

Easy Read



Llywodraeth Cymru
Welsh Government

Chapter 31 of the draft Additional Learning Needs Code

Consultation document – We want to know
what you think

Please give us your views by **29 October 2020**



This document was written by **Welsh Government**. It is an easy read version of: *Representatives for young people, and parents of children, lacking mental capacity. A consultation on Chapter 31 of the draft ALN Code.*

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How to use this document

This is an easy read version. The words and their meaning are easy to read and understand.



You may need support to read and understand this document. Ask someone you know to help you.



Some words may be hard to understand. They are in **bold blue writing**. They have been explained in a box below the word.

If the hard word is used again it is in **normal blue writing**. You can check what they mean on **page 12**.



Llywodraeth Cymru
Welsh Government

Where the document says **we**, this means **Welsh Government**. For more information contact:

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Introduction

In 2019 we asked you what you thought about our ideas for an **Additional Learning Needs Code**.



Additional Learning Needs is known as **ALN**. Children and young people with **ALN** need extra support to learn. This could be because:

- They have a difficulty or disability that means they need extra support.
- They find it harder to learn than other children and young people the same age.
- They have a disability that means they cannot use the local school or college.



The **ALN Code** gives rules and advice to help everyone supporting children with **ALN**. They must do what the **code** says.



The aim of the **ALN Code** is to make sure all children and young people have the best chances to do well in life.



You can read more about this work here: <https://gov.wales/draft-additional-learning-needs-code>



In 2019 we did not ask people what they thought about **Chapter 31** of the **ALN Code**. Because it was not ready.



Chapter 31 is now ready and we would like to know what you think of it.



This document is about **Chapter 31** of the **ALN Code**. Please read this document. And then tell us what you think by filling in the **response form**.



Please send us your response form by **29 October 2020**.

Chapter 31 of the ALN Code

Chapter 31 is about what should happen when:



- a young person aged between 16 and 25 years old



- or parents of a child aged 0 to 15 years old,

do **not** have **mental capacity**.



Mental capacity means being able to make your own decision about something at the right time.

If you do not have **mental capacity**, it means you are not able to make certain decisions.



It is important that young people and parents are involved in decisions about their lives. Or their child's life.



Here are our ideas to support young people and parents when they are not able to make a decision for themselves.

Our ideas for Chapter 31

Young people and parents who do not have **mental capacity** should have a **representative**.



A **representative** is a person who will have all the information about a decision that needs to be made.

They will help to make the decision and stand up for the rights of the young person or parent.



A **representative** could be someone that has already been chosen by the Court to make decisions for the person.



If a young person does not have a **representative** chosen by the Court, their **parent** could be their **representative**.



We think this would work well because a parent:



- is likely to understand their child's **ALN**



- and want to make the best decisions for them.



Professionals who work with the young person or parent should help them get a **representative**, if they need one.



The **representative** should always support the rights, thoughts and feelings of the young person or parent.



A **representative** can:

- make decisions for a young person or child's parent



- go to meetings and take part in writing plans for the young person or child



- deal with forms and other paperwork about the young person or child



- make an **appeal** to the **Education Tribunal**.
This is when you ask a special panel to look at a decision again, because you do not agree with it.



In the **ALN Code** we will talk about the **young person** and the **child's parent**.

When we say **young person** in the [ALN Code](#) we want it to mean:



- [representative](#) or



- young person **and** their [representative](#).

When we say **parent** in the [ALN Code](#) we want it to mean:



- [representative](#) or



- parent **and** their [representative](#).

We want this to be the same in:



- the **Additional Learning Needs and Education Tribunal (Wales) Act 2018**



- and the **Equality Act 2010** – where it talks about things to do with the [ALN Code](#).

What happens next



We want to know what you think about this.



Please answer the questions on the **response form**.



We will use what you tell us to make decisions about what should be in the [ALN Code](#).



We want the new [ALN](#) rules to start from **September 2021**.



Until then, schools will follow the rules we already have for parents and young people who do not have [mental capacity](#).

Hard words

Additional Learning Needs or ALN

Additional Learning Needs is known as ALN. Children and young people with ALN need extra support to learn. This could be because:

- They have a difficulty or disability that means they need extra support.
- They find it harder to learn than other children and young people the same age.
- They have a disability that means they cannot use the local school or college.

ALN Code

The ALN Code gives rules and advice to help everyone supporting children with ALN. They must do what the code says.

Mental Capacity

Mental capacity means being able to make your own decision about something at the right time. If you do not have mental capacity, it means you are not able to make certain decisions.

Representative

A representative is a person who will have all the information about a decision that needs to be made. They will help to make the decision and stand up for the rights of the young person or parent.