognising that they know their child;
- enabling learners to understand how they learn;
- explicit instruction and scaffolding<sup>39</sup> to support all learners to make progress;
- flexible grouping of learners;
- continual review of learners in the educator's care so that the educator knows where each learner is in their learning and development (not just academic);
- making reasonable adjustments to overcome barriers to learning and participation – strategies outlined in the High Quality Inclusive Practice document can assist with this [publication expected Autumn 2024] and
- knowing when and how to refer for extra support or advice.

<sup>39</sup> Scaffolding means providing temporary support, then withdrawing that support when appropriate.

5.9

Recruitment, selection, professional development and performance review for teaching professionals at all levels should consider the knowledge, skills and understanding to support ALN.

# Targeted support

5.10

This is the first level of additional learning provision. The core responsibility for this provision rests with the educator and this is overseen by the Additional Learning Needs Coordinator (ALNCo).<sup>40</sup> This is within the educational setting's resources.

<sup>40</sup> Roles and responsibilities are outlined in Chapter 6.

5.11

Targeted support is required when a learner's progress:

- is significantly slower than that of their peers starting from the same baseline;
- fails to match or better their previous rate of progress and/or
- fails to close the attainment gap between them and their peers (if this would be a reasonable expectation in the circumstances).

5.12

Targeted support might include progress in areas other than academic attainment. Progress might relate to social and emotional, communication and interaction or physical and sensory needs.

5.13

For a learner in the Early Years, it is necessary to consider whether the learner may require additional learning provision when they start school.

5.14

Care must be taken when identifying ALN:

- Slow progress and low attainment do not necessarily mean that a learner has ALN and should not automatically lead to a learner being recorded as having ALN. However, this may be an indicator of a range of additional needs.
- Equally, it should not be assumed that attainment in line with chronological age means that there are no additional needs. Some additional needs occur across the range of cognitive ability and, left unaddressed, may lead to frustration, lack of progress, emotional distress and other wider impacts on the learner.
- In particular, it should be understood that dysregulated responses (such as challenging behaviour) may result from a learner having unmet needs.

5.15

Identification should fully involve the views of the learner and their parents/carers or the learner as appropriate (see Appendix A). Parents/carers know their child and professionals should listen carefully to the views of parents/carers when they express concern about their child's development. Learners may also raise concerns about their progress and professionals should ensure that the learners' voices are heard.

5.16

It is important to be sensitive to the impact that discussions may have on the learner and their parents/carers.

5.17

Identifying and assessing ALN for learners whose first language is not English requires particular care. Education settings should look carefully at all aspects of a learner's performance in different areas of learning and development. Settings should consider whether lack of progress is due to their understanding of English or if it arises from ALN. Difficulties related solely to limitations in English as an additional language are not ALN ([see section 2.1](#)). Language is closely linked to race and nationality, which are protected grounds under The Prevention of Discrimination (Guernsey) Ordinance 2022.

5.18

Where a learner has been identified as requiring targeted support, there should be liaison between the educator and the ALNCo. The ALNCo should ensure that the educator is providing high quality inclusive practice appropriately tailored to the learner and if additional support is indeed required, they will coordinate and oversee provision. In some cases it may be beneficial for the ALNCo to seek ad hoc informal advice from specialist colleagues about possible interventions. High quality inclusive practice expectations are set out in a separate document [publication expected Autumn 2024].

5.19

The learner's level of need should be recorded. Further detail including provision, targets and progress should be recorded and monitored in a clear plan and shared with parents/carers.

5.20

Where it is thought a learner with ALN might have other (non-ALN) needs that could potentially benefit from early support from other services which are not already involved, this should be raised with appropriate setting staff, to consider whether an Early Help Assessment may be relevant ([see section 2.19-2.21](#)).

## Specialist support

5.21

Specialist support means that the learner requires involvement of services from outside the education setting – e.g. wider Education support services, other States services (such as Health and Social Care) or wider non-States organisations. This entails ongoing involvement or being part of recognised caseload, rather than just initial advice.

5.22

The need to seek involvement of support services/organisations will normally result from a review at targeted support level. However, in some limited circumstances it may be appropriate to go direct to specialist support level – for example (but not limited to), where a learner who has relevant needs moves to Guernsey or Alderney. Wherever it is agreed that advice should be sought from support services/organisations outside the education setting, this should be coordinated by the ALNCo.

5.23

The education setting must seek to engage in a dialogue with all stakeholders about the proposed support in order to address any questions or concerns. Parents/carers and/or the learner (as appropriate - see Appendix A) must give consent for the involvement of any support services.

5.24

The appropriate referral or request for involvement forms should be used as indicated by that service/organisation. Forms and processes should be proportionate, avoid unnecessary bureaucracy and enable cooperative working between all professionals and services in the best interests of the learner.

5.25

It may be necessary for a member of that service/organisation to observe or meet with the learner in their educational setting. Staff from that service/organisation will need to have appropriate access to relevant information about the learner. Education settings should take all reasonably practicable steps to offer an appropriate environment for visiting specialist professionals to allow appropriate assessment or intervention. Educational settings should be able to provide evidence of actions for interventions that have already been put into place as part of their targeted support together with copies of any learner-centred support plans that have been drawn up and reviewed.

5.26

The involvement of Education support services need not be limited to specialised assessments and support for individuals. They can play an important part in the very early identification of ALN and in advising education settings on effective provision designed to prevent the development of more significant needs. They can act as consultants and be a source for in-service advice on strategies for high quality inclusive practice for all educators.

5.27

The Education support services that can be accessed are detailed on the ALN Information Website [publication expected Autumn 2024].

## Determination

5.28

Most learners who have ALN can be effectively supported at targeted or specialist levels. However, in appropriate cases, a 'Determination' may be required to ensure appropriate support. This is a formal document, issued under Education Law.<sup>41</sup>

<sup>41</sup> Section 7 of The Education (Amendment) (Guernsey) Law, 1987.

5.29

At this level, the learner's ALN will have been carefully profiled during a 'Formal Assessment'<sup>42</sup> process. If this results in the Committee being of the opinion that it should determine the additional learning provision which should be made for the learner, it shall make a 'Determination'. This specifies the additional learning provision that should be made to support the assessed needs. Further information about Formal Assessment and Determination can be seen in [Chapter 12](#).

<sup>42</sup> This is an assessment undertaken under section 5 of The Education (Amendment) (Guernsey) Law, 1987.

Considerations about whether a Determination is needed will include such factors as the type and extent of additional learning provision required and the resources involved.

5.30

The type and extent of additional provision required can influence where education may best be delivered, for example, within a non-specialised setting but with potential input of additional resources, or within a setting that particularly specialises in supporting ALN, etc. Wherever the education is delivered, there should be a learner-centred plan in place that is subject to regular review. See [Chapter 10](#) on Learner-Centred Planning.



⑥

# Roles and Responsibilities

# The Committee *for* Education, Sport & Culture

6.1

The Committee *for* Education, Sport & Culture is committed to inclusive education and the removal of barriers to learning, participation and personal ambition.

6.2

Education legislation includes duties for the Committee to secure provision of sufficient education settings<sup>43</sup>, and to ensure that additional learning provision is made for learners that need it.<sup>44</sup> The Committee therefore must ensure that governance arrangements in place for States-maintained education settings include a clear strategic consideration of ALN and additional learning provision. This should include consideration of the progress, challenges and opportunities for learners with ALN.

<sup>43</sup> Schools have to be sufficient to afford for all learners opportunities for education offering such variety of instruction and training as may be desirable in view of their different ages, abilities and aptitudes and of the different periods for which they may be expected to remain at school - The Education (Guernsey) Law 1970 Section 4.

6.3

The Committee must use its best endeavours to ensure that learners with ALN in all schools receive the additional learning provision that is required.<sup>44</sup>

<sup>44</sup> The Education (Guernsey) Law 1970 Section 4(2) as amended by The Education (Amendment) (Guernsey) Law 1987 section 2.

6.4

The general operational delivery of ALN duties and the implementation of the ALN support system is delegated to officers within the Education Office and staff in educational settings and services.

<sup>44</sup> The Education (Amendment) (Guernsey) Law 1987 Section 2(5).

6.5

The Education Office (acting on behalf of the Committee) will:

- a. ensure compliance with legal duties as defined by Education legislation (and other legislation where appropriate, including States of Guernsey legislation around discrimination, children and data protection, etc.) and the guidance outlined in this Code of Practice;
- b. publish policies that promote inclusivity and equal opportunities, recognising that these are integral to high standards, rather than separate;

- c. provide a framework (this Code of Practice) to identify, assess and meet the needs of learners with ALN, within available resources;
- d. ensure that education settings outside the States-maintained sector are aware of the Code of Practice and have regard for it in line with the education setting's status<sup>46</sup>;
- e. ensure that learners and their parents/carers are at the centre of the ALN system and enabled to participate as fully as possible in decision-making processes;
- f. develop close partnerships with parents/carers, education settings, Education support services and professionals from the Committee *for* Health & Social Care so that learners with ALN can benefit from coordinated provision;
- g. collaborate with services and other organisations who work to support learners with ALN. This should include clear and timely cooperative communication, joined-up and proportionate processes which limit duplication and acknowledge the stress that families can feel, and appropriate involvement in meetings;
- h. challenge directly, and/or report, any processes or behaviours they witness which could be considered discriminatory so appropriate early interventions can be made;
- i. consult with settings, services, learners and their parents/carers in strategic planning for support services;
- j. provide appropriate Education support services with service delivery arrangements in accordance with good practice and professional standards;
- k. ensure that information about the ALN system, relevant local services and support for learners with ALN is published and accessible;
- l. monitor and evaluate provision and policy within both settings and the Education support services<sup>47</sup>;

<sup>46</sup> The extent of application of this Code within settings that are not maintained by the States will be influenced by the type and status of the setting (including any registration requirements, agreements in place, etc.) Where an element described is not directly applicable, settings may still wish to consider the practice set out in the Code.

<sup>47</sup> Section 2 of The Education (Amendment) (Guernsey) Law, 1987 includes duties to secure that additional learning provision is made for learners with ALN and that educators are aware of the learner's needs. The education setting should be aware of the importance of the Graduated Approach.

- m.** ensure that setting inspections include an appropriate emphasis on ALN and inclusion;
- n.** communicate to settings and educators the importance of identifying, and providing for, those learners who have ALN;
- o.** gather information about a learner's ALN when parents/carers apply for place at a States-maintained education setting;
- p.** identify training needs and provide or source training and development opportunities to enable practitioners to meet the ALN of learners;
- q.** ensure that recruitment, selection and performance management of staff should consider the candidate's ability to be an inclusive practitioner;
- r.** collate from and disseminate to settings and within the Education Office information and data regarding learners with ALN;
- s.** ensure oversight of ALN provision arrangements made by the Committee but delivered outside of States-maintained settings;
- t.** facilitate disagreement resolution;
- u.** work with other States services to ensure that mechanisms are in place to consider specialist equipment requirements;
- v.** participate in arrangements to consider cases that may require placement outside of Guernsey (with the Committee *for Health & Social Care*);
- w.** maintain appropriate agreements with other relevant States Committees around education expectations and provision for learners in secure settings, and
- x.** consider cases where a parent<sup>48</sup> wishes to withdraw their child from an education setting that is particularly arranged to support learners with ALN.

<sup>48</sup> The Education (Guernsey) Law, 1970, defines 'parent' as a person who has parental responsibility in respect of the child or young person in question.

# Headteacher



'Headteacher' also refers to Principals and a 'Responsible Person'.<sup>49</sup> In respect of Early Years Providers, this would also include Early Years Owners / Managers / Childminders.

<sup>49</sup> The Education (Amendment) (Guernsey) Law 1987, section 18 defines a 'responsible person' in any respect of any school as the headteacher of that school.

6.6

The Headteacher has responsibility for the day-to-day **management** of all aspects of the setting's work, including provision for learners with ALN.

6.7

The Headteacher should ensure:

- a. compliance with legal duties as defined by Education legislation (and other legislation where appropriate, including States of Guernsey legislation around discrimination, children and data protection, etc.);
- b. all aspects of high quality inclusive practice are implemented and reviewed;
- c. the ALN Code of Practice (Guernsey & Alderney) is properly implemented in line with the setting's status<sup>50</sup>;
- d. a suitably qualified member of staff is designated as the ALNCo<sup>51</sup>. For States-maintained settings, the ALNCo should have a position on the Senior Leadership Team to enable them to drive setting-level progress on ALN matters<sup>52</sup>;
- e. they work closely with the ALNCo and are kept informed about learners that require additional learning provision;
- f. learners' rights are promoted within the setting and all staff are aware of the importance of identifying and supporting learners with ALN;
- g. all staff are aware of the legislative context of ALN;

<sup>50</sup> The extent of application of this Code within settings that are not maintained by the States will be influenced by the type and status of the setting (including any registration requirements, agreements in place, etc.) Where an element described is not directly applicable, settings may still wish to consider the practice set out in the Code.

<sup>51</sup> In settings that are particularly arranged to support additional learning needs, a senior member of staff should be designated to fulfil the responsibilities of the ALNCo. In Post-16 settings, there may be one or more people who fulfil the responsibilities of the ALNCo. They may hold a different job title.

<sup>52</sup> In education settings not maintained by the States, granting a similar level of status to the ALNCo should be considered.

- h.** they challenge directly, and/or report, any processes or behaviours they witness which could be considered discriminatory so appropriate early interventions can be made;
- i.** a written setting ALN policy is developed and maintained, detailing the procedures by which learners with ALN are identified, assessed and have their needs met by the setting; how learners with ALN are able to access the curriculum and are included in the setting community; how the setting provides effective learning opportunities for all learners through early intervention, removing barriers to learning, raising expectations and achievement and improving partnerships;
- j.** where there is a specialist resourced provision on the education setting site, they maintain an overview of and responsibility for the education of the learners accessing this provision;
- k.** recruitment and selection of staff should consider the candidate's ability to be an inclusive practitioner;
- l.** staff performance reviews actively consider ALN aspects and educator standards, as relevant to role;
- m.** all educators understand that they are responsible and accountable for the progress and development of the learners in their classes, including where learners access support from additional adults;
- n.** training needs are identified and training and development opportunities are made available to enable practitioners to meet the ALN of learners. This includes both general training and condition-specific training relevant to the learners in the setting;
- o.** the impact of any training as outlined above is monitored and evaluated;
- p.** planning for ALN provision is incorporated in the Setting Development Plan;

- q. all educators and setting leaders are involved in identifying and providing for learners who have ALN;
- r. parents/carers are informed that their child has ALN, by an educator or ALNCo as appropriate, and that relevant details will be recorded in setting information systems; their views will be taken into account in making provision to meet those needs;
- s. details of learners receiving additional learning provision are maintained in the setting information management system<sup>53</sup>;
- t. records relating to individual learners are well maintained and securely held;
- u. appropriate support plans are in place for any learner receiving additional learning provision, and these are reviewed regularly and at least twice annually;
- v. a learner-centred Annual Review is held for learners with a Determination;
- w. within the setting's annual budget, there is consideration of the support needed for ALN (resources, etc.);
- x. the ALNCo has an appropriate timetable, including designated time to fulfil their duties;
- y. learner records are transferred between settings and phases within five working days<sup>54</sup> of the learner's arrival at the new setting. Wherever possible, there must be detailed planning for transition well in advance of any move including any support services that are involved with the learner. Good practice is to ensure that relevant staff are fully informed of a learner's needs in advance of their first interaction with them;
- z. information from the individual's learner record is shared with Education support services within five working days when requested;

<sup>53</sup> Guidance may be issued by the Education Office from time to time.

<sup>54</sup> 'Working days' to be in line with the normal working periods for the setting involved.

- aa. the ALNCo meets with all support services working with the education setting on a termly basis as a minimum, to keep an oversight of the joint working for learners who have specialist support or a Determination in their setting. Good practice is to hold a multi-agency meeting where possible;
- ab. all staff are aware of the Early Help framework to support early intervention with needs that might extend beyond this Code's definition of ALN;
- ac. there is suitable engagement with Prison and Education staff (and other professionals as appropriate) in respect of learners with ALN on roll who are sentenced to a term of Youth Detention.

## Additional Learning Needs Coordinator (ALNCo)

6.8

The ALNCo is responsible for the day-to-day **operation** of the setting's ALN policy. In States-maintained settings, the ALNCo should have a position on the Senior Leadership Team.<sup>55</sup> They should work closely with the Headteacher, other members of the Senior Leadership Team and colleagues, and be closely involved in the strategic development of the ALN policy and provision. (In settings that are particularly arranged to support ALN, a senior member of staff should be designated to fulfil the responsibilities of the ALNCo. In Post-16 settings, there may be one or more people who fulfil the responsibilities of the ALNCo. They may hold a different job title.)

<sup>55</sup> In education settings not maintained by the States, granting a similar level of status to the ALNCo should be considered.

6.9

The ALNCo should undertake an appropriate recognised qualification for the coordination of the provision for learners with ALN within three years of appointment.<sup>56</sup>

<sup>56</sup> This does not include a senior leader in a specialist setting who undertakes the responsibilities of the ALNCo. Guidance may be issued by the Education Office from time to time.

6.10

The ALNCo should undertake appropriate<sup>57</sup> training to support them in their role.

<sup>57</sup> Guidance may be issued by the Education Office from time to time.

The ALNCo should:

- a. ensure compliance with legal duties as defined by Education legislation (and other legislation where appropriate, including States of Guernsey legislation around discrimination, children and data protection, etc.);
- b. review learning and teaching in classrooms (in association with other colleagues as appropriate);
- c. support the teaching and learning lead to ensure that high quality inclusive practice is established in each class;
- d. coach and mentor colleagues with the aim of securing high quality inclusive practice for learners with ALN;
- e. contribute to in-service training for staff and other additional adults;
- f. work in meaningful partnership with parents/carers and be sensitive to the impact that discussions may have on the learner and their parents/carers;
- g. listen to the voices of learners and their families and actively consider their views;
- h. ensure that clear communication between the education setting and home is maintained;
- i. support educators in the identification and assessment of learners with ALN and on implementing the Graduated Approach. (The Graduated Approach helps to ensure that effective additional learning provision is put in place for learners. It is explained in detail in each of the stage chapters – Chapters 7, 8 and 9);
- j. ensure parents/carers are informed, by an educator or ALNCo as appropriate, when their child is identified as having ALN;
- k. be explicit about the support provided through the Graduated Approach to all stakeholders;
- l. ensure that the support from services is clearly explained to

parents/carers;

- m.** maintain an overview of learners identified as requiring targeted provision and monitor each learner's progress to ensure impact;
- n.** coordinate the provision made for individual learners with ALN, working closely with staff, parents/carers and support services;
- o.** liaise with the Designated Member of Staff for children in care where appropriate;
- p.** collaborate with services who work to support learners with ALN. This should include clear and timely cooperative communication, joined-up and proportionate processes which limit duplication and acknowledge the stress that families can feel, and appropriate involvement in meetings;
- q.** where there is a specialist resourced provision on the education setting site, maintain an overview of the education of the learners accessing this provision;
- r.** ensure the effective and efficient use of the setting's resources and advice, support and training which is made available to them through Education support services;
- s.** where the setting is an Examinations Centre, facilitate examination access arrangements, in conjunction with the Centre Examinations Officer;
- t.** meet with all support services working with the education setting on a termly basis as a minimum, to keep an oversight of the joint working for learners who have specialist support or a Determination in their setting.<sup>58</sup> Good practice is to hold a multi-agency meeting where possible. It is recommended that, as far as possible, meetings for the whole academic year should be identified and scheduled during the first working week of the autumn term, to ensure attendee availability. Attendees should be those services relevant to the cohort of learners being supported in the setting;

**58** For Early Years settings that have learners who are receiving specialist support or have a Determination, there should be appropriate liaison with support services according to the circumstances.

- u.** convene Annual Review meetings for learners who have a Determination;
- v.** maintain a record of learners who have been identified as requiring targeted and specialist support as well as those with a Determination, using the setting information management system in line with any guidance from the Education Office;<sup>59</sup>
- w.** monitor the progress and outcomes of learners with ALN in their setting including analysing the data by the learners' broad areas of support, as appropriate ([see Chapter 4](#));
- x.** oversee the records for all learners with ALN, ensuring that clear records of decision-making are kept;
- y.** ensure that the relevant staff have information about a learner's needs and additional learning provision. This includes ensuring the efficient and effective transfer of information when the learner transitions year groups<sup>60</sup>;
- z.** liaise with other settings to ensure smooth transitions for learners with ALN;
- aa.** be aware of the information about ALN provision that is published on the ALN Information Website [publication expected Autumn 2024];
- ab.** liaise with support services;
- ac.** ensure learner-centred support plans (at specialist and Determination level) are written in consultation with class or subject educators;
- ad.** challenge directly, and/or report, any processes or behaviours they witness which could be considered discriminatory so appropriate early interventions can be made;
- ae.** where it is thought a learner with ALN might have other (non-ALN) needs that could potentially benefit from early support from other services which are not already involved, raise this with appropriate setting staff, to consider whether an Early Help Assessment may be relevant. ([See sections 2.19 - 2.21](#)).

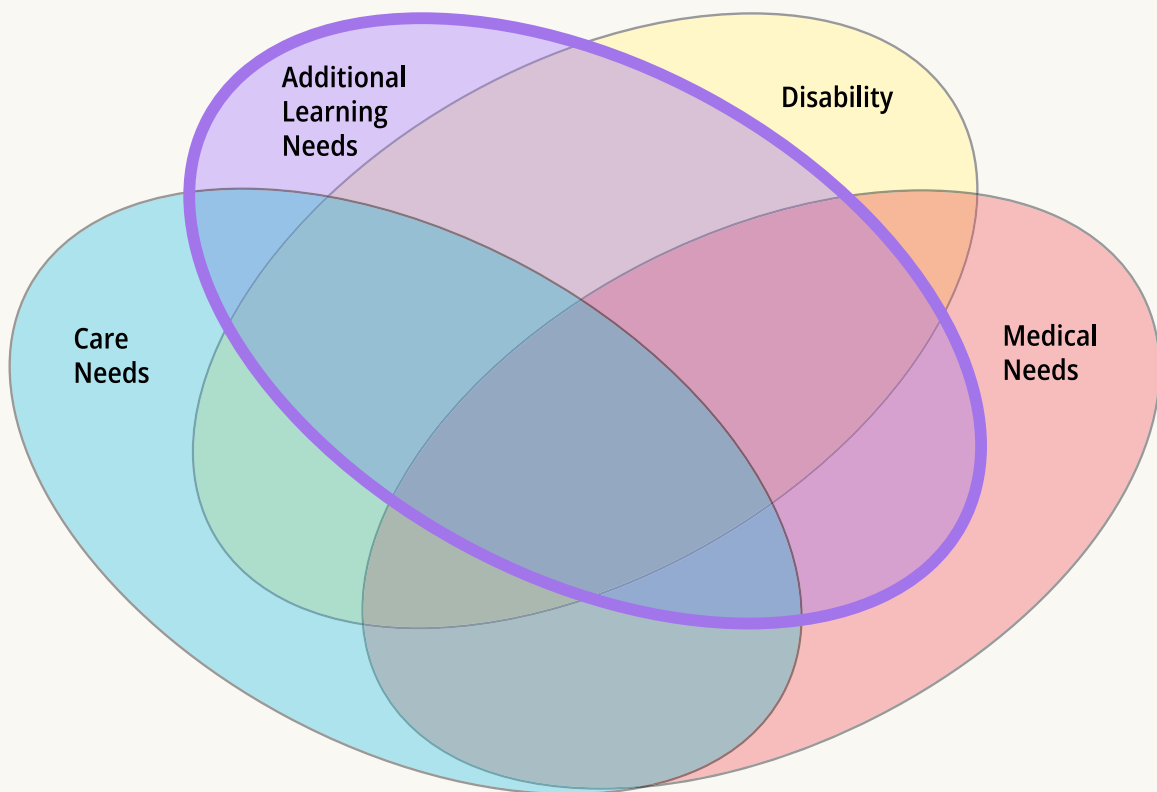
<sup>59</sup> Guidance may be issued by the Education Office from time to time.

<sup>60</sup> Section 2(5)(b) of Education (Amendment) (Guernsey) Law 1987.

**Figure 8.** The ALNCo's responsibility for provision



The Additional Learning Needs Co-ordinator oversees the provision for the learners inside the purple shape.



## Educators

6.12

Educators are people who have the responsibility to teach learners in an educational setting, from Early Years to Post-16. This includes (but is not necessarily limited to) Early Years practitioners, teachers and lecturers, etc. It does not include learning support staff, nor other adults who work under the direction of an educator.

6.13

Educators are responsible and accountable for the progress and development of all the learners in their class. Every educator should expect and be prepared to be an educator of learners with ALN. Class and subject educators are the main support for a learner with ALN. Any interventions and strategies introduced must supplement high quality inclusive practice and not replace it.

6.14

The class or subject educator is often in the best position to note initial indicators of ALN. It is recognised that parent/carer concerns will often be raised initially with the class educator or subject educator, who then has the responsibility of consulting with the ALNCo regarding those expressed concerns as appropriate. The class educator or subject educator should:

- a. ensure compliance with legal duties as defined by Education legislation (and other legislation where appropriate, including States of Guernsey legislation around discrimination, children and data protection, etc.);
- b. deliver high quality inclusive teaching in line with established standards and supported by any supplementary Education Office guidance and training;
- c. have high aspirations for the learners that they are responsible for and closely monitor their progress, development and emotional wellbeing;
- d. inform the ALNCo of any concerns that may indicate that a learner has ALN, including concerns raised by parents/carers;
- e. consult with the ALNCo on the early identification, assessment, provision and monitoring of a learner with ALN;
- f. share concerns with parents/carers, seek their views and involvement in any action taken, as appropriate ([see Appendix A](#));
- g. work in meaningful partnership with parents/carers and be sensitive to the impact that discussions may have on the learner and their parents/carers;

- h.** listen to the voices of learners and their families;
- i.** plan for, implement, record and assess adapted opportunities for a learner receiving targeted support (the Graduated Approach);
- j.** plan for, liaise with and monitor the day-to-day work of support staff working in their classroom;
- k.** seek advice from the ALNCo on meeting the learner's needs in their classroom and liaise with the ALNCo where there are concerns over a learner's progress;
- l.** undertake appropriate training provided by specialist colleagues to develop general and condition-specific skills, knowledge and understanding and actively implement this in the learning environment to support individual learners as necessary;
- m.** where it is thought a learner with ALN might have (non-ALN) needs that could potentially benefit from early support from other services which are not already involved, raise this with appropriate setting staff, to consider whether an Early Help Assessment may be relevant ([see sections 2.19-2.21](#));
- n.** provide support for learners requiring specialist support or who have a Determination in line with the education setting's agreed personalised plan format<sup>61</sup>;
- o.** work cooperatively with the ALNCo, setting colleagues and support services involved in individual cases;
- p.** collaborate with services who work to support learners with ALN. This should include clear and timely cooperative communication, joined-up and proportionate processes which limit duplication and acknowledge the stress that families can feel, and appropriate involvement in meetings and
- q.** challenge directly, and/or report, any processes or behaviours they witness which could be considered discriminatory so appropriate early interventions can be made.

<sup>61</sup> Guidance and/or templates for plans may be issued by the Education Office from time to time.

6.15

All educators should be involved in the development and review of the setting's ALN policy.

6.16

All educators and support staff should have a copy of the setting's ALN policy.

## Education support services

6.17

Education support services maintained by the Committee for Education, Sport & Culture provide additional specialist advice and support to education settings. Details of services are available on the ALN Information Website [publication expected Autumn 2024].

6.18

Members of the Education support services are required to adhere to the core values of their professional group, for example, Civil Servants are required to adhere to the values of integrity, honesty, objectivity and impartiality.

6.19

Members of Education support services should undertake an appropriate<sup>62</sup> recognised qualification relevant to their role. Some members of Education support services are required to maintain certain professional registration and uphold any associated professional standards.

<sup>62</sup> Guidance may be issued by the Education Office from time to time.



6.20

Members of Education support services should undertake appropriate<sup>63</sup> training to support them in their role and enable them to remain up-to-date with their professional practice and service developments.

<sup>63</sup> Guidance may be issued by the Education Office from time to time.

6.21

Education support services are responsible for:

- a. ensuring compliance with legal duties as defined by Education legislation (and other legislation where appropriate, including States of Guernsey legislation around discrimination, children and data protection, etc);
- b. ensuring the implementation of policy and offering support, guidance and challenge in respect of their area of specialist expertise;
- c. proactively contributing to high quality inclusive practice through supporting staff development and running projects to develop new strategies and techniques (as capacity allows);
- d. supporting education settings around early identification and intervention;
- e. supporting the inclusion of learners by removing curricular, attitudinal and environmental barriers to learning and participation;
- f. liaising with third sector organisations within specialist areas to promote cross-sector knowledge and support;
- g. ensuring referral processes are timely, simple and proportionate;
- h. collaborating with others who work to support learners with ALN. This should include clear and timely cooperative communication, joined-up and proportionate processes which limit duplication and acknowledge the stress that families can feel, and appropriate involvement in meetings;
- i. communicating the role of service involvement in a clear and transparent manner;

- j. supporting with individual learners who have needs in their specialist area;
- k. supporting ALNCoS with the Graduated Approach;
- l. forming part of a co-operative multi-agency team and working in partnership with families and other professionals supporting the learner;
- m. listening to the voices of learners and their families and actively considering their views;
- n. working in meaningful partnership with parents/carers and being sensitive to the impact that discussions may have on the learner and their parents/carers;
- o. supporting the Formal Assessment and review process;
- p. engaging in transition planning;
- q. prioritising attendance at multi-agency meetings;
- r. ensuring that relevant service information and current documentation regarding ALN are placed on a central information website;
- s. monitoring the impact of their service's provision to ensure accountability and
- t. challenging directly, and/or reporting, any processes or behaviours they witness which could be considered discriminatory so appropriate early interventions can be made.

## Non-Education support services

6.22

This includes, but is not necessarily limited to, services falling under the Committee *for* Health & Social Care, commissioned services and charities. Details of relevant services and organisations are available on the ALN Information Website [publication expected Autumn 2024].

6.23

Representatives of non-Education support services should work in line with the remit, resources and standards applicable to their individual service organisation. They should take responsibility for their own areas of input, with a clear focus on the best interests of the learner.

6.24

Members of non-Education support services should hold appropriate recognised qualifications relevant to their role. Members of non-Education support services should adhere to relevant Codes of Conduct. Some members of non-Education support services are required to maintain certain professional registration and uphold any associated professional standards.

6.25

The Non-Education support services have an important role in:

- a. ensuring compliance with legal duties as defined by Education legislation (and other legislation where appropriate, including States of Guernsey legislation around discrimination, children, and data protection, etc.);
- b. identifying learners' needs, including providing timely assessments and advice (including following professional guidelines in respect of consent);
- c. offering specialist training to education teams as necessary;
- d. bringing to the attention of parents/carers and the Education Office (and an education setting where relevant) a learner they believe has or probably has ALN, particularly where they think Formal Assessment may be necessary (as set out in [Chapter 12](#));
- e. listening to the voice of learners and families and actively considering their views;
- f. enabling learners and parents/carers to participate in decision-making; in some instances this may include advocacy support;

- g.** collaborating with services who work to support learners with ALN. This should include clear and timely cooperative communication, joined-up and proportionate processes which limit duplication and acknowledge the stress that families can feel, and appropriate involvement in meetings;
- h.** making high quality provision to meet the needs of learners which may or may not be in the education setting;
- i.** focusing on inclusive practice and removing barriers to learning;
- j.** helping learners to prepare for adulthood and
- k.** challenging directly, and/or reporting, any processes or behaviours they witness which could be considered discriminatory so appropriate early interventions can be made.



**Figure 9.** A summary of responsibilities



**The educator is responsible for:**

- ensuring compliance with legal duties;
- delivering high quality inclusive teaching to all learners;
- being aware of learners' rights and the importance of identifying and supporting learners with ALN;
- managing the Graduated Approach;
- working in partnership with parents/carers;
- liaising with the ALNCo and specialists; and
- challenging directly, and/or reporting, any processes or behaviours which could be considered discriminatory to enable appropriate early intervention.



**The Headteacher is responsible for:**

- ensuring compliance with legal duties;
- leading on all aspects of high quality inclusive practice;
- the implementation of and the adherence to this Code;
- recruiting suitably qualified inclusive practitioners and ensuring an ongoing focus on inclusion and support for ALN within normal performance management processes;
- ensuring the ALNCo has an appropriate timetable that enables them to fulfil their duties;
- overseeing the budget to ensure that there are appropriate resources for learners with ALN;
- ensuring that all staff receive continuing professional development; and
- challenging directly, and/or reporting, any processes or behaviours which could be considered discriminatory to enable appropriate early intervention.



**The ALNCo is responsible for:**

- ensuring compliance with legal duties;
- supporting the teaching and learning lead to ensure that high quality inclusive practice is established in each class;
- the operation of the setting's policy including maintaining a record of learners with ALN;
- working in partnership with parents/carers, educators and support services;
- ensuring that learner-centred planning is well-coordinated and the Formal Assessment process is followed according to this Code; and
- challenging directly, and/or reporting, any processes or behaviours which could be considered discriminatory to enable appropriate early intervention.



**The Education Office is responsible for:**

- ensuring compliance with legal duties;
- publishing policies that promote high standards, inclusivity and equal opportunities;
- providing a framework to identify, assess and meet the needs of learners with ALN, within resources;
- providing and monitoring the work of the Education support services;
- developing close partnerships with parents/carers, education setting and support services so that learners with ALN can benefit from coordinated provision; and
- challenging directly, and/or reporting, any processes or behaviours which could be considered discriminatory to enable appropriate early intervention.

**Figure 9.** A summary of responsibilities



**Education support services are responsible for:**

- ensuring compliance with legal duties;
- proactively contributing to high quality inclusive practice through supporting staff development and running projects to develop new strategies and techniques (as capacity allows);
- supporting education settings around early identification and intervention;
- providing specialist advice in areas of expertise;
- supporting the inclusion of learners;
- ensuring referral processes are timely, simple and proportionate;
- supporting with individual learners who have needs in their specialist area;
- supporting ALNCoS with the Graduated Approach;
- forming part of a co-operative multi-agency team and working in partnership with families and other professionals supporting the learners;
- listening to the voices of learners and their families;
- working in meaningful partnership with parents/carers and being sensitive to the impact that discussions may have on the learners and their parents/carers;
- supporting the Formal Assessment and review process;
- engaging in transition planning;
- prioritising attendance at multi-agency meetings;
- ensuring that all relevant service information and current documentation regarding ALN are placed on a central information website;
- monitoring the impact of their service's provision to ensure accountability; and
- challenging directly, and/or reporting, any processes or behaviours which could be considered discriminatory to enable appropriate early intervention.



**Non-education support services and other organisations are responsible for:**

- ensuring compliance with legal duties;
- identifying learners' needs, including providing timely assessments and advice;
- bringing to the attention of the of parents/carers and the Education Office (and an education setting where relevant) a learner they believe has or probably has ALN, particularly where they think Formal Assessment may be necessary;
- taking into account the views of learners and families;
- enabling learners and parents to participate in decision-making;
- collaborating with services who work to support learners with ALN. This should include clear and timely cooperative communication, joined-up and proportionate processes which limit duplication and acknowledge the stress that families can feel, and appropriate involvement in meetings;
- making high quality provision to meet the needs of learners;
- focusing on inclusive practice and removing barriers to learning;
- helping learners/people to prepare for adulthood; and
- challenging directly, and/or reporting, any processes or behaviours which could be considered discriminatory to enable appropriate early intervention.

7

# Identification and Support - Early Years (0-5)

(Not including Reception classes in schools)

# Introduction

7.1

From birth onwards, all children should be helped to develop skills and experience that will prepare them well for their future - for employment, independent living, being healthy and participating in society. This includes children who may have ALN. The vast majority of learners with ALN are capable of sustainable paid employment with the right preparation and support. All professionals working with children from the earliest stages onward should share that presumption and be ambitious in preparing them for what they can achieve in life.

7.2

Early Years educational provision in Guernsey and Alderney comprises settings that are managed by the States, private and third sector providers. This includes preschools, day nurseries and childminders. Some children may attend settings from a very young age (as a baby onwards), others may join later in their early years. Subject to income, parents are provided with a certain number of hours of free preschool education for three- and four-year-olds during the year before they start Reception. Reception-aged learners are covered under Chapter 8.

7.3

Discrimination legislation agreed by the States in 2022 requires schools and education providers to not discriminate against, harass or victimise learners on the grounds of disability<sup>65</sup>, and to make reasonable adjustments to prevent them being put at substantial disadvantage.<sup>64</sup> It is expected that the education provisions will come into force in September 2025<sup>66</sup> (when schools and education providers must make adjustments). Until that time, schools and education providers should endeavour to make reasonable adjustments. [See Chapter 2](#) for more information.

<sup>64</sup> Section 29 of the Prevention of Discrimination Ordinance, 2022.

<sup>65</sup> Section 32 of the Prevention of Discrimination Ordinance, 2022.

<sup>66</sup> The requirement to not discriminate already applies to education providers and schools in the context of provision of vocational training (training for employment) and in circumstances when they might be deemed to be a service provider).

7.4

There are a number of parties that may be involved in supporting a young learner with ALN. (This is in addition to the learner's own family):

- **Early Years practitioners** see their registered learners regularly, alongside learners of the same age. They consider learners' learning and development against established Prime areas and are well-placed to notice potential differences that may indicate ALN. Registered providers are subject to the relevant Early Years Quality

Standards Framework Early Years Quality Standards Framework (EYQSF).<sup>67</sup> These contain standards around identifying and supporting learners with ALN, including ensuring all reasonable adjustments are made to enable a fully inclusive offer for all learners. Registered Preschools and Day Nurseries are required to have a trained ALNCo.

<sup>67</sup> EYQSF for Preschools and Day Nurseries; EYQSF for Childminders

- **The States Early Years Team** is made up of education, health and social care professionals. It is dedicated to working together with parents/carers and parties across the States, private and third sector to ensure that learners can receive the best early childhood education. The Team supports children and Early Years education providers with access to further expertise to support learners.
- **Health Visitors** - Every family with children has an allocated Health Visitor until their child starts primary school. Health Visitors are qualified Nurses or Midwives with special training and experience in health improvement. Health Visitors deliver a programme of 'universal' development checks that can help identify if a learner might have additional needs, and they can help with supporting needs including with referrals to specialist services.
- **Other parties** – if a child has known needs, other parties will be involved in their early years experience and development. This may include particular health and social care professionals/ services, and third sector organisations (charities, etc.).

7.5

Further information about support for learners with needs in their early years can be seen on the ALN Information Website [publication expected Autumn 2024].

7.6

The duties and powers in the Education (Amendment) (Guernsey) Law 1987 that apply to this chapter are to be found in Sections 4, 6, 8 and 9.

7.7

When handling children's personal data, all processing<sup>68</sup> should be in line with the Data Protection (Bailiwick of Guernsey) Law, 2017. Information relating to their health, inclusive of disability and ALN, constitutes special category data and therefore extra care should be taken when handling, processing or sharing this type of data. [See section 3.16](#) for more information.

<sup>68</sup> For example, recording, storing and sharing, etc.

# Early identification, intervention and prevention

7.8

In a young child, perceived needs can relate to developmental matters that will naturally resolve with time. The Law sets out that a child under the age of five has ALN if they are (or would be if additional learning provision was not made for them) likely to have a greater difficulty in learning or a disability that prevents or hinders them from making use of educational facilities when they reach the age of five (compulsory school age).

7.9

Early identification of ALN and the efficient and timely delivery of interventions are central to ensuring learners with ALN have the opportunity to succeed and have access to an education which meets their needs:

- The earlier appropriate action is taken, the more effective the action is likely to be.
- Identifying ALN at an early stage and delivering appropriate and proportionate interventions can also prevent the need for future more costly and less effective interventions.



# Notification of needs by professionals

7.10

Some children will be born with known conditions that mean they are likely to have ALN. These children will likely be involved with medical and care professionals from birth. For some other children, professionals who encounter the child during their earliest years, for example during routine development checks or medical appointments, may become aware of potential needs before they reach school age.

7.11

Anyone who works with children has a duty<sup>69</sup> to take action if they think a child is 'in need'. This includes if the child is disabled or requires the provision of additional services to enable them to achieve or maintain a reasonable standard of health or development (including intellectual development). Action includes sharing relevant information ([see section 3.16](#) for guidance on sharing information). This means the Committee may become aware of a child who has, or potentially has, ALN through notification from Health and Care professionals.<sup>70</sup> Parents should be made aware that such a notification is being made unless there are compelling reasons not to do so for the welfare or safety of the child or a third person.

<sup>69</sup> Section 27 of the Children (Guernsey and Alderney) Law, 2008.

<sup>70</sup> Section 9 of The Education (Amendment) (Guernsey) Law 1987; sections 23-27 of the Children (Guernsey and Alderney) Law.

## Parental right to request assessment of needs

7.12

Parents/carers know their children. If a parent has concerns that a child has ALN, they have the right to request an assessment of their child's needs. The Committee will consider any such request, but it is not obliged to undertake an assessment if it is considered inappropriate or unreasonable. Developmental matters will be included in this consideration.<sup>71,72</sup>

<sup>71</sup> The Education (Amendment) (Guernsey) Law, 1987 Sections 6 and 8.

<sup>72</sup> The Law indicates that the Committee is not 'responsible for' a child under the age of two, but assessment can be made with the parent's consent. If assessment is exceptionally undertaken below this age, it would be in such manner as the Committee considers appropriate. At this very young age, 'additional learning provision' means education provision of any kind.

# Assessment (including potential Educational Psychology Service involvement)

7.13

Concerns raised by professionals or parents/carers will be reviewed by the service(s) relevant to the circumstances. If there are significant concerns that a learner is not meeting age-related expectations in more than one area of development, this should be channelled through a multi-disciplinary child development team. Where it is considered to be required, and with parental consent, relevant services should conduct appropriate assessments to understand needs and how the learner can be supported. Where relevant this may include involvement of an Educational Psychologist. Perceived needs in young children can often relate to developmental matters that will naturally resolve with time. A full Formal Assessment (i.e. potentially leading to Determination – [see Chapter 12](#)) will not ordinarily be needed.<sup>73</sup>

**73** The Law indicates that the Committee is not 'responsible for' a child under the age of two, but assessment can be made with the parent's consent. If assessment is exceptionally undertaken below this age it would be in such manner as the Committee considers appropriate. At this very young age, 'additional learning provision' means education provision of any kind.



# Learners who attend an Early Years setting

**7.14** The following fundamental points apply:

- The Early Years provider/setting as a whole is responsible for provision for learners with ALN;
- Every Early Years practitioner is an educator of learners with ALN, and every leader is a leader of ALN;
- The education setting's culture, policies and practices should be inclusive and remove barriers to learning and participation;
- Some learners may enter a setting with ALN already identified. However, all practitioners should be aware that:
  - other learners may also have ALN, which has not previously been recognised, or may develop ALN during their time at the setting;
  - the nature and level of any ALN can change over time, requiring different and proportionate responses;
  - some learners may have had ALN identified in the past which was considered to have been resolved and which now may manifest in a different way ([see section 4.10](#)).

**7.15** It is expected that any educational provisions will adopt a graduated response to learners with ALN, making use of a wide range of strategies that allows for 'to and fro' movement along a continuum of support to reflect needs and progress made:

- The continuum begins with **high quality inclusive practice** where simple reasonable adjustments are made to overcome barriers to learning and participation. Early Years providers should be able to offer significant effective support at this level.
- It may be that a learner requires additional **targeted support** that is different from and additional to high quality inclusive practice.

- If involved parties consider that the setting requires involvement from support services, there may be the need for **specialist support**.
- In appropriate cases, a Formal Assessment may be undertaken to confirm needs and identify additional learning provision.<sup>74</sup> If the Committee is of the opinion that it is required, a **Determination** may subsequently be issued.<sup>75</sup>

Where a learner is located on the continuum depends on their identified needs at that time. (See [Chapter 5](#) for further detailed information on the continuum and [Chapter 12](#) for information on Formal Assessment and Determination.)

**74** Perceived needs in young children can relate to developmental matters that will naturally resolve with time and this will be included in considerations about whether a Formal Assessment is required at that point. Under the age of two, the Committee is not 'responsible for' a child, but assessment can be made with the parent's consent. Formal Assessment under this age is likely to be exceptional and would be in such manner as the Committee considers appropriate. Under two years of age, 'additional learning provision' means education provision of any kind.

**75** A Formal Assessment may or may not result in a Determination.

## A strong foundation for all learners

**7.16**

High quality inclusive practice and high aspirations for all learners should form the foundation for all education (see [Chapter 5](#) for more information).

**7.17**

All learners attending registered Early Years providers should have opportunities and experiences in line with an effective Early Years curriculum, as described in the relevant Early Years Quality Standards Framework.

**7.18**

In order to enable any learner to learn effectively, careful consideration must be given to:

- the individual profile of the learner including any identified ALN;
- learning environment organisation and management, including the deployment of staff;
- staff training to meet the needs of learners;
- adaptation of the curriculum and
- teaching materials.

**7.19**

High quality inclusive practice includes a continuous cycle of information gathering (including observation), planning, teaching and assessment which takes account of the wide range of abilities, aptitudes and interests of learners. This enables increased curricular

and environmental adaptations, dependent on the learner's strengths and areas for development. Practitioners should use a variety of approaches to maximise the achievements of all learners.

7.20

Positive and effective management, ethos, learning environment, curriculum, pastoral arrangements and a culture of wellbeing can nurture a sense of safety and belonging so as to help prevent some ALN arising, and minimise others.

## The Graduated Approach

7.21

Where a learner is identified as having ALN, settings should take action to remove barriers to learning and put effective additional learning provision in place. This ALN support should take the form of a four-part cycle through which earlier decisions and actions are revisited, refined and revised with a growing understanding of the learner's needs and of what supports the learner in making good progress and securing good outcomes. This is known as the Graduated Approach. It draws on more detailed approaches and more specialist expertise in successive cycles in order to match interventions to the ALN of learners.

**Figure 10.** The Graduated Approach - Early Years

The impact and quality of the support should be evaluated.



Provision is implemented and monitored to ensure that progress is made.

The learner's needs and the provision in place are analysed to decide where on the continuum of support the learner's provision should be.

A plan is prepared which involves the views of all stakeholders.

**7.22**

The Graduated Approach should be led and coordinated by the setting's ALNCo working with and supporting individual practitioners in the setting and informed by Early Years Foundation Stage materials. Parents/carers and learners have key input roles at each stage of the cycle.

## Identify



**7.23**

A learner may be identified as potentially having ALN in various ways.

## Information received at entry to the setting

**7.24**

All settings should ensure they have an accurate picture of the learner on entry - their learning and experiences to date, any known or suspected challenges, etc. and make full use of information passed to them. Parents/carers and any childcare or service professionals who have worked with the learner should also provide suggestions of the best ways of working with them.

# Information from within the setting

7.25

Educators should be aware that any learner may have ALN that has not previously been identified. Potential ALN will often be initially identified within the setting – arising from a practitioner’s continuous cycle of information gathering (including observation), planning, teaching and assessment, or maybe from wider setting monitoring.

## Concerns raised by others

7.26

Providers must be open and responsive to expressions of concern by:

- learners themselves;
- parents/carers, who know their children and may see relevant issues and frustrations outside of the setting and
- other services who may be working with the learner. If other professionals (for example, from services falling under the Committee *for* Health & Social Care) are involved with the learner, it is good practice for parents/carers to advise the setting of input from those other services and for liaison to occur. In addition, if anyone who works with a learner thinks they are ‘in need’, they have a duty to take action.<sup>76</sup> This includes if the learner is disabled or requires the provision of additional services to enable them to achieve or maintain a reasonable standard of health or development (including intellectual development).

<sup>76</sup> Section 27 of the Children (Guernsey and Alderney) Law, 2008.

7.27

Providers should take into account any information that any of the above provide about the learner, recording it and feeding it into analysis (as detailed below) that also considers the setting’s own information on how the learner is developing.

# Analysis

7.28

In identifying a learner as needing ALN support the learner's key person<sup>77</sup>, working with the ALNCo as appropriate, should carry out a clear analysis of the learner's individual profile and needs. (The Early Years Area ALNCo is a source of additional advice where required). The analysis should draw on:

- the key person's assessment and experience of the learner;
- The learner's current and previous:
  - progress and attainment
  - attendance
  - self-regulation/behaviour
  - emotional wellbeing and
  - social interactions;
- information from the setting's core approach to progress, attainment, and behaviour;
- the learner's development in comparison to their peers and Guernsey data;
- the learner's learning characteristics;
- the learning environment that the setting is providing for the learner;
- the task and teaching style;
- other practitioners' assessments where relevant;
- any medical diagnoses;
- any other known factors that may impact on the learner, for example, relationships with staff, or circumstances within the family - difficulties may not result solely, or mainly, from differences within the learner;
- the views and experience of parents/carers;
- the learner's own views and

<sup>77</sup> A key person is a named member of staff in an Early Years setting with responsibilities for a small group of children. They help those children in the group feel safe and cared for.

- if relevant, advice from support services. (In some cases, outside professionals may already be involved with the learner. These professionals should liaise with the setting to help inform the assessments. Where professionals are not already involved, if the setting considers it is appropriate and the parents agree, the ALNCo should contact them. (Referral procedures can be found on the ALN Information Website [publication expected Autumn 2024].)

This is not a definitive list and other sources of information may be relevant.

### 7.29

This analysis should be reviewed regularly (good practice would be at least termly). This will help ensure that support and intervention are matched to need, barriers to learning are identified and overcome, and that a clear picture of the interventions put in place and their effect is developed. For some types of ALN, the way in which a learner responds to an intervention can be the most reliable method of developing a more accurate picture of need.

### 7.30

Where Early Years practitioners think other (non-ALN) needs might exist and that the learner could potentially benefit from early support from other services which are not already involved, they should raise this with appropriate colleagues to consider if an Early Help Assessment would be relevant. This is a simple, impartial and honest assessment of strengths, opportunities and challenges that is undertaken with a family. ([See sections 2.19-2.21](#) for more information).

# Plan



## 7.31

Where it is decided to provide additional learning provision, the parents/carers must be notified, although they should have already been involved in forming the analysis of needs as outlined above. The practitioner and the ALNCo should agree, in consultation with the parents/carers:

- an overview of the reasons of the learner's lack of progress;
- the outcomes they are seeking;
- the interventions and provision to be put in place;
- the expected impact on progress, development or behaviour and
- a date for review.

## 7.32

Plans should take into account the views of the learner and consider any upcoming transitions. The support and intervention provided should be selected to meet the outcomes identified for the learner, based on reliable evidence of effectiveness, and should be provided by practitioners with relevant skills and knowledge. (Any related staff development needs should be identified and addressed.)

- At **targeted support level** actions planned will be provided from within the setting's resources. This may include such things as:
  - more planning time for staff as appropriate;
  - use of identified scripts or strategies;
  - further adaptation (beyond standard high quality inclusive practice);
  - different learning materials and
  - carefully planned support from other setting staff with expertise in particular areas.
  
- At **specialist support level**, action planned will include ongoing involvement of services from outside the setting.
  
- At **Determination level**, plans are for high-level support and follow on from the Formal Assessment process. (Not all Formal Assessments result in a Determination. [See Chapter 12](#) for further information.)

**7.33**

At both 'Specialist' and 'Determination' levels, the learner should be subject to a 'learner-centred planning' approach ([see Chapter 10](#)).

**7.34**

Parents/carers should be fully aware of the planned support and interventions and plans should seek parent/carer involvement to reinforce or contribute to progress at home.

**7.35**

All practitioners who work with the learner should be made aware of their needs, the outcomes sought, the support provided and any strategies or approaches that are required. This includes:

- people who are involved on a temporary basis, for example staff providing cover for absence, and
- when learners move into different groups, etc.

Wherever possible, information should be provided in advance, to support effective relationships and learning from the outset.

**7.36**

In relevant circumstances, appropriate sharing of information may extend to non-setting staff who are teaching or otherwise supporting a learner ([see section 3.16](#) for guidance on information sharing). This could include, for example, the States Early Years Team, or where learners with ALN participate in sessions at the setting with visiting sports coaches, music teachers etc; where learners are involved in offsite activities, or where learners with conditions are transported in vehicles arranged by the setting or Education Office. The frequency and nature of interactions with non-setting staff may vary widely – for example, from daily contact to infrequent; from one-to-one sessions to whole-class work with setting staff present. The context should be considered in information sharing. (States-maintained settings should refer to relevant policies for further guidance.)

**7.37**

The plan information for all learners being supported at targeted, specialist or Determination level should be clearly recorded in a manner that supports effective provision management and monitoring. Key relevant details should also be maintained and provided in line with any requirements set by the States Early Years Team/Education Office for the purpose of enabling strategic oversight of ALN within Early Years settings.

## Do



**7.38**

The Early Years practitioner, usually the learner's key person, remains responsible for working with the learner on a daily basis. With support from the ALNCo, they should oversee the implementation of the interventions or programmes agreed as part of additional learning provision. The ALNCo

should support the practitioner in assessing the learner's response to the action taken and involving parents/carers in the cycle, in problem solving and advising on the effective implementation of support.

**7.39**

The purpose of additional provision should be clearly identified; it is primarily to enable the learner to access the curriculum and to help them be as independent a learner as possible. Good communication between everyone working with the learner is essential, with regular opportunities for joint planning and feedback.

## Review



**7.40**

The effectiveness of support should be reviewed in line with the agreed date.

- The quality of the support and the impact on the learner's progress should be evaluated by the educator and the ALNCo, working with the learner's parents/carers and taking into account the learner's views.
- This evaluation should feed back into the analysis of the learner's needs. The nature of the continuum ([see Figure 7](#)) means that the level of support required can change. Parents/carers should have clear information about the impact of the support provided and be involved in planning next steps. Any changes to the outcomes and support for the learner in light of the learner's progress and development should be agreed.

7.41

Where a learner is receiving targeted or specialist support, this should be reviewed at least twice a year with the providers of this support.

7.42

Where a learner has a Determination, the ALNCo should review the associated operational plan at least twice a year and as necessary. A formal review, including all parties involved in supporting the learner, should be conducted annually. The Education Office may ask settings to convene and hold the Annual Review meeting on its behalf.

([See Chapter 12](#) for more information.)

## Monitoring progress

7.43

Whatever the level of a learner's difficulties, the key test of how far their learning needs are being met is whether they are making suitable progress. Learners are all different and will not progress at the same rate – this means that a judgement has to be made in each case about what it is reasonable for a particular learner to achieve. Where progress is not suitable, it will be necessary to take some additional or different action to enable the learner to learn more effectively.

7.44

'Suitable' progress will look different for different learners. It might, for instance, be progress which:

- ensures access to the full curriculum;
- closes the attainment gap between the learner and their peers;
- prevents the attainment gap growing wider;
- is similar to that of peers starting from the same baseline, but less than that of the majority of learners;
- matches or betters the learner's previous rate of progress;
- demonstrates an improvement in self-help, social or personal skills;
- demonstrates an improvement in any tendency to communicate need via behaviour.

**7.45**

In many cases the action taken to address a learner's identified ALN will mean that the learner's difficulties are reduced, or even resolved. In other cases, success for some learners is ensuring that the attainment gap does not widen and they become as independent in their learning as possible. However, in any case, if progress continues to cause concern, further additional action should be taken at an appropriate level of support and in line with the cycle described above.

**7.46**

If it appears that a learner will require significant additional learning provision beyond preschool age then it should be considered whether Formal Assessment may be required to identify appropriate additional learning for the next stage of education [see Chapter 12](#). A Formal Assessment may or may not result in a Determination.

## Transition within the Early Years phase

**7.47**

It is important that information about the individual needs of learners are made known to new educators and support staff when they progress from year to year or between settings. A learner-centred transition plan ensures that the learner is supported to understand the changes that they may experience as part of the transition process. If appropriate, the strategies that have been successful and benefitted the learner in one setting should be implemented in the receiving setting from the outset.

## Transition to school

**7.48**

Every learner who moves on from an Early Years provider to a school should receive an effective transition programme. A learner who has identified ALN may require an enhanced transition experience. A learner-centred transition plan ensures that the learner is supported to understand the changes that they may experience as part of the transition process. Education providers should engage with any guidance issued by the Education Office to ensure that providers and schools can link together to provide suitable support. (Further information is also provided in [Chapter 11](#).)

**7.49**

In some instances, a learner under school age may have received considerable support at targeted or specialist level. As the learner prepares to move into a school reception class, involved services should ensure that relevant information is appropriately shared with the school ALNCo prior to entry – see [section 3.16](#) for guidance on information sharing. (The timing and nature of information sharing should consider any transition guidance, as mentioned above). If appropriate, the strategies that have been successful and benefitted the learner in the Early Years should be implemented in the receiving setting from the outset. If any involved support service is arranged in accordance with learner age/educational stages, there should also be efficient onward transfer of information to colleagues who support the next stage (i.e. a member of service staff who deals with learners attending Early Years settings should pass information onto a relevant colleague who supports school-age learners).



8

# Identification and Support - Compulsory School Age

# Introduction

8.1

Guernsey law requires learners of compulsory school age to receive an education suitable to their age, ability, aptitude and to any ALN they may have.<sup>78</sup> Compulsory school age is from five (learners may also attend a school reception class from four years) to 16 years.<sup>79</sup> The majority of learners are registered to attend school, some receive home education.

<sup>78</sup> The Education (Guernsey) Law, 1970, as amended, section 17.

<sup>79</sup> The Education (Guernsey) Law, 1970, as amended, section 16. Even if a child's birthday is earlier in the academic year, they are not deemed to have reached 16 until the end of the last Friday in June.

8.2

Discrimination legislation agreed by the States in 2022 requires schools and education providers to not discriminate against, harass or victimise learners on the grounds of disability<sup>80</sup>, and to make reasonable adjustments to prevent them being put at substantial disadvantage.<sup>81</sup> It is expected that the education provisions will come into force in September 2025<sup>82</sup> (when schools and education providers must make adjustments). Until that time, schools and education providers should endeavour to make reasonable adjustments. [See Chapter 2](#) for more information.

<sup>80</sup> Section 29 of the Prevention of Discrimination (Guernsey) Ordinance, 2022.

<sup>81</sup> Section 32 of the Prevention of Discrimination (Guernsey) Ordinance, 2022.

<sup>82</sup> The requirement to not discriminate already applies to education providers and settings in the context of provision of vocational training (training for employment) and in circumstances when they might be deemed to be a service provider).

8.3

This section outlines the procedures to be followed in identifying, planning for and making provision for learners of school age who may have ALN. It is focused on learners attending States-maintained schools. (For learners in other circumstances [see Chapter 15](#).)

8.4

Depending on the individual, a number of parties may be involved in actively supporting a learner with ALN (in addition to the learner's family). This could include educators and support staff; professionals from other States services (such as those under the Committee for Health & Social Care); commissioned services and third sector organisations (charities, etc.). Further information about support for learners with ALN can be seen on the ALN Information Website [publication expected Autumn 2024].

8.5

All learners should be helped to develop skills and experience, and achieve relevant qualifications, to prepare them well for employment, independent living, being healthy and participating in society. This includes learners who may have ALN. The vast majority of learners with ALN are capable of

sustainable paid employment with the right preparation and support. All professionals working with them should share that presumption and be ambitious in preparing them for what they can achieve in life. Schools, in particular, should raise the career aspirations of their learners with ALN and broaden their employment horizons.

8.6

When handling children's personal data, all processing<sup>83</sup> should be in line with the Data Protection (Bailiwick of Guernsey) Law, 2017. Information relating to their health, inclusive of disability and ALN, constitutes special category data and therefore extra care should be taken when handling, processing or sharing this type of data. [See section 3.16](#) for more information.

<sup>83</sup> For example, recording, storing and sharing, etc.

## Early identification, intervention and prevention

8.7

Early identification of ALN and the efficient and timely delivery of interventions are central to ensuring learners with ALN have the opportunity to succeed and have access to an education which meets their needs:

- the earlier appropriate action is taken, the more effective the action is likely to be and
- identifying ALN at an early stage and delivering appropriate and proportionate interventions can also prevent the need for future more costly and less effective interventions.

## Fundamental points

8.8

The following fundamental points apply:

- the education setting as a whole is responsible for provision for learners with ALN;
- every educator is an educator of learners with ALN, and every leader is a leader of ALN;

- the education setting's culture, policies and practices should be inclusive and remove barriers to learning and participation;
- some learners may enter an educational setting with ALN already identified. However, all educators and support staff should be aware that:
  - other learners may also have ALN, which has not previously been recognised, or may develop ALN during their time at the setting;
  - the nature and level of any ALN can change over time, requiring different and proportionate responses;
  - some learners may have had ALN identified in the past which was considered to have been resolved and which now may manifest in a different way ([see section 4.10](#)).



# Continuum of support

8.9

It is expected that any provisions will adopt a graduated response to learners with ALN, making use of a wide range of strategies that allows for 'to and fro' movement along a continuum of support to reflect needs and progress made:

- this continuum begins with **high quality inclusive practice** where reasonable adjustments are made to overcome barriers to learning and participation. Settings should be able to offer significant effective support at this level;
- it may be that a learner requires additional **targeted support** that is different from and additional to high quality inclusive practice;
- if it is considered that the setting requires involvement from support services, there may be the need for **specialist support**;
- in cases of high level need, a Formal Assessment may be undertaken to confirm needs and identify appropriate additional learning provision. If the Committee is of the opinion that it is required, a **Determination** may subsequently be issued.

Where a learner is located on the continuum depends on their identified needs at that time. (Refer to [Chapter 5](#) for further detailed information on the continuum and [Chapter 12](#) for information on Formal Assessment and Determination.)

## A strong foundation for all learners

8.10

High quality inclusive practice and high aspirations for all learners should form the foundation for all education ([see Chapter 5](#)).

8.11

All learners attending States-maintained schools should have opportunities and entitlements in line with the Guernsey Curriculum. This sets out the areas and content of learning in each key stage.

8.12

In order to enable any learner to learn effectively, careful consideration must be given to:

- the individual profile of the learner including any identified ALN;
- learning environment organisation and management, including the deployment of staff;
- staff training to meet the needs of learners;
- adaptation of the curriculum and
- teaching materials.

8.13

High quality inclusive practice includes a continuous cycle of information gathering (including observation), planning, teaching and assessment<sup>84</sup> which takes account of the wide range of abilities, aptitudes and interests of learners. This enables increased curricular and environmental adaptations, dependent on the learner's strengths and areas for development. Educators should use a variety of approaches to maximise the achievements of **all** learners.

<sup>84</sup> This aligns to the Graduated Approach of identify, plan, do and review set out at 8.15.

8.14

Positive and effective management, setting ethos, learning environment, curriculum, pastoral arrangements and a culture of wellbeing can nurture a sense of safety and belonging so as to help prevent some ALN arising, and minimise others.

## The Graduated Approach

8.15

Where a learner is identified as having ALN, settings should take action to remove barriers to learning and put effective additional learning provision in place. This ALN support should take the form of a four-part cycle through which earlier information gathering (including observations), decisions and actions are revisited, refined and revised with a growing understanding of the learner's needs and of what supports the learner in making good progress and securing good outcomes. This is known as the Graduated Approach. It draws on more detailed approaches and more expertise in successive cycles in order to match interventions to the ALN of learners.

**Figure 11.** The Graduated Approach - School Age

The impact and quality of the support should be evaluated.



The learner's needs and the provision in place are analysed to decide where on the continuum of support the learner's provision should be.

Provision is implemented and monitored to ensure that progress is made.

A plan is prepared which involves the views of all stakeholders.



# Identify



8.16

A learner may be identified as potentially having ALN in various ways.

## Information received at entry to the setting

8.17

Staff from the learner's previous education setting are expected to have outlined known ALN and the strategies and interventions used as part of the transition to the setting - [see section 8.48](#) for more information about transition and also [Chapter 11](#).

8.18

All settings should ensure they have an accurate picture of the learner on entry and make full use of information passed to them. This enables settings to ensure they build on the pattern of learning and experience already established during earlier phases of education, but can also give wider valuable insight. For example:

- the End of Preschool Transition Summary for learners entering a Reception class and
- for older learners, assessments etc. completed at the previous setting.

Although these summaries and assessments are not specifically designed to identify ALN, they should alert educators to learners who have particular difficulties, some of whom may have ALN. Transition information should also provide suggestions of the best ways of working with a learner.

## Information from within the setting

8.19

Educators should be aware that any learner may have ALN that has not previously been identified. Potential ALN will often be initially identified from within-setting monitoring, arising from an educator's continuous cycle of information gathering (including observation), planning, teaching and assessment, or maybe from wider setting monitoring.

## Concerns raised by others

8.20

Educators and other staff must be open and responsive to expressions of concern by:

- learners themselves;
- parents/carers, who know their children and may see relevant issues and frustrations outside of the setting and
- other services who may be working with the learner. If other professionals (for example, from services falling under the Committee *for* Health & Social Care) are involved with the learner it is good practice for parents/carers, or where appropriate the learner, to advise the setting of input from those other services and for liaison to occur. In addition, if anyone who works with a learner thinks they are 'in need', they have a duty<sup>85</sup> to take action. This includes if the learner is disabled or requires the provision of additional services to enable them to achieve or maintain a reasonable standard of health or development (including intellectual development).

<sup>85</sup> Section 27 of the Children (Guernsey and Alderney) Law, 2008.

8.21

Settings should take into account any information that any of the above provide about the learner, recording it and feeding it into analysis (as detailed below) that also considers the setting's own information on how the learner is developing.

8.22

Parents/carers know their children. If a parent has concerns that their child has ALN, they have the right to request an assessment of their child's needs. The Committee will consider any such request, but it is not obliged to undertake an assessment if it is considered inappropriate or unreasonable. The learner's developmental stage will be included in this consideration.<sup>86</sup>

<sup>86</sup> The Education (Amendment) (Guernsey) Law, 1987 Sections 6 and 8.

## Analysis

8.23

In identifying a learner as needing ALN support the class or subject educator, working with the ALNCo as appropriate, should carry out a clear analysis of the learner's individual profile and needs. This should draw on:

- the learner's own views;
- the views and experience of parents/carers;
- the educator's assessment and experience of the learner;
- the learner's current and previous:
  - progress and attainment
  - attendance
  - self-regulation/behaviour
  - emotional wellbeing and
  - social interactions;
- information from the setting's core approach to learner progress, attainment, and behaviour;
- the individual's development in comparison to their peers and Guernsey data;
- the learner's learning characteristics;
- the learning environment that the setting is providing for the learner;

- the task and teaching style;
- other educators' assessments where relevant (for example other subject educators);
- any medical diagnoses;
- any other known factors that may impact on the learner, for example, relationships with staff, or circumstances within the family - difficulties may not result solely, or mainly, from differences within the learner;
- if relevant, advice from support services and information about historical specialist involvement. (In some cases, outside professionals may already be involved with the learner. These professionals should liaise with the setting to help inform the assessments. Where professionals are not already working with setting staff, if the setting considers it is appropriate and the parents agree<sup>87</sup>, the ALNCo should contact them (referral procedures can be found on the ALN Information Website [publication expected Autumn 2024])

<sup>87</sup> Appendix A gives guidance on learner and parent / carer involvement and consent.

This is not a definitive list and other sources of information may be relevant.

8.24

This analysis should be reviewed regularly (good practice would be at least termly). This will help ensure that support and intervention are matched to need, barriers to learning are identified and overcome, and that a clear picture of the interventions put in place and their effect is developed. For some types of ALN, the way in which a learner responds to an intervention can be the most reliable method of developing a more accurate picture of need.

8.25

Where education professionals think other (non-ALN) needs might exist and that the learner could potentially benefit from early support from other services which are not already involved, they should raise this with appropriate setting staff to consider if an Early Help Assessment would be relevant. This is a simple, impartial and honest assessment of strengths, opportunities and challenges that is undertaken with a family, with their consent. ([See sections 2.19-2.21](#) for more information.)

# Plan



8.26

Where it is decided to provide a learner with additional learning provision, the parents/carers must be notified, although they should have already been involved in the analysis of needs as outlined above. The educator and the ALNCo should agree, in consultation with the parent/carer and the learner:

- an overview of the reasons of the learner's lack of progress;
- the adjustments, interventions and provision to be put in place;
- the expected impact on progress, development or behaviour and
- a date for review.

8.27

The support and intervention to be provided should be selected to meet the outcomes identified for the learner, based on reliable evidence of effectiveness, and should be provided by staff with sufficient skills and knowledge. (Any related staff development needs should be identified and addressed.) Plans should also consider any upcoming transitions.

- At **targeted support level** actions planned will be provided from within the setting's resources. This may include such things as:
  - more planning time for staff as appropriate;
  - use of identified scripts or strategies;
  - further adaptation within the classroom (beyond standard high quality inclusive practice);
  - different learning materials;
  - carefully planned support from:
    - learning support assistants or setting volunteers and
    - other setting staff with expertise in particular areas.
- At **specialist support level**, action planned will include ongoing involvement of services from outside the setting.
- At **Determination level**, plans are for high-level support and follow on from the Formal Assessment process. (Not all Formal Assessments result in a Determination. [See Chapter 12](#) for further information.)

8.28

At both 'Specialist' and 'Determination' levels, the learner should be subject to a 'learner-centred planning' approach [see Chapter 10](#).

8.29

Parents/carers should be fully aware of the planned support and interventions and plans should seek parent/carer involvement to reinforce or contribute to progress at home.

8.30

All educators and support staff who work with the learner should be made aware of their needs, the outcomes sought, the support provided and any teaching strategies or approaches that are required. This includes:

- people who are involved on a temporary basis, for example casual workers<sup>87</sup>;
- when learners move up the setting each year (see further information on transition at [section 8.48](#) and in [Chapter 11](#)).

<sup>87</sup> In settings that are not maintained by the States these may be known as supply staff, etc.

8.31

Wherever possible, information should be provided in advance, to support effective relationships and learning from the outset.

8.32

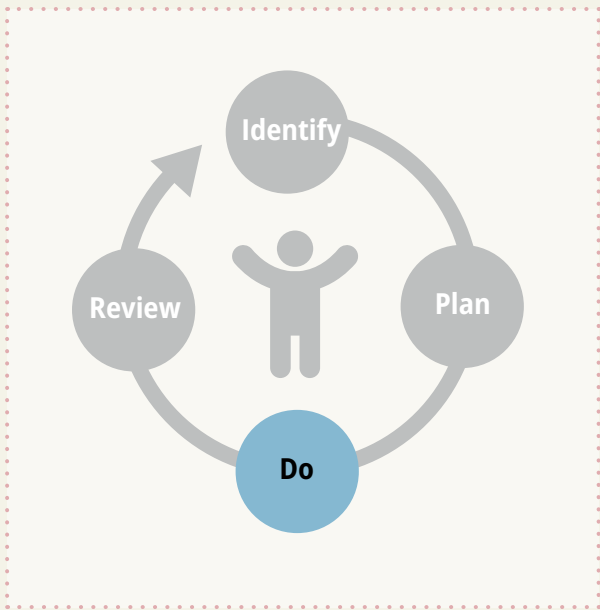
In relevant circumstances, appropriate sharing of information may extend to non-setting staff who are teaching or otherwise supporting a learner ([see section 3.16](#) for guidance on information sharing). This could include, for example, Careers Advisers or where learners with ALN participate in sessions at the setting with visiting sports coaches, music teachers etc; where learners are involved in offsite activities, or where learners with conditions are transported in vehicles arranged by the setting or Education Office. The frequency and nature of interactions with non-setting staff may vary widely – for example, from daily contact to infrequent; from one-to-one sessions to whole-class work with setting staff present. The context should be considered in information sharing. (States-maintained settings should refer to relevant policies for further guidance.)

8.33

The plan information for all learners being supported at targeted, specialist or Determination level should be clearly recorded in a manner that supports effective provision management and monitoring. Key relevant details should also be maintained on the setting's information management system, in line with any requirements set by the Education Office for the purpose of enabling strategic oversight of ALN within settings.



# Do



**8.34**

The class or subject educator should remain responsible for working with the learner on a daily basis. Where the interventions involve group or one-to-one teaching away from the main class or subject educator, they should still retain responsibility for the learner and careful consideration should be given as to whether segregated teaching is appropriate. The educator should work closely with any assistants or specialist staff involved, to plan and assess the impact of support and interventions and how they can be linked to classroom teaching.

**8.35**

The ALNCo should support the class or subject educator in the further assessment of the learner's particular strengths and areas for development, in problem solving and advising on the effective implementation of support.

**8.36**

Settings can use flexible grouping strategies of different types and sizes within classrooms to help learners make progress. These can be effective in creating opportunities to:

- enable the educator or other adult to give additional attention to a specific group of learners within the classroom;

- use small group withdrawal to prepare learners for inclusion in a later lesson, as opposed to withdrawal for parallel teaching;
- enable access to specialist help or provision at lunchtime or before or after school hours;
- give learners flexible access within the setting to a provision where ALN resources and teaching expertise are available;
- teach learners in groups that are permanently small and where specialist teaching, support and resources are available.

**8.37**

Settings can use any extra classroom support available from Learning Support Assistants and parents/carers or other adult volunteers, working under the supervision of an educator, to:

- work with the higher attaining learners or the wider class, releasing the educator to provide direct intervention for learners with ALN;
- deploy additional support specifically for one or more learners in a class;
- provide extra training for staff who offer support.

**8.38**

The most effective use of additional help in lessons has been achieved where:

- this has been carefully thought about and included in curriculum and lesson planning so that the help can be deployed effectively;
- the subject or class educator and the extra educator or adult involved have been able to discuss and plan effective strategies for working together;
- the learner is clear about why extra help is being given;
- the supporting adult is able to provide feedback to the learner, parents/carers, and the educator on the outcomes of the lesson and also contribute to the learner's assessment.

8.39

The purpose of additional provision should be clearly identified; it is primarily to enable the learner to access the curriculum and to help them be as independent a learner as possible. Good communication between the class educator, ALNCo and the adult supporter is essential, with regular opportunities for joint planning and feedback.

## Review



8.40

The effectiveness of support should be reviewed in line with the agreed date.

8.41

The quality of the support and interventions and their impact on the learner's progress should be evaluated, along with the views of the learner and their parents/carers. This should feed back into the analysis of the learner's needs. Parents/carers should have clear information about the impact of the support provided, enabling them to be involved in planning next steps.

8.42

The class or subject educator, working with the ALNCo, should revise the support in light of the learner's progress and development, deciding on any changes to the support and outcomes in consultation with the parent/carer and the learner. The nature of the continuum means that the level of support required can change.

8.43

Where a learner is receiving targeted or specialist provision, this should be reviewed at least twice a year with the providers of this support.

8.44

Where a learner has a Determination, the associated operational plan should also be reviewed at least twice a year and as necessary. A formal review, including all parties involved in supporting the learner, should be conducted annually. Settings should cooperate with the Education Office in the review process. States-maintained settings are required to convene the Annual Review meetings on its behalf. Reviews should ordinarily be held in the education setting. ([See Chapter 12](#) for more information.)

## Monitoring progress

8.45

Whatever the level of a learner's difficulties, the key test of how far their learning needs are being met is whether they are making suitable progress. Learners are all different and will not progress at the same rate – this means that a judgement has to be made in each case about what it is reasonable for a particular learner to achieve. Where progress is not suitable, it will be necessary to take some additional or different action to enable the learner to learn more effectively.

8.46

'Suitable' progress will look different for different learners. It might, for instance, be progress which:

- ensures access to the full curriculum;
- closes the attainment gap between the learner and their peers;
- prevents the attainment gap growing wider;
- is similar to that of peers starting from the same baseline, but less than that of the majority of learners;
- matches or betters the learner's previous rate of progress;
- demonstrates an improvement in self-help, social or personal skills;
- demonstrates an improvement in any tendency to communicate need via behaviour.

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In many cases the action taken to address a learner's identified ALN will mean that the learner's difficulties are reduced. In some cases they may even be resolved. In other cases, success for some learners is ensuring that the attainment gap does not widen and they become as independent in their learning as possible. However, in any case, if progress continues to cause concern, further additional action should be taken at an appropriate level of support and in line with the Graduated Approach cycle described above.

## Transition

8.48

Every learner who enters a setting should receive an effective transition programme. A learner who has identified ALN may require an enhanced transition experience. If a learner due to enter a setting already has an identified need, a transition plan should be made for meeting their needs. A learner-centred transition plan ensures that the learner is supported to understand the changes that they may experience as part of the transition process. This plan should be contributed to by all parties involved, including parents/carers. It is normally expected that the setting that the learner is leaving will lead on the plan. The receiving setting should actively engage in this transition process.

8.49

It is important that information about the individual needs of learners are made known to new educators and support staff when they progress from year to year. If appropriate, the strategies that have been successful and benefitted the learner in one learning environment should be implemented in the receiving learning environment<sup>89</sup> from the outset. It is vital that settings establish clear procedures for ensuring the full transfer of information happens particularly effectively at the following key transition points, especially when there is a change of setting:

- Pre-school to Reception;
- Reception to Key Stage 1;
- Key Stage 1 to 2;
- Key Stage 2 to 3;
- Key Stage 3 to 4; and
- Key Stage 4 to post-16 education.

There may also be mid-year transitions from one setting to another.

<sup>89</sup> In this context, a learning environment might be a class/classroom etc.

8.50

Where there is a change of setting, the current setting should organise a transition review meeting for learners with identified ALN suitably in advance, inviting the ALNCo, Headteacher or class educator from the receiving setting or establishment. Good practice is to hold an in-person meeting and this should be the expectation.

8.51

For transitions to post-16 settings, the secondary-age setting should start to plan for the transition to post-16 in Year 9. The current education setting should organise a transition review meeting for learners with identified ALN up to two terms before transfer, inviting the ALNCo from the receiving establishment.

8.52

Settings should refer to any procedural guidance issued by the Education Office. ([Chapter 11](#) also provides information about transition.)



⑨

# Identification and Support - Post-16 Education

# Introduction

9.1

All learners should be helped to develop skills and experience, and achieve relevant qualifications, to prepare them well for employment, independent living, being healthy and participating in society. This includes learners who may have ALN. The vast majority of learners with ALN are capable of sustainable paid employment with the right preparation and support. All professionals working with them should share that presumption and be ambitious in preparing them for what they can achieve in life. Schools and colleges, in particular, should raise the career aspirations of their learners with ALN and broaden their employment horizons in terms of what is achievable.

9.2

Discrimination legislation agreed by the States in 2022 requires schools and education providers to not discriminate against, harass or victimise learners on the grounds of disability<sup>90</sup>, and to make reasonable adjustments to prevent them being put at substantial disadvantage.<sup>91</sup> It is expected that the education provisions will come into force in September 2025<sup>92</sup> (when schools and education providers must make adjustments). Until that time, schools and education providers should endeavour to make reasonable adjustments. [See Chapter 2](#) for more information.

9.3

Learners remaining in education beyond the age of 16<sup>93</sup> should have the opportunity to pursue a course of study or training where they will learn in a way that suits them and in curriculum areas/ training programmes that encourages, motivates and stimulates them. Whatever pathway they take, learners should be working towards nationally accredited qualifications and/or schemes that have a recognised 'value' with learners, parent/carers, employers and the community (these may or may not be formally accredited). The curriculum should prepare learners to progress into the workplace, further or higher education and therefore a continued entitlement that focuses on all the attributes and qualities required to be a successful adult is essential.

<sup>90</sup> Section 29 of the Prevention of Discrimination (Guernsey) Ordinance, 2022.

<sup>91</sup> Section 32 of the Prevention of Discrimination (Guernsey) Ordinance, 2022.

<sup>92</sup> The requirement to not discriminate already applies to education providers and settings in the context of provision of vocational training (training for employment) and in circumstances when they might be deemed to be a service provider).

<sup>93</sup> Section 16 of the Education (Guernsey) Law, 1970: compulsory education ends on the last Friday in June of the school year in which a learner turns 16.

9.4

The range of available study programmes at post-16 education is broad and may include academic, technical and vocational qualifications at all levels; apprenticeships, traineeships, internships and bespoke packages of learning. [See section 9.50](#) at the end of this chapter about identifying a potential suitable programme of study.

9.5

Current Education Law considers ALN for learners up to and including 18 years of age.<sup>94</sup> However, a learner with ALN might require continuing help to successfully transition to adult life. This section therefore blends legal elements with policy, aiming to support ALN of learners in post-16 education up to the age of 25 years.<sup>95</sup> It outlines the procedures to be followed in identifying, planning for and making provision for learners in post-16 education who may have ALN.<sup>96</sup>

<sup>94</sup> Up to 16 (compulsory school age) if they are not registered at a school. Sections 4 and 18 of the Education (Amendment) (Guernsey) Law, 1987.

<sup>95</sup> The processes and guidance set out in this Chapter are intended to apply in secondary education and further education. It provides information about support available for higher education.

<sup>96</sup> Some post-16 settings will support learners with ALN beyond the age of 25. However, this falls outside this Code of Practice.

9.6

Depending on the individual circumstances a number of parties may be involved in actively supporting a learner with ALN, including: teaching and support staff; professionals from other States services (including those under the Committee *for* Health & Social Care); commissioned services and third sector organisations (charities, etc.). Further information about support for learners with ALN can be seen on the ALN Website [publication expected Autumn 2024].

9.7

When handling personal data, all processing<sup>97</sup> should be in line with the Data Protection (Bailiwick of Guernsey) Law, 2017. Information relating to an individual's health, inclusive of disability and ALN, constitutes special category data and therefore extra care should be taken when handling, processing or sharing this type of data. [See section 3.16](#) for more information.

<sup>97</sup> For example, recording, storing and sharing, etc.

# Fundamental points

9.8

The following fundamental points apply:

- early identification of ALN and the efficient and timely delivery of interventions are central to ensuring learners with ALN have the opportunity to succeed and have access to an education which meets their needs.
  - The earlier appropriate action is taken, the more effective the action is likely to be.
  - Identifying ALN at an early stage and delivering appropriate and proportionate interventions can also prevent the need for future more costly and less effective interventions.
- the post-16 setting as a whole is responsible for provision for learners with ALN.
- every educator is an educator of learners with ALN, and every leader is a leader of ALN.
- the education setting's culture, policies and practices should be inclusive and remove barriers to learning and participation.<sup>98</sup>
- some learners may enter an educational setting with ALN already identified. However, all educators and support staff should be aware that:
  - other learners may also have ALN, which has not previously been recognised, or may develop ALN during their time at the setting;
  - the nature and level of any ALN can change over time, requiring different and proportionate responses;
  - some learners may have had ALN identified in the past which was considered to have been resolved and which now may manifest in a different way ([see section 4.10](#)).

<sup>98</sup> Some policies in post-16 (non-compulsory) education may vary from those in schools.

# Continuum of support

9.9

It is expected that provisions adopt a graduated response to learners with ALN, making use of a wide range of strategies that allows for 'to and fro' movement along a continuum of support to reflect needs and progress made:

- this continuum begins with **high quality inclusive practice** where reasonable adjustments are made to overcome barriers to learning and participation. Post-16 settings should be able to offer significant effective support at this level;
- it may be that a learner requires additional **targeted support** that is different from and additional to high quality inclusive practice;
- if it is agreed that the setting requires support from support services, there may be the need for **specialist support**;
- in cases of high level need a Formal Assessment may be undertaken to confirm needs and identify appropriate additional learning provision. If the Committee is of the opinion that it is required, a **Determination** may subsequently be issued.

Where a learner is located on the continuum depends on their identified needs at that time. (Refer to [Chapter 5](#) for further detailed information on the continuum and [Chapter 12](#) for information on Formal Assessment and Determination.)

9.10

This Code of Practice is intended to support learners in education<sup>99</sup> with ALN up to the age of 25. Some learners over the age of 16 may have a Determination in place following assessment at a younger age. As the ALN support system is based on early identification and intervention, it should be exceptional that learners with high levels of need require initial Formal Assessment over the age of 16. However, this may be the case in certain circumstances, for example where a learner with ALN moves to Guernsey or Alderney from elsewhere.

<sup>99</sup> The processes and guidance set out in this Chapter are intended to apply in secondary education and further education. It provides information about support available for higher education.

# A strong foundation for all learners

9.11

High quality inclusive practice and high aspirations for all learners should form the foundation for all education ([see Chapter 5](#) for more information).

9.12

Learners attending States-maintained education settings should have opportunities and entitlements in line with the Guernsey Curriculum.<sup>100</sup> This sets out the areas and content of learning in each key stage.

<sup>100</sup> The Guernsey Curriculum covers 5-19 years.

9.13

In order to enable any learner to learn effectively, careful consideration must be given to:

- the individual profile of the learner including any identified ALN;
- learning environment organisation and management, including the deployment of staff;
- staff training to meet the needs of learners;
- adaptation of the curriculum and
- teaching materials.

9.14

High quality inclusive practice includes a continuous cycle of information gathering (including observation), planning, teaching and assessment<sup>101</sup> which takes account of the wide range of abilities, aptitudes and interests of learners. This enables increased curricular and environmental adaptations, dependent on the learner's strengths and areas for development. Educators should use a variety of approaches to maximise the achievements of all learners.

<sup>101</sup> This aligns to the Graduated Approach of identify, plan, do and review set out at 9.16.

9.15

Positive and effective management, education setting ethos, learning environment, curriculum, pastoral arrangements and a culture of wellbeing can nurture a sense of safety and belonging so as to help prevent some ALN arising, and minimise others.

# The Graduated Approach

9.16

Where a learner is identified as having ALN, post-16 settings should take action to remove barriers to learning and put effective additional learning provision in place. This ALN support should take the form of a four-part cycle through which earlier decisions and actions are revisited, refined and revised with a growing understanding of the learner's needs and of what supports the learner in making good progress and securing good outcomes. This is known as the Graduated Approach. It draws on more detailed approaches and more specialist expertise in successive cycles in order to match interventions to the ALN of learners.

**Figure 12.** The Graduated Approach – Post-16

The impact and quality of the support should be evaluated.



The learner's needs and the provision in place are analysed to decide where on the continuum of support the learner's provision should be.

Provision is implemented and monitored to ensure that progress is made.

A plan is prepared which involves the views of all stakeholders.

# Identify



**9.17** A learner may be identified as potentially having ALN in various ways.

## Information received at entry to the setting

**9.18** Staff from the learner's previous education setting are expected to have outlined known ALN and the strategies and interventions used as part of the transition to post-16 provision - [see section 9.55](#) for more information about transition and also [Chapter 11](#).

**9.19** All Post-16 settings should ensure they have an accurate picture of a learner on entry and make full use of information passed to them. This enables settings to ensure they build on the pattern of learning and experience already established during earlier phases of education, but can also give wider valuable insight. For example:

- examination results and/or
- diagnostic assessment or other relevant assessments completed at the previous setting.

Although these are not specifically designed to identify ALN, they should alert post-16 staff to learners who have particular difficulties, some of whom may have ALN. Transition information should also provide suggestions of the best ways of working with a learner.

## Information from within the setting

9.20

Educators should be aware that any learner may have ALN that has not previously been identified. Potential ALN might be initially identified from within-setting monitoring, arising from a post-16 educator's continuous cycle of information gathering (including observation), planning, teaching and assessment, or maybe from wider setting monitoring.

## Concerns raised by others

9.21

Post-16 educators and other staff must be open and responsive to expressions of concern by:

- learners themselves;
- parents/carers, who know their child and may see relevant issues and frustrations outside of the education setting and
- others who may be working with the learner (this may be other services, employers or placement providers). If other professionals (for example from the Committee *for* Health & Social Care) are involved with the learner it is good practice for the learner and/or the parents, where appropriate, to advise setting staff of the input and liaison to occur. In addition, if anyone who works with a learner under the age of 18 thinks they are 'in need', they have a duty<sup>102</sup> to take action. This includes if the learner is disabled or requires the provision of additional services to enable them to achieve or maintain a reasonable standard of health or development (including intellectual development). For learners over the age of 18, it is good practice for liaison to occur where appropriate to ensure support is joined-up.

<sup>102</sup> Section 27 of the Children (Guernsey and Alderney) Law, 2008.

9.22

Post-16 settings should take into account any information that any of the above provide about the learner, recording it and feeding it into analysis (as detailed below) that also considers the setting's own information on how the learner is developing.

9.23

Parents/carers know their children. If a parent has concerns that their child has ALN, they have the right to request an assessment of their child's needs. The Committee will consider any such request, but it is not obliged to undertake an assessment if it is considered inappropriate or unreasonable.<sup>103</sup>

<sup>103</sup> The Education (Amendment) (Guernsey) Law, 1987 Section 8.

## Analysis

9.24

In identifying a learner as needing ALN support, relevant post-16 staff should carry out a clear analysis of the learner's individual profile and needs. This may draw on:

- the learner's own views;
- the views and experience of parents/carers, as appropriate (refer to Appendix A - this outlines guidance on involvement and consent);
- the educator's assessment and experience of the learner;
- the employer or placement provider's assessment and experience of the learner where relevant;
- the learner's current and previous:
  - progress and attainment;
  - attendance;
  - self-regulation/behaviour;
  - emotional wellbeing and
  - social interactions;
- information from the post-16 setting's core approach to learner progress, attainment, and behaviour;

- the learner's development in comparison to their peers and Guernsey data;
- the learner's learning characteristics;
- the learning environment that the setting is providing for the learner;
- the task and teaching style;
- other educators' assessments where relevant;
- any medical diagnoses;
- any other known factors that may impact on the learner, for example, relationships with staff or circumstances within the family - difficulties may not result solely, or mainly, from differences within the learner;
- if relevant, advice from support services and information about historical specialist involvement. (In some cases, outside professionals may already be involved with the learner. These professionals should liaise with the post-16 setting to help inform the assessments. Where professionals are not already working with the post-16 setting staff, if the setting considers it appropriate and the learner (and/or parents, as appropriate - see Appendix A) agree, the ALNCo<sup>104</sup> should contact them. (Referral procedures can be found on the ALN Information Website [publication expected Autumn 2024]).

**104** In Post-16 settings, there may be one or more people who fulfil the responsibilities of the ALNCo. They may hold a different job title.

This is not a definitive list and other sources of information may be relevant.

# Plan



9.27

Where it is decided to provide a learner with additional learning provision, the parents/carers should normally be notified, although parents/carers should have already been involved in forming the assessment of needs as outlined above. ([See section 9.34](#) and [Appendix A](#) for more information). Relevant staff should agree, in consultation with the learner (and the parent/carer, where appropriate):

- an overview of the reasons of the learner's lack of progress;
- the adjustments, interventions and provision to be put in place;
- the expected impact on progress, development or behaviour and
- a date for review.

9.28

The support and intervention to be provided should be selected to meet the outcomes identified for the learner, based on reliable evidence of effectiveness, and should be provided by staff with sufficient skills and knowledge. (Any related staff development needs should be identified and addressed.) Plans should also consider any upcoming transitions.

- At **targeted support level**, actions planned will be provided from within the setting's resources. This may include such things as:

- more planning time for staff as appropriate;
  - use of identified scripts or strategies;
  - further adaptation within the classroom (beyond standard high quality inclusive practice);
  - staff development and training to introduce more effective strategies;
  - different learning materials;
  - carefully planned support from:
    - learning support staff
    - other setting staff with expertise in particular areas.
- At **specialist support level**, action planned will include ongoing involvement of services from outside the setting. Some services may be arranged linked to age/stage so there may be some changes within the post-16 age-group (for example, for those below or above 18). Service involvement will be in line with the service's mandate and resources.
  - At **Determination level**, plans are for high-level support and follow on from the Formal Assessment process. (Not all Formal Assessments result in a Determination. [See Chapter 12](#) for further information.)

9.29

At both 'Specialist' and 'Determination' levels, the learner should be subject to a 'learner-centred planning' approach. ([See Chapter 10](#) for more information).

9.30

The learner, and where appropriate parents/carers ([see Appendix A](#)), should be fully aware of the planned support and interventions. Where appropriate, plans should seek parent/carer involvement to reinforce or contribute to progress at home.

**9.31**

All educators and support staff who work with the learner should be made aware of their needs, the outcomes sought, the support provided and any teaching strategies or approaches that are required. This includes:

- people who are involved on a temporary basis, for example casual staff.<sup>105</sup>
- when learners receive new educators as they progress along their course of study (e.g. at the start of a new teaching year or any other times when a new educator becomes involved). See further information on transition at section 9.55 at the end of this chapter, and in [Chapter 11](#).

<sup>105</sup> In settings that are not maintained by the States these may be known as supply staff, etc.

Wherever possible, information should be provided in advance, to support effective relationships and learning from the outset.

**9.32**

In relevant circumstances, appropriate sharing of information may extend to non-setting staff who are teaching or otherwise supporting a learner – [see section 3.16](#) for guidance on information sharing. This could include, for example, Careers Advisers or where learners with ALN participate in sessions at the setting with visiting sports coaches, music teachers etc; where learners are involved in offsite activities, or where learners with conditions are transported in vehicles arranged by the education setting or Education Office. The frequency and nature of interactions with non-setting staff may vary widely – for example, from daily contact to infrequent; from one-to-one sessions to whole-class work with setting staff present. The context should be considered in information sharing. (States-maintained settings should refer to relevant policies for further guidance.)

**9.33**

The plan information for all learners being supported at targeted, specialist or Determination level should be clearly recorded in a manner that supports effective provision management and monitoring. Key relevant details should also be maintained on the setting's information system, in line with any requirements set by the Education Office for the purpose of enabling strategic oversight of ALN within education settings.

**9.34**

Where a setting identifies that a learner may have ALN, the ALNCo should:

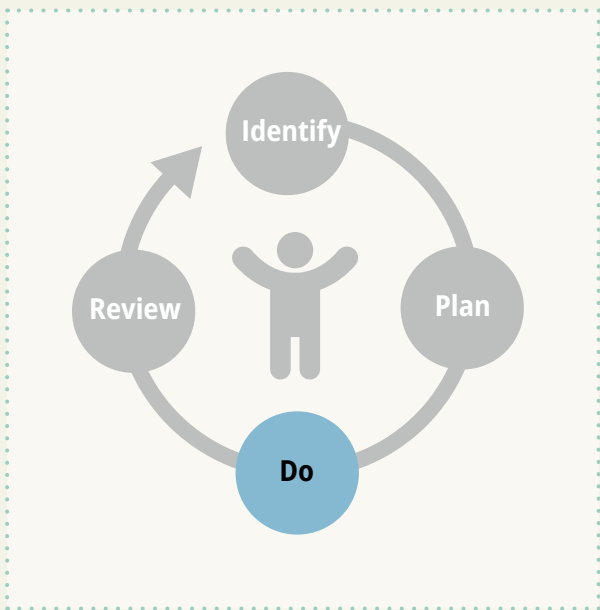
- make the learner aware that they may have ALN;
- where appropriate (see Appendix A), seek the learner's consent to notify and involve parents/carers;
- record the date of the notification that the learner may have ALN was made; record a summary of how the possibility that the learner has ALN has been arrived at and record whether, where appropriate, consent to share with parents/carers has been given;
- consider offering an initial meeting with the learner to discuss the implications;
- explain to the learner what additional assessment and support might be required;
- seek the learner's consent to the additional assessment and support being made.

**9.35**

The setting should record if the learner:

- consents to the assessment and support being made, when and how consent was given;
- objects to any of those matters, when and how the learner objected;
- has neither consented nor objected to any of those matters, the steps taken by the setting to seek the learner's consent and explain the consequences of not consenting to the proposed assessment and support.

# Do



9.36

The learner's usual educators should remain responsible for working with the learner on a daily basis. Where the interventions involve group or one-to-one teaching away from the educator, the relevant educator should still retain responsibility for the learner and careful consideration should be given as to whether segregated teaching is appropriate. They should work closely with any learning support or specialist staff involved, to plan and assess the impact of support and interventions and how they can be linked to teaching within the learning environment.

9.37

The ALNCo should support the class or subject educator in the further assessment of the learner's particular strengths and areas for development, in problem solving and advising on the effective implementation of support.

9.38

Post-16 settings can use flexible grouping strategies of different types and sizes within classes to help learners make progress. These can be effective in creating opportunities to:

- enable the educator or other adult to give additional attention to a specific group of learners within the learning environment;

- use small group withdrawal to prepare learners for inclusion in a later lesson, as opposed to withdrawal for parallel teaching;
- enable access to specialist help or provision at lunchtime or before or after lessons;
- give learners flexible access within the post-16 setting to a provision where ALN resources and teaching expertise are available;
- teach learners in groups that are permanently small and where specialist teaching, support and resources are available.

9.39

Post-16 settings can use any extra classroom support available from learning support staff or other relevant adults, working under the supervision of an educator, to:

- work with the higher attaining learners or the class, releasing the educator to provide direct intervention for learners with ALN;
- deploy additional support specifically for one or more learners in a class;
- provide extra training for staff who offer support.

9.40

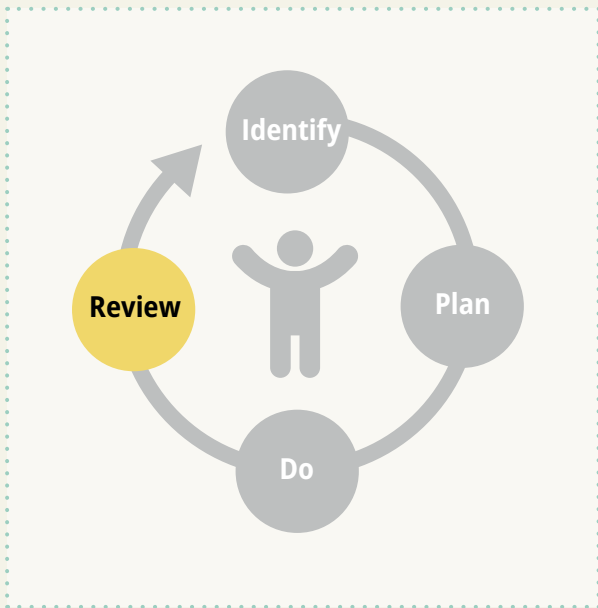
The most effective use of additional help in lessons has been achieved where:

- this has been thought about and included in curriculum and lesson planning so that the help can be deployed effectively;
- the educator and any other adults involved have been able to discuss and plan effective strategies for working together;
- the learner is clear about why extra help is being given;
- the supporting adult is able to provide feedback to the learner and the educator on the outcomes of the lesson and also contribute to the learner's assessment.

9.41

The purpose of additional provision should be clearly identified; it is primarily to enable the learner to access the curriculum and to help them be as independent a learner as possible. Good communication between the class educator, ALNCo and the adult supporter is essential, with regular opportunities for joint planning and feedback.

## Review



9.42

The effectiveness of support should be reviewed in line with the agreed date.

9.43

The quality of the support and interventions and their impact on the learner should be evaluated, along with the views of the learner (and their parents/carers, as appropriate - [see Appendix A](#)). This should feed back into the analysis of the learner's needs. The learner (and parents/carers, as appropriate) should have clear information about the impact of the support and interventions provided, enabling them to be involved in planning next steps.

9.44

The ALNCo and the educator, working together, should revise the support in light of the learner's progress and development, deciding on any changes to the support and outcomes in consultation with the learner (and parents/carers, as appropriate). The nature of the continuum means that the level of support required can change.

9.45

Where a learner is receiving targeted or specialist provision, this should be reviewed at least twice a year with the providers of this support.

9.46

Where a learner has a Determination, the associated operational plan should also be reviewed at least twice a year and as necessary. A formal review, including all parties involved in supporting the learner, should be conducted annually. Post-16 settings should cooperate with the Education Office in the review process. States-maintained settings are required to convene the Annual Review meetings on its behalf. Reviews should ordinarily be held in the education setting. ([See Chapter 12](#) for more information.)

## Monitoring progress

9.47

Whatever the level of a learner's difficulties, the key test of how far their learning needs are being met is whether they are making suitable progress. Learners are all different and will not progress at the same rate - this means a judgement has to be made in each case as to what it is reasonable to expect a particular learner to achieve. Where progress is not suitable, it will be necessary to take some additional or different action to enable the learner to learn more effectively.

9.48

'Suitable' progress will look different for different learners. It might, for instance, be progress which:

- ensures access to the full curriculum;
- closes the attainment gap between the learner and their peers;
- prevents the attainment gap growing wider;
- is similar to that of peers starting from the same baseline, but less than that of the majority of learners;
- matches or betters the learner's previous rate of progress;
- demonstrates an improvement in self-help, social or personal skills;
- demonstrates an improvement in any tendency to communicate need via behaviour.

9.49

In many cases the action taken to address a learner's identified ALN will mean that the learner's difficulties are reduced or even resolved. In other cases, success for some learners is ensuring that the attainment gap does not widen and they become as independent in their learning as possible. However, in any case, if progress continues to cause concern, further additional action should be taken at an appropriate level of support and in line with the Graduated Approach cycle described above.

## Identifying a potential suitable programme of study

9.50

A programme of study is one or more courses of further education or training, whether or not leading to a qualification. A programme of study could involve:

- a learner studying towards one or more qualifications,
- a course provided by the setting, which is specifically designed for learners with ALN, or
- a course which is designed specifically for the individual learner, perhaps to enable the learner to access other courses leading to qualifications or to enable the learner to develop independent living skills.

9.51

In all cases, it is important that potential programmes of study are considered against a learner's desired outcomes, to ensure they can meaningfully contribute to their transition into future life. In the case of more than one course, it does not matter whether the courses are taken concurrently or in succession (but if in succession they should be part of an overall programme of study).

9.52

In some cases, identifying a suitable programme of study might be straightforward. For example, the learner may identify programmes at a post-16 provision that they wish to pursue and apply to that institution for a place. In other cases, it might not be clear whether the learner's desired outcomes could be met by a post-16 provision. The Education Office may need to discuss with the setting whether the learner could undertake a programme of study.

9.53

In all cases, consideration of potential programmes of study and any application to a post-16 setting should include:

- the level and nature of any known ALN and what additional learning provision might be needed to enable the learner to access the desired programme. (This would include whether any Determination in place might need to be amended.)
- input from all relevant parties - the learner, parents/carers as appropriate, the post-16 and current education settings, involved specialists, Careers Advisers, etc.

9.54

Post-16 settings should be engaged early in the transition planning process, which may involve meeting with the learner - see the following section.

## Transition to post-16 education

9.55

Every learner who enters a post-16 education setting should receive an effective transition programme. A learner who has identified ALN may require an enhanced transition experience. If a learner already has an identified need, a transition plan should be made for meeting their needs. A learner-centred transition plan ensures that the learner is supported to understand the changes that they may experience as part of the transition process. This transition plan should be discussed with all parties involved, including parents/carers as appropriate. It is normally expected that the setting that the learner is leaving will lead on the plan. The receiving setting should actively engage in this transition process. Careers Advisers should be involved as appropriate.

9.56

The secondary-age setting should start to plan for the transition to post-16 in Year 9. An early transition review meeting will ensure the best possible transition from one phase of education to the next by giving the receiving establishment plenty of time to plan. The current education setting is required to organise a transition review meeting for learners with identified ALN up to two terms before transfer, inviting the ALNCo from the receiving establishment.<sup>106</sup>

<sup>106</sup> In post-16 settings there may be one or more people who fulfil the responsibilities of the ALNCo. They may hold a different job title.

9.57

Settings should refer to any procedural guidance issued by the Education Office. ([Chapter 11](#) also provides information about transition.)

9.58

From the age of fourteen, some learners who have more significant needs will be on a transition pathway to prepare them for moving into Adult Disability Services<sup>102</sup>. Education staff (in settings and services) should liaise cooperatively with colleagues in other services as necessary to plan for and promote the learner's smooth progress along this pathway. This includes, but is not limited to, ensuring appropriate integration with ALN reviews.

<sup>106</sup> In line with threshold criteria set by the Committee for Health & Social Care services.

## Transition from post-16 education

9.59

As the learner nears the end of their time in post-16 education, ALN reviews should include planning to support the learner to make a smooth transition to whatever they will be doing next, for example, moving on to higher education, employment, independent living or adult care. Every learner with ALN who exits post-16 should have an effective learner-centred transition plan with appropriate parties involved. This should be coordinated by the post-16 setting and involve any relevant services relating to the next steps for the learner. Careers Advisers should be involved as appropriate.

9.60

Settings should refer to any procedural guidance issued by the Education Office. ([Chapter 11](#) also provides information about transition.)

## Higher education (university, etc.)

9.61

The processes and guidance set out in the Code apply to learners up to the age of 25 in secondary and further education. However, it is recognised that some learners who progress to higher education may have identified ALN. Basic information about support available for higher education is shown below.

## Location of study

9.62

There are options for higher education both off- and on-island, for which funding may be available (see below). Careers Advisers from Careers Guernsey can assist with information about these options. Information can also be found on course provider websites.

## General financial support

9.63

The Committee allocates funding to support Guernsey and Alderney learners studying for higher education courses. This enables learners to apply for financial assistance towards the cost of tuition fees and living costs. Applications are means-tested to ensure that funding reaches those who need it most. The application process and support may vary depending on such things as the learner's age and whether the study will be at an off-island institution (such as a university), or based locally. Further information can be found on the States of Guernsey website at [www.gov.gg/education](http://www.gov.gg/education).

## Financial support for extra costs linked to disability

9.64

Funding may be available from the Committee to help cover extra costs that learners might have in relation to disability or specific needs. This can include long-term health conditions (including mental health), or specific learning differences, etc. Funding may be for such things as special equipment or helpers, etc. It is not available for costs that would be expected to be incurred by all learners in the normal course of study. There is an application process for funding. Further information can be found at [www.gov.gg/education](http://www.gov.gg/education).

## Support available while studying with a higher education provider

9.65

Higher education providers will generally have teams that can assist in providing support for learners with ALN. Exactly what is available will vary by institution and this is something that prospective students may wish to look into when making applications for courses.

9.66

ALN Determinations and lower-level plans that have been in place in Guernsey and Alderney at an earlier stage of education will not carry over to higher education. A learner may choose to share copies of previous plans with their higher education provider.

9.67

Ongoing involvement of any (Guernsey and Alderney) services will be in line with the service's mandate and resources.

## Applying to university through UCAS (the Universities and Colleges Admissions Service)

9.68

UCAS provides helpful information about how to provide details about any ALN to a course provider, and when it is best to do that. This information is not used to make a decision on an application and it is only shared with those involved in supporting the learner, or making the arrangements for their support. More information is available on the UCAS website.

## Support available from Careers Guernsey

9.69

Qualified Careers Advisers at Careers Guernsey can help support learners with ALN with information and advice about higher education study. See the Careers Guernsey website at [www.careers.gg](http://www.careers.gg) for more information.

10

# Learner-Centred Planning and Reviews

10.1

Learner-centred planning is an inclusive approach to ensuring that a learner's needs are accurately identified and they have the right additional learning support in place to meet those needs. It puts the learner at the heart of the planning for their provision. Learner-centred planning should be undertaken for learners whose needs sit at specialist and Determination points on the continuum ([see Chapter 5.](#))

10.2

A well-coordinated learner-centred planning meeting and/or review meeting avoids the duplication of meetings and ensures the efficient use of everyone's time. This negates the need for families to repeat information to a range of professionals.

## The focus

10.3

A learner-centred plan and review should put the learner at the centre of the discussion and ensure everyone's views are heard. It should focus on:

**108** SMART: specific, measurable, attainable, relevant and time-bound.

- the aspirations of the learner and their family;
- the aspirations of the education setting for the learner;
- identifying and celebrating achievements and strengths to build on, rather than solely focusing on where there are issues;
- knowing what is important to the learner;
- agreeing what is important for the learner to develop and progress;
- outlining appropriate additional learning provision;
- identifying what is working and not working from different perspectives;
- developing a plan based on agreed outcomes, including SMART<sup>108</sup> targets that can be monitored and
- agreeing the progress measures.

# The people

10.4

The planning and review process and the meeting should include:

- the learner (where appropriate, this may include attendance for some or all of the meeting);
- parents/carers, as appropriate;
- other people the learner would like to be present to support them;
- other key people who should be there (from the education setting, support services, etc.) and
- a facilitator who supports everyone at the review to enable them to share their views and ideas.

Learner-centred planning and reviews are fundamental to the learner receiving the right support. People who are invited should prioritise attendance.

## Format

10.5

Learner-centred planning meetings and review meetings may take different forms. For example:

- it may be a small meeting with the learner, a parent/carer, an educator and the ALNCo and small pieces of paper to capture everyone's contributions or
- it may be a large meeting with the learner, their parent(s) or carer(s), teaching staff, the ALNCo and the team that works to support the learner. In larger meetings, everyone's contributions might be recorded on large sheets of paper or an interactive whiteboard so all thoughts can be seen and shared.

Whatever size the review is, the following themes should be discussed from the perspective of the learner:

- What is important to me now?
- What is important to me in the future?
- What is working for me, my family and others?
- What is not working for me, my family and others?
- What can be done to change some things from 'not working' to 'working'?
- What is the best provision for me?
- What provision will be put in place and how?
- What progress has been made on the targets that were set at the previous meeting?



# The role of the facilitator

## Before the meeting

10.7

The facilitator should ensure that there is careful preparation prior to the meeting. This includes:

- establishing any needs that might require to be considered (for example, physical access, language requirements, any need for independent support/advocacy, transport and time constraints in respect of attending meetings. This should include active consideration of information that is already in the education setting's possession);
- organising a suitable date/time and venue. This should consider whether there are other upcoming meetings that might involve the same participants which could potentially be combined to avoid duplication (for example children in care reviews or Annual Reviews of a Determination);
- ensuring that everyone is invited well in advance of the meeting, and understands the importance of attending;
- ensuring that the learner and their family know what to expect at the meeting. Members of the learner's family should be given the themes in advance, to consider prior to the meeting. They should be asked if there is anything in particular that they want to cover, and consulted about agenda order. They should be encouraged to share their views in the way that works best for them (e.g. using a video or PowerPoint, using words, pictures and/or symbols);
- preparing the other invitees to the meeting. If some professionals are unable to attend the meeting, it is helpful for them to provide information on the themes above too.

# At the meeting

## Introduction

**10.8** The facilitator should:

- welcome everyone and introduce themselves as the facilitator;
- ask each person at the meeting to introduce themselves and say who they are in relation to the learner and
- share the expectations for the meeting (including timings, the importance of keeping the learner at the centre of the discussion, being respectful, acknowledging that people may feel strong emotions and that it is acceptable to step outside the meeting, etc).

## Sharing

**10.9** The facilitator should:

- encourage everyone at the meeting to share their thoughts under each of the themes. If people have provided information in advance of the meeting, this is shared as part of this section of the meeting and
- ensure that the learner and their family are supported if required.

## Planning

**10.10** The facilitator should enable consideration of:

- the aspirations for the learner. The aspirations are the long-term goals that the learner has;
- the identification of the outcomes that will enable these aspirations to be achieved. The outcomes are the very specific steps to support the learner towards their aspirations and
- the provision required to meet the outcomes. SMART targets should be established, which will enable progress to be monitored.

## Agreeing the plan

10.11 The facilitator should:

- ensure that the next steps are agreed, and how this information will be shared with everyone that needs to have it, and
- check that everyone is clear on monitoring arrangements, who will do what and when things will be reviewed.

## Closing the meeting

10.12 The facilitator should close the meeting with everyone feeding back one positive aspect of the meeting.

## After the meeting

10.13 The facilitator should ensure that appropriate records of the meeting are made and circulated to all attendees.



# What is a good learner-centred meeting?

10.14

The following bullet points will support effective learner-centred planning:

- the learner is able to contribute and feels involved;
- the family and others are well supported;
- all information is accessible for everyone;
- the learner remains the focus of the meeting;
- all questions are answered, and issues recorded;
- the agreed outcomes reflect the learner's aspirations;
- there is a clear action plan, where people understand which actions are assigned to them and their timeline for completing these;
- everyone is able to make a meaningful contribution and
- everyone's contributions are recorded.

## Working in partnership

10.15

Successful learner-centred planning is founded on partnership working. This works best when:

- learners and their parents/carers are involved in partnership working as much as possible;
- the learner's needs are kept at the centre of all partnership working;
- all procedures are clear to everyone involved in the partnership working;
- everybody understands the professional roles and responsibilities of each person;
- all partners take all views and assessments into account to gain an overview of the learner's needs;
- all partners are clear about the permissions to share information and
- records of discussions are kept and actions agreed by all.

11

# The Principles of Transition Planning

# Introduction

**11.1**

A transition in education is where a learner moves from one environment to another. This may be between classes, year groups and settings. All learners will experience transitions throughout their educational journey.

**11.2**

This chapter outlines good practice around transitions and describes the additional support learners with ALN may need throughout their transitions.

## Why are carefully planned transitions important?

**11.3**

Good transition planning is important for all learners with respect to their educational, emotional and social outcomes.

**11.4**

Staff in an education setting build up a comprehensive picture of a learner. It is vital to ensure that this knowledge is effectively transferred to the next people who will be educating them. A clear plan will create a bridge between one setting and another, maximising potential for good relationships and outcomes in the new setting from the outset.

**11.5**

Planning for transition provides an opportunity for learners to raise any concerns they may have about the new setting. It also provides an opportunity for parents/carers to engage with any involved professionals and discuss how best their child can be supported to make a smooth transition into the education setting and to ensure their child is supported to fully take part in activities.

# When might transactions occur?

11.6

Key transition points in education include moves into, between and out of:

- ➔ Pre-school to Reception;
- ➔ Reception to Key Stage 1;
- ➔ Key Stage 1 to Key Stage 2;
- ➔ Key Stage 2 to Key Stage 3;
- ➔ Key Stage 3 to Key Stage 4;
- ➔ Key Stage 4 to post 16 education; and
- ➔ From post 16 further education to a variety of destinations such as the workplace or higher education.

## KEY

Key Stage 1: Years 1 - 2

Key Stage 2: Years 3 - 6

Key Stage 3: Years 7 - 9

Key Stage 4: Years 10 - 11

There may also be mid-year transitions from one setting to another as well as transitions between year groups within the Key Stages.

11.7

Less obvious transitions may take place on a daily basis, for example when a learner moves from one environment to another. For some learners these may also require careful planning.

# What is good practice?

11.8

Each learner is unique and their transition should be planned to meet their particular needs. A learner-centred plan will facilitate a smooth transition and can ease the anxiety caused by unfamiliar situations and environments. One person should coordinate the transition planning for a learner.

11.9

The learner and their parents/carers (as appropriate - [see Appendix A](#)) should be fully involved in meetings to discuss transitions so their views are taken into account. They should be empowered to voice any concerns relating to transition.

11.10

Careful consideration of the possible changes to the learner's education should highlight the additional support that may be required.

11.11

Where transitions are taking place between phases or settings, there should be representation from relevant staff from the current setting as well as the receiving setting.

11.12

It may be that some transition meetings will benefit from a multi-agency approach that takes account of other relevant services for individuals, such as health, social care, mental health, or other support services. A learner-centred approach will enable a learner and their parents/carers (where appropriate) to provide their views once and avoid duplication such as providing information to numerous services, or attending numerous reviews. The person coordinating a learner's transition plan should organise appropriate multi-agency meetings and share information across organisations as necessary ([see section 3.16](#) for guidance on information sharing).

## Planning for and supporting transition

11.13

Research<sup>109</sup> shows that an effective transition enables the learner to feel a sense of belonging in the community of the education setting. Strategies that support this to happen are:

- timely and accessible information;
- ensuring that there is a named person to talk to about any questions or concerns;
- knowing what the timetable will be and
- giving learners plenty of time to digest information.

<sup>109</sup> Rice, F., Frederickson, N., Shelton, K., McManus, C., Riglin, L., Ng-Knight, T., Neal, S. and Keay, A. (2015) Identifying factors that predict successful and difficult transitions to secondary school.

**11.14**

When to arrange a discussion on transition planning depends on a number of factors, such as the level of support the learner requires, or the significance of a transition to the individual.

**11.15**

There will be some transition points that require far longer to plan for than others. In some cases, such as the move into and out of further education, successful planning may need to start at least two years in advance of the transition. In these situations, the support of Careers Advisers may be particularly valuable for the learner.

**11.16**

Transition plans should consider the support that is currently in place and the support that should be in place in the next setting. It may be that a risk assessment for a move from one environment to another will be required. There should be a consideration of any changes to routine and everyone should be clear about the receiving setting's expectations around aspects of life in the education setting. The meeting should also identify any additional support that will be required specifically to ease the transition.

**11.17**

Careful consideration should be given to the venue for any transition planning meetings, ensuring they are appropriate and accessible for the learner and their parents/carers (where appropriate).

## Further detail

**11.18**

Phase specific information can be seen in:

- [Chapter 7](#) (Early Years)
- [Chapter 8](#) (School age)
- [Chapter 9](#) (Post-16)

**11.19**

The Education Office may issue further guidance about transitions, as necessary.

12

# Formal Assessment

**12.1**

From the earliest point that a learner is suspected to have ALN that requires something additional to or different from other learners, they should be supported with a graduated 'identify-plan-do-review' approach, as described in Chapters 7-9. The needs of the majority of learners who have ALN should be met effectively under targeted or specialist support. However, in some cases, progress in learning may not be suitable despite relevant strategies and interventions. This is when there may need to be involvement from the Education Office. (Education Law refers to 'the Committee' but the performance of relevant duties is delegated to officers within the Education Office.)

**12.2**

The Law says that if the Committee is of the opinion that a child it has responsibility for<sup>110</sup> has (or probably has) needs that would require it to 'determine' the provision that should be made for them, it shall make an assessment of the needs. This is what the Education Office calls a 'Formal Assessment'. Formal Assessment gathers information to help form the opinion about whether a 'Determination' needs to be made for a learner. Considerations about whether a Determination is needed to secure the additional learning provision will include such factors as the type and extent of additional learning provision required and the resources involved.

**110** This covers learners who are registered at a States school, and also learners who have been brought to the Committee's attention who are registered at other schools, or children aged between 2 and 16 who are not registered at a school. Children under 2 are not the responsibility of the Committee but, with a parent's consent, it may make an assessment in such manner as the Committee considers appropriate (but no Determination would be issued). Sections 4, 5 and 6 of the Education (Amendment) (Guernsey) Law 1987. In addition, whilst it goes beyond current legislation, the States of Deliberation has indicated that access to provision should be expanded for ALN learners

**12.3**

Where Formal Assessment is undertaken it will result in one of the following outcomes:

- No Determination - the information gathered from the Formal Assessment process is used to ensure that the setting's resources are deployed in the best way to support the existing needs;
- Determination - the learner is supported to remain within the current setting or
- Determination with a recommendation for a change of placement to a setting considered to be better suited to support the learner's needs.<sup>111</sup>

**111** This will consider the setting's ability to provide the learner with the additional learning provision they require, the provision of efficient education for the learners with whom they will be educated, and the efficient use of resources (section 2 of the Education (Amendment) (Guernsey) Law 1987).

This chapter provides an overview of the process that should be followed when Formal Assessment is considered to be required.

# What is a Determination?

12.4

A Determination is a formal document issued under the Education Law to specify the additional learning provision that should be made.<sup>112</sup>

<sup>112</sup> Section 7 of The Education (Amendment) (Guernsey) Law, 1987.

In addition to specifying appropriate provision, a Determination will in practice also include information about the learner's ALN, drawing on the views of the learner, their parents/carers and reports that have been written by all the services involved in supporting the learner. (Any learner who has health or care needs should have these identified, recorded and supported in line with setting policies and procedures; where health and care needs are relevant to ALN/required additional learning provision, they should also be acknowledged in any Determination.)

12.5

The Committee has a duty to make arrangements for the additional learning provision identified in a Determination, unless the parent makes suitable arrangements themselves.<sup>113</sup> (If there are needs that would require the input of services from outside the Committee *for* Education, Sport & Culture, the support available/provided for those needs will be in line with the remit, resources and standards applicable to that individual service organisation.)

<sup>113</sup> Section 7(2) of The Education (Amendment) (Guernsey) Law, 1987.

12.6

Where a Determination has been issued, a detailed plan should be formulated to set out how the provision identified in the Determination will be delivered and monitored.

# What is the Formal Assessment process?

12.7

If a routine specialist learner-centred support meeting that includes parents/carers considers that:

- the progress being made is not suitable despite specialist advice and relevant interventions over an appropriate<sup>114</sup> period, and/or
- that resources beyond those ordinarily available at that level are required to meet the learner's ALN

<sup>114</sup> A sufficient amount of time should be allocated to implement strategies except in exceptional cases (e.g. a new arrival from outside of the Bailiwick of Guernsey).

then Formal Assessment should be explored. A parent can also request a Formal Assessment directly – see section 12.12 below.

12.8

The Educational Psychology Service should ordinarily already be involved in any case where Formal Assessment may be appropriate; however, if they are not, the ALNCo should seek their involvement at this point. The Education Office will also be informed – this enables an officer to be allocated to the case and to act as a point of contact for the family.

12.9

Where it is agreed to explore Formal Assessment, the education setting will coordinate and chair a Formal Assessment Exploration Meeting, which will ordinarily take place at the education setting. The assigned Education Officer is required to attend this meeting, and they will also liaise with the family in advance to explain the process. Information available for the Exploration Meeting should include:

- a summary of the learner's strengths and needs;
- an outline of the learner's views, whether or not they will be present at all or part of the meeting;
- evidence of how the learner has been supported through the Graduated Approach (identify, plan, do and review cycle);
- any existing specialist reports and
- the minutes from the latest learner-centred specialist review where exploration of Formal Assessment was agreed.

The Exploration Meeting will be minuted by the Education Office.

12.10

The Exploration Meeting will consider the learner's ALN and the additional learning provision being made. Having considered all views and information shared, the Education Officer will make a recommendation to the setting regarding whether it is appropriate for the setting to submit a request for Formal Assessment or for the setting to amend their existing provision to more effectively support the learner's needs.<sup>115</sup>

<sup>115</sup> Refer to Chapter 13 in the event of a difference of views.

## Request for Formal Assessment

12.11

A request for Formal Assessment should include the information considered at the Exploration Meeting, plus any supplementary information as may be appropriate. The Education Office will already have the minutes of the Exploration Meeting. Once a request for Formal Assessment is received, it will be considered at an Education Office Formal Assessment Request Review (FARR).

12.12

The majority of requests for Formal Assessment will be made through the setting. However, parents may make a request for Formal Assessment directly to the Education Office.<sup>116</sup> The Education Office will carefully consider any such request, seeking information from any setting involved and other support services, as appropriate, and an Exploration Meeting will be held where necessary. The Education Office is not obliged to undertake an assessment if it considers it to be inappropriate or unreasonable.

<sup>116</sup> Section 8 of the Education (Amendment) (Guernsey) Law, 1987.

12.13

If the FARR does not consider a Formal Assessment is required, the Education Office will notify parents/carers and involved parties of the outcome and the reasons for it. Specialist support and high quality inclusive practice should continue, amended as appropriate, and the learner's progress should be monitored. In the event of disagreement about a decision not to proceed to Formal Assessment, see [Chapter 13](#).

12.14

If the FARR is of the opinion that Formal Assessment should go ahead, the Education Office will officially notify the parents<sup>117</sup>, including letting them know of their right to make representations. Relevant reports will then be requested from the education setting, any Education support services involved (including the Education Psychology Service) and, where relevant, other services. The views of the parents and the learner will be sought. The target timeframe for completion of a Formal Assessment is two terms (to Panel outcome); however, this may vary in individual circumstances in line with such factors as how well known the learner is to all relevant services, the complexity of needs and resource availability at the time, etc. The Education Officer involved will keep learners and their families informed of the anticipated timescales.

<sup>117</sup> Section 5(3) of the Education (Amendment) (Guernsey) Law, 1987.

12.15

The Education Office will prepare a summary of need and recommendations for appropriate provision, based on the reports received. This is then referred for consideration by the Determination Panel (made up of a range of senior Education representatives).

12.16

The Determination Panel will invite the involved Education Officer and representatives of the learner's education setting to attend discussion. The purpose is to consider:

- if the drafted summary is an accurate reflection of the learner's ALN;
- if the provision identified to meet the needs is appropriate;
- whether a Determination is required to secure the relevant provision, and the most suitable placement based on the learner's needs.

The outcome of the Panel will be notified to parents and parties with a legitimate interest (settings, involved services, as appropriate).



# Determination issue

12.17

If the Panel considers that formal 'determination' is required to ensure the learner can be suitably supported, the Education Office will progress to create and issue a 'Proposed Determination' document – see Figure 14.

12.18

A Proposed Determination will include:

- personal details of the learner and the parents/carers;
- description of the learner's strengths and ALN. (This should include reference to any health and care needs that are relevant to the ALN and to the provision that would be appropriate to support it.);
- description of the educational approaches and the additional learning provision that will enable those needs to be met;
- recommendation for placement and
- specialist reports received through the Formal Assessment process (which will be appended to the Proposed Determination).

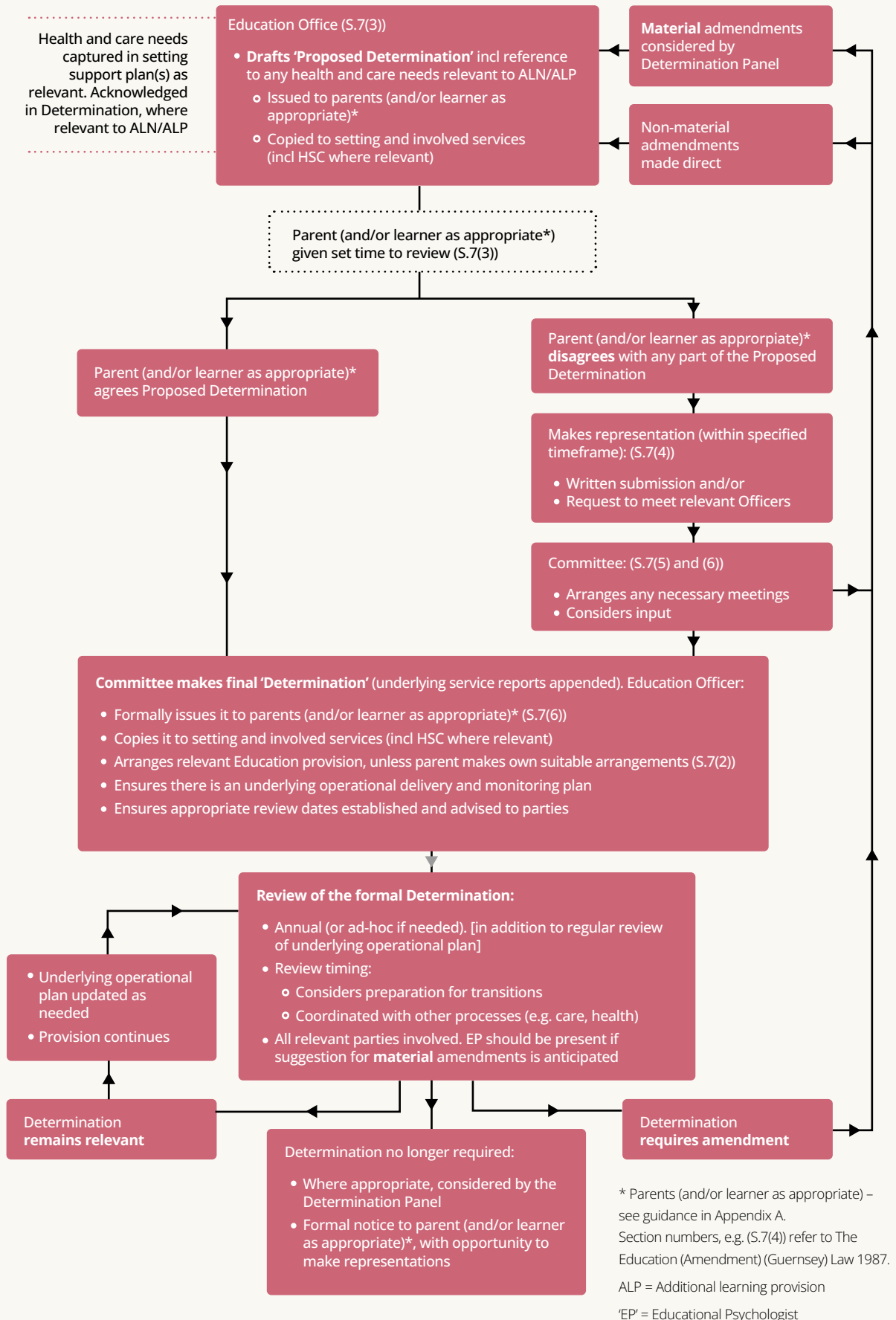
12.19

A copy of the Proposed Determination must be sent to the parents (and/or learner as appropriate - [see Appendix A](#)) and should also be provided to the setting and any relevant services. If parents (and/or learner as appropriate<sup>118</sup>) disagree with any part of it, they may make representations to the Education Office about the content, within such time as may be specified. They have a right to require a meeting to be arranged between the parent and an officer to discuss the proposed Determination<sup>119</sup> - [see Chapter 13](#)). Any representations made will be considered by the Education Office, before making a final Determination. A copy of the final Determination will be officially issued to the parent (and/or learner as appropriate).

<sup>118</sup> Education Law does not include this as a right for learners; discretionary extension (policy) is granted considering principles of the UNCRC and the Children (Guernsey and Alderney) Law, 2008.

<sup>119</sup> Section 7 of The Education (Amendment) (Guernsey) Law 1987

**Figure 14.** Determination issue and maintenance



# Assessment Placement

12.20

On a rare occasion, it might be concluded that additional information is required before appropriate provision and placement can be confirmed. (This may include where a learner with complex needs is newly arrived in the Bailiwick, or where a local learner will be attending a formal education setting either for the first time<sup>120</sup>, or returning following a period of absence.) A recommendation for an assessment placement within a particular setting may be made to the Determination Panel. Where agreed, a minimum two term placement will be offered whilst further assessment is undertaken.

<sup>120</sup> For example, ahead of making the transition from an Early Years provision to school.

12.21

Assessment placements should be monitored throughout and formally reviewed in good time to ensure the learner is able to not only continue their education seamlessly at the end, but have time to prepare for a move should the evidence gathered suggest that placement at the setting is not appropriate for the longer term. Final long-term placement will be considered by the Determination Panel.

12.22

In most circumstances where further practical information is needed to inform the appropriateness of a particular provision, other ways of establishing this will be more suitable than an assessment placement. For example, the learner being able to visit the setting to observe/join in with a number of sessions, etc.

# Annual Review

12.23

Learners who have a Determination should be the subject of a formal Annual Review.<sup>121</sup> (This sits alongside the continuous cycle of observation, planning, teaching and assessment that forms part of normal high quality inclusive practice for every learner, and the regular (at least twice-yearly) review of the operational plan that sits under an individual learner's Determination).

<sup>121</sup> The Committee has a duty to keep under review the arrangements made by it for special educational provision – Section 2(4) of The Education (Amendment) (Guernsey) Law, 1987. Policy is that there should be formal review on an annual basis.

12.24

The Annual Review should ordinarily be held in the education setting. Parents/carers and relevant support services will be invited to contribute; the expectation is that this would ordinarily involve attending the Review.

12.25

A learner's ALN and additional learning provision should be reviewed in particular detail by the setting towards the end of the key stage, including consideration of any changes that might be required to ensure the Determination remains fully current and appropriate.

## Amendments to a Determination

12.26

Advice may be sought from the Educational Psychology Service and the Education Office if it is considered that the Determination no longer reflects the learner's needs.

12.27

Where appropriate, recommendations for changes may be discussed by the Determination Panel. Any subsequent proposed changes should be drafted into a Proposed Determination, giving opportunity for parents to make representations etc. (refer to Determination Issue flowchart at Figure 14). Where it is considered a Determination is no longer required, a formal notice should be issued to parents/the learner (as appropriate – [see Appendix A](#)), again giving opportunity to make representations.

13

# Resolving Concerns and Differences of Opinion / Disagreements

# Learners and parents/carers

13.1

From time to time, learners and parents/carers may be unhappy or have concerns about matters relating to additional learning needs.

13.2

There are various ways that differences of opinion or disagreements may be considered, depending on what the issue is.

1. General concerns and complaints<sup>122</sup>;
2. Representation about a Proposed Determination;
3. Appeals about arrangements for placement outside the jurisdiction;
4. Discrimination on the grounds of disability<sup>123</sup>.

13.3

Key principles:

- Wherever possible, concerns and complaints should be resolved at the lowest level that is consistent with their satisfactory resolution.
- Consideration and resolution should be timely, to avoid disruption to a learner's education wherever possible.
- If a decision is involved, for example about provision or assessment, etc., the original decision maker should not review an appeal against it.
- The person or body considering any appeal should have the information, knowledge and skills required to consider the impact of a decision on the learner, including impact on the efficiency and effectiveness of their education. Other factors relevant to considerations include resource implications and the reasonableness of any expenditure involved, and impact on other learners.
- In appropriate cases a third party may be required to provide an independent review and final decision.

**122** This would include where the Committee\* is of the opinion that it is not appropriate to undertake a Formal Assessment. (\*Relevant duties in Law are delegated to Education Officers.)

**123** There are different types of discrimination. These are set out in the Prevention of Discrimination (Guernsey) Ordinance, 2022 and also explained in guidance from the Committee for Employment & Social Security/Employment and Equal Opportunities Service <https://eeos.gg/resources-organisations-my-issue-about-providing-service-discrimination-and-rights/service-0>. In general, a person suffers a detriment, and the cause of that detriment is associated

# General concerns and complaints

13.4

In most cases, it will be appropriate to use the established complaints procedures, which can be found here:

- For matters relating to education settings and other services provided by the Committee *for* Education, Sport & Culture: [www.gov.gg/ComplimentsCommentsandComplaintsEducation](http://www.gov.gg/ComplimentsCommentsandComplaintsEducation)
- For matters relating to services provided by the Committee *for* Health & Social Care: [www.gov.gg/CCCHSC](http://www.gov.gg/CCCHSC)

The Committees have committed to cooperative working to improve the experience and outcomes of learners with ALN. However, it should be understood that the support available/provided to learners in any individual case is in line with the remit, resources and standards applicable to each Committee (and their respective underlying services).

13.5

Education settings that are not maintained by the States will have their own procedures in place for considering concerns and complaints.



# Representations about a Proposed Determination

13.6

Parents have the right to make representations against any part of a Proposed Determination. This is extended, on a discretionary (policy) basis, to learners as appropriate.<sup>124</sup> Representations will be considered before the final Determination is made.

<sup>124</sup> Section 7 of The Education (Amendment) (Guernsey) Law 1987. Education Law does not include this as a right for learners; discretionary extension (policy) is granted considering principles of the UNCRC and the Children (Guernsey and Alderney) Law, 2008.

## Appeals about arrangements for placement outside the jurisdiction

13.7

Where the Children out of Jurisdiction Panel<sup>125</sup> has made decisions around placement of a learner out of jurisdiction ([see Section 15.30](#)), that learner, or their parent/other person with parental responsibility, can appeal the decision through an established appeals process, set out in Regulations.<sup>126</sup>

<sup>125</sup> Previously known as the Complex Needs Panel.

<sup>126</sup> The Children (Placement out of the Jurisdiction) (Guernsey and Alderney) Regulations, 2013, amended by The Children (Placement out of the Jurisdiction) (Guernsey and Alderney) (Amendment) Regulations, 2024.

## Discrimination on the grounds of disability

13.8

Discrimination legislation requires that schools and education providers do not discriminate against learners (or prospective learners) in relation to their education.<sup>127</sup> This concerns a range of 'protected grounds', including disability. It is expected that the education provisions will come into force in September 2025.<sup>128</sup> (Until that time, schools and education providers should endeavour to work in line with the principles of the legislation.) [See sections 2.3-2.11](#) for more information.

<sup>127</sup> Section 29 of the Prevention of Discrimination (Guernsey) Ordinance, 2022.

<sup>128</sup> The requirement to not discriminate already applies to education providers and schools in the context of provision of vocational training (training for employment) and in circumstances when they might be deemed to be a service provider.

<sup>129</sup> Detail of this future system is not yet available at the point of publication of this Code (Summer 2024).

<sup>130</sup> Section 60 of the Prevention of Discrimination (Guernsey) Ordinance, 2022.

13.9

From the point that the non-discrimination duties are introduced within education, an independent tribunal will hear discrimination complaints.<sup>129</sup> The Director of the Employment and Equal Opportunities Service will also have the power to investigate discrimination concerns (whether or not a Tribunal complaint has been submitted).<sup>130</sup>

13.10

It is not discrimination to put in place arrangements which provide for a learner to receive additional or alternative educational services, where this is done in order to meet the assessed needs of that learner.<sup>131</sup>

<sup>131</sup> Section 27 of Part III of the Prevention of Discrimination (Guernsey) Ordinance, 2022.

## Professionals

13.11

There may be times when professionals involved with supporting learners with ALN hold different opinions to colleagues. Effective working together depends on an open approach and honest relationships between colleagues and services. Problem resolution is an integral part of professional cooperation and joint working in supporting learners. Respectful professional challenge, which holds the best interests of the learner involved, should be supported.<sup>132</sup>

<sup>132</sup> Please refer to the Code of Conduct relevant to the staff group.

13.12

When it becomes apparent that disagreement exists, it should be raised in a timely way and resolved at the lowest possible level consistent with satisfactory resolution. Where concerns cannot be resolved between the disagreeing professionals, they should be appropriately escalated, for example through line management channels and reference to relevant complaints procedures ([see 13.4 above](#)).



14

# Publication of Information about ALN and the ALN System

14.1

It is important that families have easy access to information and advice to help them understand the ALN system/arrangements, and their rights. Publication of information also helps promote a shared understanding between everyone involved, including learners and their families, education settings, the Education Office, the Education support services, other States services and other organisations.

14.2

Any States Committee that provides services to any child in need has a duty to:<sup>133</sup>

- publish information about those services, and
- take reasonable steps to ensure that people who benefit from those services have access to the information.

<sup>133</sup> Section 23 of the Children (Miscellaneous Provisions) Ordinance 2009. Refer to glossary for explanation of a child in need .

14.3

Information published by the Education Office for learners and families should include:

- What ALN is and how the ALN system works;
- The responsibilities of maintained education settings in relation to ALN;
- What high quality inclusive practice is;
- Key roles within the ALN system;
- The different services involved and their roles;
- The range of organisations (including voluntary) that are able to provide support and advice;
- The Formal Assessment process and
- Information and advice about avoiding and resolving concerns or disagreements. (Including information on any independent advocacy available, processes to make a complaint or appeal a decision made by the Education Office).

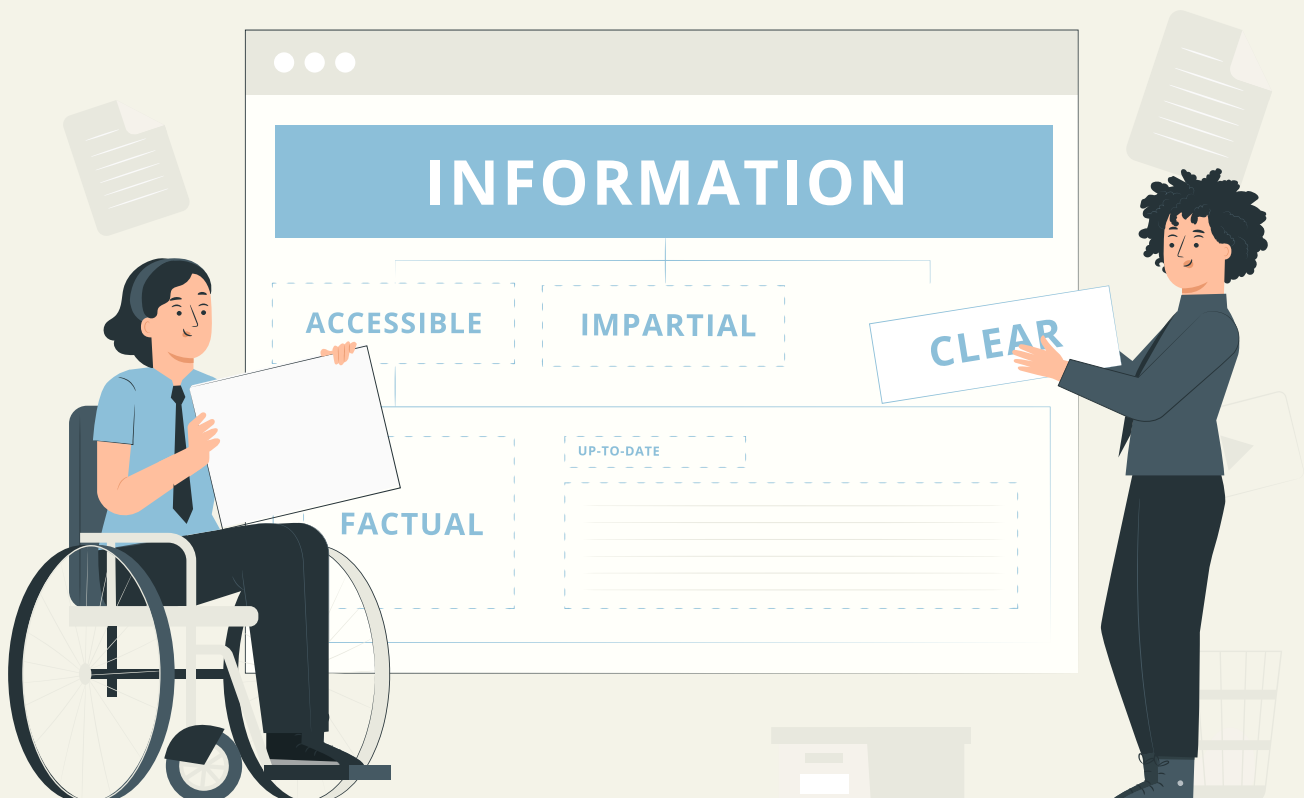
#### 14.4

Information published should:

- Be clear, accurate and factual;
- Be impartial;
- Be accessible:
  - Use language that learners and their parents can easily understand
  - Available in different formats.
  - Well-publicised and easy to find, including for learners;
- Be kept up-to-date and
- Consider input from learners and parents/carers
  - In the design or commissioning of arrangements for providing information and advice.
  - In the review of information arrangements, to ensure they are effective and meet people's needs.

#### 14.5

The Education Office publishes information on the ALN Information Website [publication expected Autumn 2024].



15

Learners  
in Specific  
Circumstances

# Learners being educated outside of States-maintained schools

15.1

Education law places a duty on parents to secure efficient, full-time education which is suitable to a child's age, ability, aptitude and any special educational needs (ALN) they may have.<sup>134</sup> This can be achieved through regular attendance at a school, or 'otherwise' (including home education).

**134** The Education (Guernsey) Law 1970, as amended, section 17. This duty applies to children of compulsory school age (5-16 years).

15.2

The Committee has a duty to ensure the availability of efficient education throughout a statutory public education system.<sup>135</sup> However, parents may wish to fulfil their duty by arranging for their child to be educated at a school that is not maintained by the States, or to educate them outside of a school (home education).

**135** The Education (Guernsey) Law, 1970 (as amended), section 3.

15.3

The Committee's responsibility to identify learners with ALN who might require the Committee to determine the additional learning provision that should be made for them extends beyond those registered at States schools, to also include the following learners, if they have been 'brought to the attention of' the Committee.<sup>136,137</sup>

**136** The Education (Amendment) (Guernsey) Law, 1987, section 4.

**137** Attention may potentially be brought to learners by parents/carers, education or medical professionals etc

- Learners registered at other schools, or
- Learners who are not registered at a school (aged between 2 and 16 years).

15.4

If the Committee is of the opinion that such a learner indeed has, or probably has, ALN that would require it to determine the additional learning provision that should be made for them, it shall make an assessment.<sup>138</sup> This is what the Committee calls a 'Formal Assessment' ([see Chapter 12](#) for more information). Where this results in a Determination, the Committee is under a duty to arrange that the specified additional learning provision is made unless the learner's parent has made suitable arrangements. Further information can be seen in the following sections.

**138** The Education (Amendment) (Guernsey) Law, 1987, section 5

**15.5**

The Committee has a duty to act in cases where it appears that any parent is failing to ensure their child receives the required education.<sup>139</sup> This would include if arrangements made by a parent are not suitable for the ALN. The Committee should endeavour to work with parents to resolve any such concerns. If concerns remain, and depending on the circumstances, it may be appropriate to involve other parties (such as the Multi-Agency Support Hub, or Children’s Convenor), and/or to issue a notice requiring the parent to satisfy the Committee that their child is receiving efficient full-time education suitable to their age, ability, and aptitude and to any ALN they may have. Failure to satisfy the Committee may result in issue of a school attendance order.<sup>140</sup>

**139** The Education (Guernsey) Law 1970, as amended, section 18 .

**140** The Education (Guernsey) Law 1970 as amended, section 18 & The Education (Amendment) (Guernsey) Law, 1987, section 13.

## Schools that are not maintained by the States

(To be read in conjunction with the general text in sections 15.1-15.5 above)

**15.6**

Where a school identifies that a learner has ALN and requires additional learning provision, there should be regular assessment and subsequent support for their needs. This is usual practice in all schools - including those outside of the States-maintained sector - and is an expectation both of inspectorates and of the Committee. The Committee is under a duty in respect of any school to use its best endeavours to ensure that additional learning provision required for a learner is made.<sup>141</sup> A school’s approach to ALN and resources for support form part of its educational ‘offer’ to those parents who arrange to have their children educated there. The types and level of need that can ordinarily be supported, and how, will depend on the individual school – details should be available to parents, for example on the school’s website.

**141** The Education (Amendment) (Guernsey) Law, 1987, section 2(5)

15.7

If any person (which would include education professionals at a school not maintained by the States) has concerns that a registered learner has, or probably has, ALN they can bring the learner to the Committee's attention.<sup>142</sup> If the Committee is of the opinion that the learner has, or probably has, ALN which would call for it to determine the provision that should be made for them, it shall make an assessment (Formal Assessment, as described in [Chapter 12](#)). A parent may request such assessment (see section 12.12).

**142** The Education (Amendment) (Guernsey) Law, 1987, section 4(2).

15.8

In respect of learners who have a Determination, parents may make their own suitable arrangements for provision. This could include at a school not maintained by the States. An Annual Review (as described in [Chapter 12](#)) gives opportunity for all parties to consider if the learning provision arrangements continue to provide suitable support for the learner's ALN. If there are concerns about the suitability of the provision, the Committee must act to fulfil the duty that it carries in respect of all learners (see section 15.5).

15.9

The Committee invests heavily in additional learning provision across a range of States-maintained settings. However, there is legal provision for the Committee itself to make arrangements for a learner with a Determination to receive the required education provision at an (approved) independent school.<sup>143</sup> This is a permissive power that should only be exercised where the Committee deems it appropriate, considering impact for the learner alongside other relevant factors, including the need to ensure efficient and effective use of public resources.

**143** Section 10(3) of the Education (Amendment) (Guernsey) Law, 1987. (An independent school which is approved by the Committee as suitable for the admission of children for which Determinations are made).

# Home education

(To be read in conjunction with the general text in sections 15.1-15.5 above.)

**15.10**

For home educators the identification and assessment of learning needs might generally be more challenging as the educator's specialist knowledge might be limited. If a home educator is of the opinion that a learner probably has ALN, they can bring the learner to the Committee's attention.<sup>144</sup> If the Committee is of the opinion that the learner has, or probably has, ALN which would call for it to determine the provision that should be made for them, it shall make an assessment (Formal Assessment, as described in [Chapter 12](#)). A parent may request such assessment (see section 12.12).

**144** The Education (Amendment) (Guernsey) Law, 1987, section 4(2).

**15.11**

The Education Office should endeavour to provide appropriate information to families who home educate and those that are considering it as an alternative to school-based learning. Periodic visits by Education Officers should provide parents with the opportunity to demonstrate that they are providing the suitable education required by law<sup>145</sup>, and for officers to note where concerns are present.

**145** The Education (Guernsey) Law 1970, as amended, section 17.

**15.12**

If a learner of compulsory school age is registered at a States-maintained specialist education setting in accordance with arrangements made by the Committee, the Committee's consent is required for them to be withdrawn for home education.<sup>146</sup> This allows for assurance to be obtained that the proposed home education will be suitable to the learner's needs.

**146** The Education (Amendment) (Guernsey) Law, 1987, section 10(2). In practice this matter would be informed by consideration by relevant professionals (the Determination Panel)

**15.13**

In respect of learners who have a Determination, parents may make their own suitable arrangements for provision. This could include through home education. An Annual Review (as described in [Chapter 12](#)) gives opportunity for all parties to consider if the learning provision arrangements continue to provide suitable support for the learner's ALN. If there any concerns about the suitability of the education provided these must be acted on by Education Officers to fulfil the duty that the Committee carries in respect of all learners (see section 15.5).

15.14

If the Committee itself considers that it would be inappropriate for some or all of a learner's required additional learning provision to be made in a school it may, after consulting the learner's parent, and the learner, where appropriate, arrange for the provision to be made otherwise than in a school.<sup>147</sup> This is a permissive power that should only apply if the Committee considers it appropriate, considering impact for the learner alongside other relevant factors, including the need to ensure efficient and effective use of public resources.

<sup>147</sup> The Education (Amendment) (Guernsey) Law, 1987, section 3.

## Learners moving into jurisdiction who have had a relevant Plan elsewhere

15.15

Some learners who move to live in Guernsey may have needs that have already been identified. They may have a Plan, for example an Education, Health and Care Plan (England), or a Record of Need (Jersey). Plans from elsewhere do not have direct effect in Guernsey but the information contained is valuable in ensuring the fullest picture of children and young people who are new to the Island.

15.16

Any additional learning needs should be made known by the parents when applying for a place in an education setting. For States-maintained settings, Education Officers will consider information provided to help identify how the learner can be supported in education in Guernsey. This will include:

- the views of the learner and parents/carers and
- any existing documents (for example assessments and Plans)

Consideration may include Educational Psychologists, other services and settings, as appropriate in the individual circumstances.

15.17

If it is identified that the learner's needs might best be supported in an educational setting/establishment that particularly specialises in supporting ALN, a short-term assessment placement may be offered (this is usually for two terms). This is to ensure that learners who are new to the Island are placed in the most appropriate educational

setting/establishment. Evidence gathered during an assessment placement will help inform if the learner requires to go forward to Formal Assessment. Most will, but some might not, depending on the individual circumstances.

**15.18**

If parents want to home educate, they should make contact with the Committee and advise them of their intention. Further information is available in the Home Education section, see 15.10.

## Children in Care

**15.19**

When a child or young person cannot live with their birth family for whatever reason and becomes a child in care, parental responsibility transfers to the States of Guernsey (Committee *for* Health & Social Care); this is referred to as corporate parenting. A key responsibility of parents is the duty to safeguard and promote a child's health, education, development and welfare. When a child comes into care, this becomes the duty of everyone working for the States of Guernsey, across all Committees. The States has a duty to provide services for children in care (and those who have left care).<sup>148</sup>

**148** The Children (Guernsey and Alderney) Law, 2008, section 26.

**15.20**

Children in care are significantly more likely to have ALN than other learners. Some ALN may only be identified after they come into care. Children who have come into care will also have experienced other disadvantage and challenges, so there may be a range of surrounding care and health needs.

**15.21**

In addition to applying this ALN Code of Practice, education settings should follow any States' guidance relevant to promoting the education of children in care, including appointment of a designated member of staff for this group. (Where that role is carried out by someone other than the ALNCo, the ALNCo should work closely with the designated member of staff, to ensure that the implications of a child being both in care and having ALN are fully understood, and made known to relevant staff.)

15.22

Implementation of the graduated 'identify-plan-do-review' approach for ALN should fully consider a learner's care status and any wider care and education planning. This includes working closely with other relevant professionals and promoting coordination of plans and any review processes. It is essential to involve the learner, their carers, the allocated social worker, any other key services and, where appropriate, the parents, in processes.

15.23

Where a Determination is in place for a child in care, it should include reference to any care needs that are relevant to the ALN and the additional learning provision that would be appropriate to support it.

## Learners with ALN in 'alternative' provision (for learners registered at an education setting)

15.24

Any form of education provision that takes place off site or away from the main setting site during the school day, and is accessed by learners registered at the setting, is considered to be 'alternative' provision.<sup>149</sup>

**149** Based on the definition in Ofsted inspection handbooks.

15.25

Alternative provision arrangements may be made in response to barriers to learning that impact a learner's ability to receive a suitable education at a setting.<sup>150</sup> The education provided should be on a par with what they would receive in educational settings. In some circumstances, it might be appropriate for education to be less than full-time.

**150** The Education (Guernsey) Law, 1970, section 45. This power relates to primary and secondary education. There may be circumstances when similar arrangements might be appropriate for other learners.

15.26

If a learner who is to receive alternative provision has a Determination, the provision must be arranged in line with that Determination. If a learner has ALN but does not have a Determination, it is important that their ALN also informs arrangements. Plans (and Determinations where they exist) should be monitored and reviewed by the ALNCo<sup>151</sup>, and amended where appropriate to reflect the different education and ensure the learner's ALN will be appropriately supported.

**151** The ALNCo from the setting that the learner is registered at.

**15.27**

To allow for continuity of support, the registered setting and alternative provider should promptly share appropriate information on a learner's ALN ([see section 3.16](#) for guidance on information sharing). Relevant staff from the registered setting and engaged service staff should retain a level of involvement suitable to the circumstances in respect of providing/ensuring suitable work, monitoring learner progress, updating plans, maintaining records, participating in reviews etc. The alternative provider should implement a graduated approach to supporting needs, as set out in agestage chapters (Chapters 7-9).

**15.28**

In cases where there are attendance, engagement or behavioural concerns, it is appropriate to consider whether any unidentified ALN might exist and be contributing to the situation.

**15.29**

Where learners in alternative provision are returning to their previous education, this should be carefully planned for. The registered setting/Education Office should work with the learner, their family, the alternative provider and any other involved services to produce a reintegration plan. This should be linked to the ALN plan and any Determination as relevant.



# Learners placed outside of jurisdiction

15.30

In exceptional circumstances, the Committees *for* Education, Sport & Culture and Health & Social Care may consider that needs should be supported through a placement outside of jurisdiction. This relates to circumstances of very complex needs, where ALN will likely be one of multiple factors. Arrangements (through the joint Children out of Jurisdiction Panel<sup>152</sup>) will be in line with Regulations.<sup>153</sup>

<sup>152</sup> Previously known as the Complex Needs Panel

<sup>153</sup> Placement of Children Out of Jurisdiction Regulations, 2013 and The Children (Placement out of the Jurisdiction) (Guernsey and Alderney) (Amendment) Regulations, 2024.

# Learners with ALN in secure settings

15.31

Very few learners are detained in the prison or secure accommodation in Guernsey.

15.32

The Committee should maintain appropriate agreements with other States Committees about education expectations and provision for learners in secure settings. Agreements in place should be adhered to. Delivering education in any secure setting can have challenges.

15.33

It is important for educational provision to be put in place as soon as possible after the learner is detained. Education arrangements should be considered at multi-agency meetings, informed by views of the learner and parents/carers where appropriate, and information about any ALN.

15.34

If a learner who is detained has a Determination, education provision must be arranged in line with it. If it is not practicable to arrange the provision specified in the Determination, provision corresponding as closely as possible to it must be arranged. If a learner has ALN but does not have a Determination, it is important that their ALN also informs arrangements. Plans (and Determinations where they exist) should be reviewed and amended as appropriate to reflect the different education and ensure the learner's ALN will be appropriately supported. The education provider should implement a graduated approach to supporting ALN, as set out in age-stage chapters. Where a Determination is not in place but the education provider thinks it might be appropriate, the question of Formal Assessment should be considered.

15.35

It is appropriate to consider whether any unidentified ALN might exist and be contributing to the situation.

15.36

A learner's education package should be frequently reviewed throughout their time in prison or secure accommodation, to ensure it meets their needs, and their educational development should be monitored.

- **Learners under the age of 16:** Education is compulsory under the age of 16.
- **Learners aged 16-17:** Education is no longer compulsory, but should be encouraged.
- **Over-18 years:** Education is optional. Over-18s who have recognised ALN and are attending a States-maintained education setting to assist their preparation to transition to adult life should be appropriately supported.

15.37

The entitlement to independent and impartial careers advice and guidance applies pre-16 and post-16.

15.38

Prior to the end of the detention period, the multi-agency team should prepare for the learner's reintegration into education.

# Appendix A



Learner and Parent / Carer  
Involvement and Consent

This appendix gives guidance on involvement of learners and their parents/ carers in ALN matters, and on consent. This varies with the age and capacity of learners. Some general information is presented below. The tables that follow provide targeted summary guidance, according to learner age.

Note: The information in this appendix is intended to give basic assistance to staff; in the event of queries, they should consult Education Inclusion Services staff for further advice.

## General points

- Every child has the right to express their views, feelings and wishes in all matters affecting them, and to have their views considered and taken seriously.<sup>154</sup>

<sup>154</sup> The United Nations Convention on the Rights of the Child (Article 12).

**Learners should be appropriately involved in discussions and processes, to enable this to happen.** (How this is done in any case will depend on their age and understanding. Except where it is shown to the contrary, it is presumed that a child is capable of forming a considered view from the age of 12 years.<sup>155</sup>)

<sup>155</sup> Section 5 of the Children (Guernsey and Alderney) Law 2008.

- A parent's duties towards their child includes (amongst other things)<sup>156</sup>:
  - Safeguarding and promoting the child's health, education\*, development and welfare
  - Providing care, direction and guidance appropriate to their child's age and understanding
  - Acting as the child's legal representative

<sup>156</sup> Section 5 of the Children (Guernsey and Alderney) Law 2008.

\* Parents have a specific duty to ensure that a child of compulsory school age (5-16) receives efficient full-time education suitable to their age, ability, aptitude and any additional learning needs.<sup>157</sup>

<sup>157</sup> The Education (Guernsey) Law, 1970, as amended.

**People with parental responsibility<sup>158</sup> should be appropriately involved in discussions and processes to enable them to fulfil their duties.** Performance of the duties should be for the welfare of the child, and consistent with the child's evolving capacities.

<sup>158</sup> This will often, but not always, be the parents. Part 2 of the Children (Guernsey and Alderney) Law, 2008 sets out who may have parental responsibility.

- As a matter of good practice, the consent of a learner who has the capacity/is 'competent'<sup>159</sup> to make a decision should always be sought. It should never be automatically assumed that a learner with ALN is not competent to take their own decisions: many will be competent if information is presented in an appropriate way and they are supported through the decision-making process.
- Learners aged 16 or over are presumed to have capacity to decide on their own unless there is sufficient evidence otherwise. Learners under the age of 16 can consent if they're believed to have enough intelligence, competence and understanding to fully appreciate what's involved.
- Even where a learner under 18 is competent themselves, it is still likely that parents (or others with parental responsibility) will remain closely involved in the great majority of cases. They can continue to support the learner in making decisions and, if the learner has agreed, consent on their behalf. Parents should support the learner to communicate their needs and aspirations and to make decisions which are most likely to lead to good outcomes for them.
- If a learner is not able to give consent for themselves, people with parental responsibility may do so on their behalf. For most elements of a child's life it is legally only necessary to obtain consent from one person with parental responsibility. However, there are a handful of decisions which require the consent of all people with parental responsibility or a court order, including the choice of school or other educational institution which the child is to attend.<sup>160</sup>

For other decisions, the Children (Guernsey and Alderney) Law, 2008 creates an expectation that those with parental responsibility for a child will consult and cooperate with one another and it is good practice to involve all those close to the child in the decision-making process.

- A child becomes an adult when they reach the age of 18. However, in some circumstances a learner who has reached this age might still not be able to understand certain matters or have the capacity to make decisions about them. This might be the case, for example, where they have significant learning needs. See following table for 18+ years.

**159** For someone to be considered to have capacity/be competent to make a particular decision, they must be able to:

- Understand and retain information that is relevant to the decision, especially the consequences of the proposed action being taken, or not,
- Use and weigh this information in the decision-making process, and
- Communicate the decision (whether by talking, using sign language or any other means).

(Section 5 of the Capacity (Bailiwick of Guernsey) Law, 2020.

**160** Section 9 of the Children (Guernsey and Alderney) Law, 2008 sets out other circumstances that require consent of all people with parental responsibility.

# Guidance by age

## Age

Involvement of the learner and their parents with regard to the learner's evolving capacity for consent

### Birth to 11 years

- It is key that learners are provided with sufficient information, and in an appropriate way, to help them understand what is happening in educational matters. They should be given the opportunity to share their views.
- There should be liaison with parents/carers. A person/people with parental responsibility provides consent. They should ensure they are discussing matters appropriately with the learner and the setting should also support the learner to give their views.
- Under The Education (Amendment) (Guernsey) Law, 1987, official notices regarding ALN are served on the parents, with a right to make representations. In line with the above, parents should ensure that they consider their child's views.

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### 12-15 years

- The Children (Guernsey and Alderney) Law, 2008 says that except where it is shown to the contrary, it is presumed that a child is capable of forming a considered view from the age of 12 years.
- It is key that learners are provided with sufficient information, and in an appropriate way, to help them understand what is happening in educational matters. They should be given the opportunity to share their views.
- There should be liaison with parents/carers. They should ensure they are discussing matters appropriately with their child. The setting should also support the learner to give their views.

## 12-15 years continued

- If a learner is themselves competent to understand and make a decision, good practice is to seek consent from the competent learner and the person/people with parental responsibility.
  - Due regard should be given to the views of the person with parental responsibility, but this cannot override the informed consent of a competent learner in matters relating to the learner.
  - In cases where:
    - a competent learner and/or the parent of a non-competent learner refuses to consent to an assessment etc., and/or
    - there is a difference in the views of the learner and the person/people with parental responsibility
  - there should be consideration of what is in the best interests of the learner. It would be appropriate to take additional advice, including legal advice, on how to proceed.
  - Under The Education (Amendment) (Guernsey) Law, 1987, official notices regarding ALN are served on the parents, with a right to make representations. In line with the above, parents should ensure that they consider their child's views.
- 

## 16 - 17 years

- The Children (Guernsey and Alderney) Law, 2008 says that except where it is shown to the contrary, it is presumed that a child is capable of forming a considered view from the age of 12 years.
- It is key that learners are provided with sufficient information, and in an appropriate way, to help them understand what is happening in educational matters. They should be given the opportunity to share their views.

## 16 -17 years continued

- There should still be liaison with parents. However, parental responsibility diminishes as a child ages and matures.
- Learners aged 16 or over are presumed to have capacity to decide on their own unless there is sufficient evidence otherwise. If a learner is themselves competent to understand and make a decision:
  - Lead consent should be sought from the learner
    - Good practice is to encourage the learner to involve their family in decision making (unless not in their best interest)
- Due regard should be given to the views of the person with parental responsibility but this person cannot override the informed consent of a competent learner.

If there are concerns about a learner's capacity, a capacity assessment might be required. Anyone undertaking a capacity assessment must look at Part 2 of the Capacity Law and the relevant section of the associated Code of Practice<sup>161</sup> (as they are generally applicable)

- In cases where:
  - a competent learner and/or the parent of a non-competent learner refuses to consent to an assessment, etc., and/or
  - there is a difference in the views of the learner and the person with parental responsibility

there should be consideration of what is in the best interests of the learner. It would be appropriate to take additional advice, including legal advice, on how to proceed.

Under The Education (Amendment) (Guernsey) Law,

<sup>161</sup> Capacity (Bailiwick of Guernsey) Law, 2020 – Lasting Powers of Attorney – States of Guernsey.gg. A capacity assessment should show, on the balance of probabilities, that the person lacks capacity to make the specific decision. The person completing the capacity assessment should demonstrate that they have a 'reasonable belief' that an individual lacks capacity to make the relevant decision. Powers under the Capacity Law cannot be used in relation to people aged under 16.

## 16 -17 years continued

- 1987, official notices regarding ALN are served on the parents. In line with the above principle that learners are provided with sufficient information, and in an appropriate way, to help them understand what is happening in educational matters, parents should be encouraged to inform their child of the process and a competent learner (of 16 years or older) should also be provided with a copy of the notice.

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## 18+ years

- By 18, the learner is legally an adult and consent (for a learner who is competent to make a decision) lies with the learner themselves. At that point it is ordinarily the case that professionals could liaise with parents and consider their views, but not accept consent from them (unless the parent has legal authority granted by a Court).
- It is key that learners are provided with sufficient information, and in an appropriate way, to help them understand what is happening in educational matters. They should be given the opportunity to share their views.
- If there are concerns about the learner's capacity, a capacity assessment might be required. Anyone undertaking a capacity assessment must look at Part 2 of the Capacity Law and the relevant section of the associated Code of Practice<sup>162</sup> (as they are generally applicable).
- Official notices regarding ALN should be served on learners themselves (or on the person with legal authority for an adult learner lacking capacity).

<sup>162</sup> Capacity (Bailiwick of Guernsey) Law, 2020 - Lasting Powers of Attorney. A capacity assessment should show, on the balance of probabilities, that the person lacks capacity to make the specific decision. The person completing the capacity assessment should demonstrate that they have a 'reasonable belief' that an individual lacks capacity to make the relevant decision.

# Glossary

## Additional Learning Needs (ALN)

Additional learning needs (ALN) describes the way in which a learner may need provision that is over and above high quality inclusive practice. A learner has ALN if they have a significantly greater difficulty in learning than the majority of others of their age, or has a disability that either prevents or hinders them from making use of educational or training facilities of a kind generally provided for others of the same age in education settings, and they need additional learning provision.

## Additional Learning Needs Coordinator (ALNCo)

The Additional Learning Needs Coordinator (ALNCo) is responsible for the day-to-day operation of an education setting's ALN policy. They should work closely with the Headteacher<sup>158</sup>, other members of the Senior Leadership Team and colleagues, and be closely involved in the strategic development of the ALN policy and provision as a member of the Senior Leadership Team. All mainstream primary and secondary States-maintained settings have an ALNCo. In settings that are particularly arranged to support additional learning needs, a senior member of staff should be designated to fulfil the responsibilities of the ALNCo. In Post-16 settings, there may be one or more people who fulfil the responsibilities of the ALNCo. They may hold a different job title. In Early Years, practitioners are supported by the Early Years Area ALNCo.

**158** 'Headteacher' also refers to Principals and a Responsible Person. In respect of Early Years providers, this would also include Early Years Owners/Managers/ Childminders.

## Additional Learning Needs Provision (ALP)

Additional learning needs provision is the support and strategies that are implemented to meet the ALN of learners. This may be within a plan for targeted, specialist or Determination support.

## ALN Information Website

It is important that families have easy access to information and advice to help them understand the ALN system/arrangements, and their rights. Publication of information also helps promote a shared understanding between everyone involved. The Education Office publishes information on a dedicated website to enable learners and their families to navigate information about ALN and the ALN system. This is called the ALN Information Website.

## Annual Review

Where a learner has a Determination, a formal review, including all parties involved in supporting the learner, should be conducted annually. Reviews should ordinarily be held in the education setting. Settings should cooperate with the Education Office in the review process. States-maintained settings are required to convene the Annual Reviews for their registered learners.

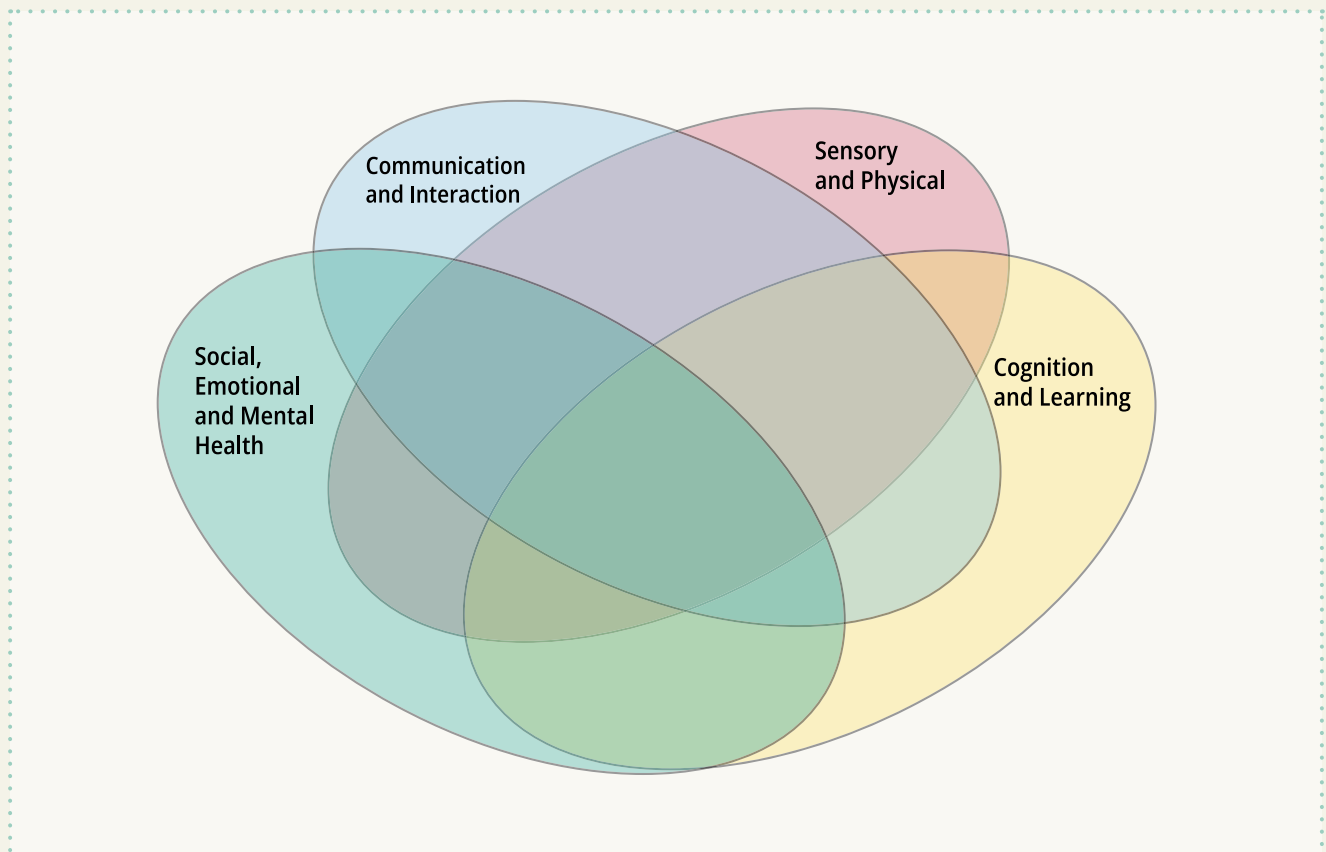
**159** The Prevention of Discrimination (Guernsey) Ordinance 2022.

## Auxiliary Aid

An auxiliary aid means equipment or a service that is used by the disabled person, which provides assistance that compensates for or removes any disadvantage or inequality connected with their disability. This does not include any item of personal equipment which the person would reasonably be expected to own.<sup>159</sup>

## Broad Areas of Support

Generally, needs that might require support through additional learning provision can be captured under four broad area headings – these are shown in the diagram below:



## Child in Need

The Children (Guernsey and Alderney) Law, 2008 says a child is 'in need' if:

- i. they, or their family, requires the provision of additional services to enable them to achieve or maintain a reasonable standard of health or development,
- ii. their health or development is likely to be significantly impaired, or further impaired, without the provision of additional services,
- iii. they are disabled, or
- iv. they are, or are likely to be, adversely affected by the disability or illness of a parent or another member of their family without the provision of additional services

"additional services" means services which are additional to the health, social, child care and educational services normally provided by the States to, or in respect of, any family or child.

## Cognition and Learning

'Cognition and learning' is the umbrella term for one of the four broad areas of support described in this Code. Some learners may learn at a slower pace than their peers. They may experience barriers to learning due to a specific learning difference that has an impact on one particular aspect of their learning (for example, in literacy or numeracy). They may need support with organisation or memory skills. It may be that there is a more generalised difficulty in learning.

## Committee *for* Education, Sport & Culture (in this document 'The Committee')

A States Committee whose aim is to encourage human development by maximising opportunities for participation and excellence through education, learning, sport and culture at every stage of life.

## Committee for Health & Social Care

A States Committee whose aim is to protect, promote and improve the health and wellbeing of individuals and the community.

### Communication and Interaction

‘Communication and interaction’ is the umbrella term for one of the four broad areas of support described in this Code. Some learners may have barriers to learning and participation as a result of speech, language and communication needs. Their learning difference may result in a difficulty in understanding or processing language. It may be that the use of spoken language or non-verbal communication is a challenge. There may be barriers with social communication and interaction. The learner’s neurodiverse approach should be supported as appropriate to enable them to progress in their learning.

### Determination

Most learners who have ALN can be effectively supported at targeted or specialist levels. However, in appropriate cases, a Determination may be required to ensure appropriate support. At this level, the learner’s ALN will have been carefully profiled during a ‘Formal Assessment’ process. If this results in the Committee being of the opinion that it should determine the additional learning provision which should be made for the learner, it shall make a ‘Determination’. This is a formal document, issued under Education Law<sup>160</sup>, which specifies the additional learning provision that should be made to support the assessed needs. Considerations about whether a Determination is needed will include such factors as the type and extent of additional learning provision required and the resources involved.

<sup>160</sup> Section 7 of The Education (Amendment) (Guernsey) Law, 1987.

### Early Help Assessment

This is a simple, impartial and honest assessment of strengths, opportunities and challenges that is undertaken with a family, with their consent<sup>161</sup>. It takes place when a child or young person would benefit from support of two or more agencies.

<sup>161</sup> Early help is a way of working effectively across agencies and services that supports families, children, and young people to overcome difficulties and build their resilience so that problems do not escalate, and they are able to thrive, live and engage happily in their communities. More information will be available at <http://iscp.gg> (expected Q3 2024).

## Early Years Area Additional Learning Needs Coordinator

The overall role of the Early Years Area ALNCo is to empower all those working in Early Years settings to develop inclusive early learning environments and to help them support children in removing barriers to learning wherever these exist.

## Education Office

Officers who oversee and support Education settings and services.

## Education Provider

'Education provider'<sup>162</sup> means –

- i. an educational institution\* in Guernsey, or
- ii. an organisation which develops or accredits curricula or training courses for use by a school or educational institution in Guernsey

**162** Section 29 of The Prevention of Discrimination (Guernsey) Ordinance 2022.

\* With 'educational institution' being: 'an institution in Guernsey at which education is provided for five or more students of any age, not being a school, and for the avoidance of doubt includes registered pre-schools and day nurseries'

## Education Setting

An education setting is where a learner receives their education. Examples include (but are not limited to) pre-schools, schools, further education colleges, etc.

## Education Support Services

Education support services are maintained by the Committee *for* Education, Sport & Culture and provide additional specialist advice and support to education settings. Details of services are available on the ALN Information Website [publication expected Autumn 2024].

## Educators

In this code the term educator refers to someone who has the responsibility to teach learners in an educational setting, from Early Years to Post-16. It is inclusive of role titles such as Early Years practitioner, teacher and lecturer etc. It does not include learning support staff, nor other adults who work under the direction of an educator.

## English as an Additional Language (EAL)

A learner whose first language is not English is often described as having English as an additional language (EAL). Many of these children have already attended school in their own country and so have prior knowledge and skills, especially in areas such as Maths and Science. For this reason they should, as far as possible, be placed in teaching groups which reflect their cognitive abilities rather than their ability to speak English. Under the legal definition of ALN in this document, EAL is not an ALN.

## Formal Assessment

Formal Assessment may be undertaken for learners who require a significant amount of additional learning provision, to confirm their needs and identify appropriate additional learning provision. If the Committee is of the opinion that it is required, a Determination may subsequently be issued.

## Graduated Approach

Where a learner is identified as having ALN, settings should take action to remove barriers to learning and put effective additional learning provision in place. This ALN support should take the form of a four-part cycle through which earlier information gathering (including observations), decisions and actions are revisited, refined and revised with a growing understanding of the learner's needs and of what supports the learner in making good progress and securing good outcomes. This is known as the Graduated Approach.



## Guernsey Curriculum

The curriculum has been written with a view to preparing learners for the opportunities and challenges of living in the 21st century. All learners should have the same opportunities and entitlement.

## High Quality Inclusive Practice (HQIP)

The starting point for educating learners with ALN is the same as for any learners. Knowledgeable and skilled educators should be aware of each learner's abilities, have high aspirations for them, and be able to identify ways to provide them with appropriate access to the curriculum. High quality inclusive practice, based on established standards, is essential to ensure that all learners achieve the best outcomes. An appropriate education to meet all learners' needs will enable them to be confident individuals who flourish and are able to make a successful transition to adulthood. Any interventions and strategies introduced must supplement high quality practice and not replace it.

The High Quality Inclusive Practice document [publication expected Autumn 2024] is intended to guide and assist professionals in how to deliver high quality inclusive practice for their learners. It is integrally linked to the ALN Code of Practice.

## Inclusion

Inclusion is defined as the participation of all learners in learning which leads to the highest possible level of achievement, whatever setting they are in, and the participation of learners in the full range of social experiences and opportunities once they have left education. It is about providing effective learning opportunities for all learners. Inclusion may be facilitated through early intervention, removing barriers to learning, raising expectations and achievement and improving partnerships with learners, their families and other services.

## Key Person

A key person is a named member of staff in an Early Years setting with responsibilities for a small group of children. They help those children in the group feel safe and cared for.

## Learner-Centred Plan

Learner-centred planning is an inclusive approach to ensuring that a learner's needs are accurately identified and they have the right additional learning support in place to meet those needs. It puts the learner at the heart of the planning for their provision.

## Learning Support Assistant (LSA)

A Learning Support Assistant (LSA) provides assistance to teachers to enable them to achieve high quality inclusive practice in their settings. The role can vary from education setting to education setting. Sometimes an LSA might provide individualised support for one learner and at other times, they might provide more general support across a group of learners. An LSA works in partnership with educators to ensure that barriers to learning and participation are removed.

## Neurodiversity

Neurodiversity describes the way that people interact with the world around them in different ways. There is no one way to do this and the differences are not seen as deficits.

## Outcome

An outcome can be defined as the benefit or difference made to an individual as a result of an intervention. It should be personal and not expressed from a service perspective - it is not a description of the service being provided.

## Parent(s) and Parents/Carers

This Code refers to both 'parents' and 'parents/carers'.

Where 'parent' is used that is because both The Education (Guernsey) Law, 1970 and The Education (Amendment) (Guernsey) Law, 1987 set out a number of functions and duties in relation to the 'parent' of the learner in question, parent being defined as "a person who has parental responsibility in respect of the child or young person in question".

Where 'parent/carer' is used this is intended to describe what might be a wider group of individuals who it would ordinarily be good practice to involve, but may include individuals who are not assigned certain rights/duties under the Laws.

## School

An institution for providing primary or secondary education or both primary and secondary education, being a school maintained by the States, an independent school, or a school in respect of which grants are made by the States to the proprietor of the school.<sup>161</sup>

<sup>161</sup> The Education (Guernsey) Law, 1970.

States schools and the voluntary schools (St Mary & St Michael and Notre Dame du Rosaire) are known as 'States-maintained schools'. 'Schools that are not maintained by the States' include the Grant-aided Colleges and independent schools.

## Sensory and/or Physical Needs

'Sensory and/or Physical needs' is the umbrella term for one of the four broad areas of support described in this Code. This area of need includes the wide spectrum of sensory, multi-sensory and physical difficulties. Some learners may have a sensory processing difficulty. The sensory range extends from profound and permanent hearing or visual impairment through to lesser levels

of loss, which may only be temporary. Physical impairments may arise from physical, neurological or metabolic causes that only require appropriate access to educational facilities and equipment; others may lead to more complex learning and social needs. Some children and young people will have multi-sensory difficulties with associated physical difficulties.

## Social, Emotional and Mental Health Needs (SEMH)

Social, emotional and mental health (SEMH) needs arise from difficulties with making/maintaining positive social relationships, managing/regulating emotions, and/or mental health needs. These difficulties may mean the individual presents with unhealthy/dysfunctional adaptive/coping behaviours. Support/assessment should target these areas, and consider any possible underlying neurodevelopmental difficulties.

## Specialist Support

Specialist support means that the learner requires involvement of services from outside the education setting – e.g. wider Education support services, other States services (such as Health and Social Care) or wider non-States organisations. This entails ongoing involvement or being part of recognised caseload, rather than just initial advice.

## Substantial (disadvantage, as defined in the Prevention of Discrimination Ordinance)

‘Substantial’ means more than minor or trivial.<sup>164</sup>

<sup>164</sup> Section 32(11) of The Prevention of Discrimination (Guernsey) Ordinance 2022.

## Targeted Support

This is the first level of additional learning provision. The core responsibility for this provision rests with the class/subject educator and this is overseen by the Additional Learning Needs Coordinator (ALNCo).<sup>165</sup> This is within the educational setting’s resources.

<sup>165</sup> Roles and responsibilities are outlined in Chapter 6.

Targeted support is required when a learner's progress:

- is significantly slower than that of their peers starting from the same baseline;
- fails to match or better their previous rate of progress and/or
- fails to close the attainment gap between them and their peers (if this would be a reasonable expectation in the circumstances).

Targeted support might include progress in areas other than academic attainment. Progress might relate to social and emotional, communication and interaction or physical and sensory needs.

## Third Sector Organisations

Third sector organisations are a range of organisations that are neither States sector nor private sector. It includes voluntary and community organisations (both registered charities and other organisations such as associations, self-help groups and community groups), social enterprises, mutuals and co-operatives.





